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JOHN B. BAUGHMAN
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October 4, 2011

Via Hand-Delivery

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

RECEIVED

OCT 05 2011

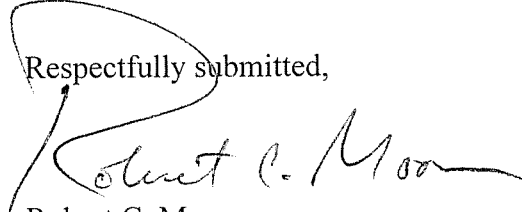
PUBLIC SERVICE
COMMISSION

Re: An Investigation into the Condition and Quality of Service of
Hillridge Facilities, Inc. ("Hillridge")
PSC Case No. 2011-00371

Dear Mr. Derouen:

Please find enclosed for filing in the above referenced case the original and five copies of Hillridge's Answers to the Commission's Data Requests. Please call me if you have any questions concerning this filing, and thank you for your attention to this matter.

Respectfully submitted,



Robert C. Moore

RCM/

Enclosures

cc: Sonja Ridge

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

OCT 05 2011

PUBLIC SERVICE
COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE CONDITION AND)
QUALITY OF SERVICE OF HILLRIDGE) CASE NO. 2011-00371
FACILITIES, INC.)

ANSWERS OF HILLRIDGE FACILITIES, INC.,
TO DATA REQUESTS

Comes Hillridge Facilities, Inc. (“Hillridge”), by counsel, and for its Answers to the Public Service Commission’s Data Requests, states as follows.

1. 807 KAR 5:006, Section 9, requires a utility to maintain a written record of all complaints. Provide a copy of all records regarding complaints that Hillridge has received since January 1, 2009.

ANSWER: The records concerning complaints related to sanitary sewer service that have been received by Hillridge are set forth on Attachment 1.

2. Provide a map of Hillridge’s collection and treatment facilities. This map shall show the location of all facilities, to include collection mains, manholes, and lift stations. It shall also indicate each facility’s size and date of installation or construction. Using the information that 807 KAR 5:006, Section 9, requires Hillridge to maintain, indicate on this map the location and frequency of service complaints that Hillridge has received since January 1, 2009.

ANSWER: The maps reflecting Hillridge’s collection and treatment facilities are attached hereto as Attachment 2. The location and frequency of service complaints received by Hillridge since January 1, 2009, is also contained in Attachment 2.

3. a. Provide a copy of each Notice of Violation (“NOV”) that Hillridge

has received from the Kentucky Division of Water since January 1, 2005.

b. For each NOV provided in response to Item 3(a), state the final action taken by the Kentucky Division of Water on the NOV and all corrective action that Hillridge performed in response.

ANSWER: Copies of the Notices of Violation (“NOV”) received by Hillridge since January 1, 2005, are set forth in Attachment 3. No final action has been taken by the Division of Water with respect to the NOVs received by Hillridge since January 1, 2005. However, the Energy and Environment Cabinet has filed an Administrative Complaint against Hillridge based on these NOVs. Hillridge has taken the following actions in responding to the NOVs issued to it by the Division of Water (“DOW”):

- a. Taken steps to insure that bypasses are reported within the proper timeframe;
 - b. Hillridge has hired a new wastewater treatment operator, Covered Bridge Utilities to operate its WWTP;
 - c. Taken steps to insure that the Discharge Monitoring Reports (“DMRs”) for its facility are filed with the DOW in a timely manner;
 - d. A flow metering device was installed at the WWTP;
 - e. Implemented a number of repairs at the WWTP;
 - f. Submitted a plan to DOW to make repairs and upgrades to its collection system;
 - g. Met with representatives of DOW to discuss the WWTP and collection system; and,
 - h. Implemented its Plan to make repairs and upgrades to its collection system.
4. Pursuant to 807 KAR 5:071, Section 6, Hillridge is required to maintain a record of all system interruptions. Provide a copy of this record log showing all system

interruptions since January 1, 2006.

ANSWER: Objection. Hillridge objects to this request to the extent that it requires speculation as to the meaning of interruption. However, without waiving this objection, Hillridge states that service to its customers has not been interrupted since January 1, 2006, other than as set forth in the records concerning complaints set forth in Attachment 1.

5. Provide a copy of the procedures that Hillridge follows to inspect its sewage collection and treatment facilities.

ANSWER: Hillridge has retained qualified, and where necessary, licensed individuals to operate its WWTP. These individuals operate and maintain the sewer system and WWTP by performing daily inspections, tests, cleaning and maintenance activities at the WWTP, as well as inspection of the four (4) lift stations. Mrs. Ridge also inspects the operation and maintenance of the WWTP and lift stations on a daily basis. Furthermore, when Hillridge receives a complaint, it inspects the collection system at the house involved in the complaint, as well as upstream and downstream of same by camera inspection.

6. a. State whether Hillridge has made a systematic inspection of its collection mains using video equipment to determine the location of potential blockages.

ANSWER: The Louisville and Jefferson County Metropolitan Sewer District (“MSD”) made a systematic inspection of Hillridge’s sanitary sewer system, including its collection mains, using video equipment. Hillridge participated in this investigation of its sanitary sewer system by retaining a contractor to accompany MSD and to review its sanitary sewer systems at the same time

b. If yes:

(1) State the date of this inspection;

ANSWER: The inspection took place between June 2009 through September 2009.

(2) Describe the extent of the inspection; and

ANSWER: Hillridge's entire sanitary sewer collection system was inspected, with the exception of the few areas where a camera could not be inserted to the lines due to root blockage.

(3) State the name of the person or entity making the inspection.

ANSWER: MSD personnel performed the inspection, and personnel from Murphy Excavating accompanied MSD on behalf of Hillridge

c. If no, explain why Hillridge has not conducted such inspection.

ANSWER: Not applicable.

7. State the name and address of each person or entity with whom Hillridge has currently contracted to provide routine maintenance and operation services for its sewage collection and treatment facilities. For each vendor identified, provide all written contracts regarding such services between Hillridge and the vendor.

ANSWER: Hillridge has contracted with Covered Bridge Utilities, Inc., Attention: Lawrence Smither, P. O. Box 91588, Louisville, Kentucky 40291, to provide routine maintenance and operation services for its sewage collection and treatment facilities. Hillridge does not have a written contract with Covered Bridge Utilities, Inc., but pays the amount of \$1,650.00 for the monthly fee. Hillridge also contacts with Murphy's Excavating to provide repair services.

8. Describe the role of Hillridge's management in the routine maintenance and operation of Hillridge's facilities.

ANSWER: Hillridge's management takes the following action with respect to the routine maintenance and operation of Hillridge's facilities: At least 4 times a week, management visually

inspects the WWTP to make sure the pumps are running, the effluent is clear, checks the bar screen, checks the log book, and checks the status of the employees of Covered Bridge Utilities, Inc. Management hires Hillridge's contractors and supervises the contractors, reviews and pays the bills of Hillridge, resolves billing discrepancies, determines when work is to be performed on Hillridge's facilities and bids the jobs to obtain competitive quotes, receives, reviews and responds to complaints made to Hillridge by its customers, participates in proceedings before the Public Service Commission, participates in discussions with regulatory agencies, including the Division of Water and Public Service Commission, participates in responding to complaints or inquiries made by regulatory agencies, participates in preparation of tax returns, hires and supervises professionals working for Hillridge, identifies and addresses problems that may arise with respect to the operation and maintenance of the WWTP and collection system.

9. a. State whether Hillridge has a program or procedures to locate and repair broken or clogged sewer collection mains.

ANSWER: Hillridge has no formal, written program or procedures to locate and repair broken or clogged sewer collection mains. However, periodically Hillridge performs a smoke test of its collection system to determine and locate problem areas. Furthermore, when Hillridge is notified by its customers of a problem with its collection system, Hillridge will camera the affected section of the collection system and make the necessary repairs. Hillridge is currently implementing repairs to its collection system based on the results of the video inspection of its lines, and is also performing a house to house inspection of its collection system.

b. If a written program or procedures exist, provide a copy.

ANSWER: See Answer to 9a.

c. If no written program or procedures exist, describe Willridge's

procedures for locating and repairing broken or clogged sewer collection mains.

ANSWER: See Answer to 9a.

d. If Hillridge has no program or procedures for locating and repairing broken or clogged sewer collection mains, explain why not.

ANSWER: See Answer to 9a.

10. State the current status of Hillridge's Kentucky Pollutant Discharge Elimination System ("K P D E S ") permit .

ANSWER: Hillridge's Kentucky Pollutant Discharge Elimination System ("KPDES") permit was set to expire on December 31, 2007. Hillridge timely submitted its KPDES permit renewal application on June 12, 2007. The Kentucky Division of Water did not renew Hillridge's KPDES permit. Therefore, since January 1, 2008, Hillridge has been operating pursuant to the requirements of its prior permit, as directed by the Kentucky Division of Water. On or about August 1, 2011, Jory M. Becker, Manager, Surface Water Permits Branch, Division of Water, forwarded a letter to Hillridge advising it that a draft Notice of Intent to deny the KPDES permit for Hillridge has been completed and persons wishing to comment upon or object to the proposed action were invited to submit comments to the Division of Water on or before August 31, 2011. Hillridge submitted its objection to this Notice of Intent to Deny the KPDES permit, and to date no action has been taken with respect to same.

11. Provide all correspondence between Hillridge and DOW regarding Hillridge's KPDES permit.

ANSWER: Please see Attachment 4.

12. Provide all correspondence between Hillridge and Louisville-Jefferson County Metropolitan Sewer District since January 1, 2000, regarding the construction,

maintenance and operation of Hillridge's facilities.

ANSWER: Objection, Hillridge objects to Request No. 12 to the extent that correspondence between Hillridge and MSD concerning the sale/purchase of the subject WWTP is required to be produced. Subject to this objection, Hillridge states that it has no such documents.

Sonja Ridge

STATE OF KENTUCKY

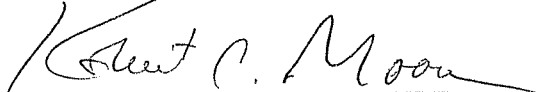
COUNTY OF FRANKLIN

Subscribed and sworn to before me by Sonja Ridge, as her own free act and deed this ____ day of September, 2011.

Notary Public, State at Large

My Commission expires: _____

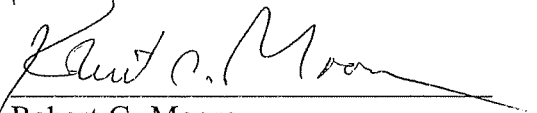
Respectfully Submitted,



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

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by first class mail, postage prepaid, on Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Blvd., P.O. Box 615, Frankfort, Kentucky 40602, on the 4th day of October, 2011.



Robert C. Moore

FEB 16 2010

9:21 AM Beverly Leonhardt
8931 Lacosta Road
445-2827

SAID she has been having problems on and off w/ Basement
Drain for 2 weeks. I asked her why she didn't call us sooner?
was she a new home owner? She said she has lived there a good while.
I told her we were at the top of her water Bill.

She said she had called MSD & they gave ^{her} ~~her~~ name. She
said she had hired a Plumber & he said it was MSD's Problem
she said it took her 2 weeks to find us. I asked her ^{Since she knows who to call now?}
why she didn't call yesterday Feb 15 2010 when drain
unblowed & toilet. She said she didn't know we were open
24/7. I told her she could always call & within 2 hours
someone would call her back. I told her I would be calling
Mr. Joe Murphy. If the problem was on her property
she would pay the Bill. If it was on sewer we would pay
the contractor. I told her Mr. Murphy would call
her shortly.

: 28 called Joe Murphy gave him all information he
needed get there within $1\frac{1}{2}$ to 2 hours & would
be would go straight there from the job they were on now.

called Mrs. Leonhardt to confirm Joe was on the way
had called her.
called her & would be there by 11:00 AM

Rebecca Sim
4102 San Marcos Rd
Lea Ky 40299

Feb 23 2010

8931 Locust

J. Murphy had to dig up and replace
6' pipe + 2000 filled holes - 40 by + see

Siamese

4102 -

March 1, 2010

Called @ 3:30 PM

Mike Paris 352-1825
409-5765

4102 San Marcos Rd

Has Siamese connection with neighbor
he has been having problems with neighbors water
meters sitting in line & backflow basement
over within a year. Asked if he could tap in

to one line. I said yes if the mechanics worked
out & there would be a small fee. Told him

to give J. Murphy a call since he does all
that & can do work & sleeves. But he should
get 2 or 3 bids. And it ultimately would have

to be approved by his health dept.

Veronica you can call if he needs help to call me

Dr. Page

March 1, 2010 Thomas Solomon 8701 Bristol Park Ct

cell 664-9507 Had some questions?

Strip returned called and answered question (SK)

Rec'd
6/3/10
R/S

Tues March 2. 2010

9203 | 9200 Mr Hanath
1607 wale

Friday March 19. 2010

8:05 AM Mrs Doris Metcalf

4111 Somerset Ct

(499-0925)

Said Basement Drain Backed up

Did it a couple years or so ago. Clean out in

Basement. She asked if Mr Bandy would come

I told her I thought he retired but Mr Murphy ^{to}
would come. She said her son would be home to
help if needed. Told her I would call Mr. Murphy ^{right away}

Called Joe 8:08 AM said he could go 1st thing
I will call her immed as so as we hang up.

Called her back at 8:20 to see if Mr Murphy ^{SR}
had called. Called her 8:21 Joe hadnt called yet
will call back 10 minutes

8:36 Joe had called her & going out!

Victoria

(442-2113)

April - 2010

Monday April 5, 2010 11:54 AM

(3803 Shannons Run Trail)

Mrs Paige Clements - 964-3688 work
938-6514 Her Cell
after 3:00 (855-2581) His Cell

3-8

Called her at 1:00 when I came in.
She said to call her at work to set time.
They have a large tree in front yard. They called Plumber + he
can snake between 70 to 100 Ft out. They have a
Slab house - with washer Drain | cannot use Dishwasher either.
Someone needs to come today.

Called Joe Murphy at 1:30 - left message on cell
left message on house phone - (Daenhausen Plumbing) called

2:15 No return call from Joe
(Called Daenhausen Plumbing)

3:15 Joe called me back

Cancelled Daenhausen at 3:45 pm
called Paige and told her Murphy would
be there in about 45 min

April 28. 2010

9:15 pm got call from Mr Latney Ramsey

491-4210

Said when he got home ^{shallow}
Notice grey water in ditch at back of his yard
Said it looked like it was coming from Neighbor's
house at.

Got out of bed call Larry ^{up +} Smither - He will send
Shane in to meet me. got dressed & got into J-Tonox at

9:50 pm checked Plant, went to address Neighbor
has manhole at rear of yard had Piled Rocks at
sue top water was tricking out. ground was soft
from all the rain. Call Joe Murphy at home.

10:15 pm. at sight. Said they would get there 1st
thing. ~~to~~ Went on 2 check Kirby lane. Shane

went on to check Shannon Run's Progie. I went back
to Plant & home returned 10:50 pm Had to take
another shower

low up

April 29. 2010

7:58 AM Called Joe Murphy they were on
way to my job.

April 29 2010

1:00 pm Joe called me to say they cameraed line
took roots out.

\$ 2500.⁰⁰

May 3. 2010

10:46 Am John Ulmer ^{cell} 500-9957

home 491-6463 9311 Lebeau Ct.

Didn't know problem.

10:50 AM
Don call Joe Murphy - Angered his tee
see roots.

called 6:43 pm - Joe said Everything
a-OK.

Monday May 17-2010

4006 Stony Brook Drive

8:08 AM

Fred Moss 693-1782 cell

vernie.

Basement Drainer would like an afternoon appt.

957-3775 773-3526 Not accepting calls at this time

~~8:10~~ called Mr Murphy

He will call Mr Moss right away

+ schedule for this afternoon per Mr Moss request

called Mr. Moss back 8:35 AM to see Murphy
if Joe & he get together on a time

Coming at 4:00 PM
afternoon

May 28. 2010

9:55 pm

Mrs. Denis Metcalf 4111 Samsel Ct.
(499-0925)

Basement Drain overflowing again but washer
checked her back at 10:45 pm.

Told her not to run washer or Dishwasher
Would call Murphy 1st thing in morning.

(See morning)

{ 2 weeks ago - camera out }

Called Joe 7:00 AM Sat 29th. 2010

Joe told me when they unstopped her on the
19th march + covered her drain that they asked if they
could come back + camera line she said yes. 2
weeks ago they called her to come camera line she said
ok. When they got there they said she wouldn't let them
in because her 50 year old son was sleeping, he worked
the late shift as security at a local club.

He said he would get over 1st thing this morning Sat May 29

I called Mrs Metcalf at 9:00 AM she said they were here

I'm going to work

OVER Long bridge

May 29, 2010

Joe went to 4111 Samozed Ct Mr. Metcalf
Said the Basement was 5' Deep in Clothing (Boarder)
House Doesn't have Cleanout Had to try & unblock
thru Drain in Basement Floor 3" line.

House line has roots. Joe Camered line.

Roots have impaled our connection & are growing in
main line from house line. House line runs right
between 2 Big water maples.

We are going to replace ~~our~~ our connection at Street
& put a cleanout for us. Homeowner will have to
take care of their own line.
got line open temp. *Dirig*

1 month June 7, 2010 10:53 AM She doesn't live in our Sewer Dist.

Karen Todd, 8416 Hurstborne Wood Place Backsup to House
Shannon Run Vacant - Her yard backs up to it
(627-2235) - cell 235-7031 - cell.

ork She said there were MSW signs up where the
work had been done on Pump station in Feb. She said
the light was on for a week. I told her that I would
talk to my operators & get to the Bottom of Signs.
she said she had call PSC.

called Larry at 11:05 when we finished. Said the
only break was in Feb when the control Panel went out
was going by & sending, Share By to do out.

I call Mrs. Todd Back & told her I would go over after work.

Jerry called me twice at work
& told me there was everything was fine

Cont. (Todd)

I called Mrs. Todd at 6:15 pm. Todd
then I was headed to Pump Station. When I got
there at (6:35 pm) I took pictures & walked around.
The Creek was Crystal Clear. There was Nothing that
looked like overflow or anything bad. Everything
was Dry above.

Mrs. Todd came over then her husband who was
Cochie. She was pleasant. I explained to them
what a pump station does. What happens & how
it is treated when there is an overflow. I showed
them the creek was Clear. I told them that if
there was a problem & we would have to put line
down we would put up our own signs for
2 or 3 days. He left she left took more pictures
and left.

Jon's help
will send a follow up letter.

Sat July 10. 10 (They have 5 acres not on sewers)

Sean Ford called me at 1:10 pm at work. Saw grease
float on Kirby Lane. Such a mess. Grease flowed in ditch line
of people across street. Said float was fixed but there were
pockets of grey water & some light sludge in little pools down ditch line.
Told him to get pumper truck & pressure washer out there today to clean
called me back & said Hadden Septic Septic work on Sat. & Okolono's
& trucks are full as the dump doesn't open till Monday morning. Said
they could be there 8-9 am Monday morning. I stopped by at 7:00 pm
after work & looked at problem & talked to homeowners for 30 minutes
their front porch. Explained everything & told them it would be
washed & vacuumed on Monday. They were nice & seemed pleased
& said OK, went home. Jon's

Friday
July 16, 2010

12:27 pm

(Called her
at 6:10 when I
got home.
Home cell
499-0135 594-9289

Call from Mary Jo Rideman - Said her rental house
at 4107 Cottage Hill Rd.

Said her rental house had 5 people living in it and
had back up from drain in basement (Last October 2009.)
Said it had stopped up again last Friday (July 9, 2010.)
She called Roy Sandy (who had worked for us in past
up until about 3 1/2 yrs ago.)

Roy unstopped both times & Mary Jo cleaned up
& touched up paint & painted floor.

~~She~~ Said house had PVC line put in 16 yrs ago.

She wanted me to give her money.

I told Mary Jo you know to call us when there's
a problem. We will send someone out & fix it, & pay if
it's our problem. She said Don in past said to just fix it
& he will pay the bill. I've been married to ~~Don~~ Don
for 34 yrs and that's not what we told her. We sent Roy
Sandy out about 4 years ago & said that if the trouble was
in our sewer line then we would pay for damage, if the
trouble was in house line then it was homeowner's responsibility.
I asked her why in the past she didn't hesitate to call
us but did not in Oct 2009 & July 2010.

She started slandering us & said nasty things. I told
her I would send Mr. Murphy out with a camera &
get to the bottom of the problem. I told her MSU does

Not ever pay for any damage they cause.
She said she would rather have them + I told
her she might get her wish along with a 50%
rate increase on a metered scale not a flat
rate + I'm sure she will have trouble paying
her houses with the new high sewer bills.
But my aim was to get to the problem since
we are just being notified about the problems after
the facts.

I told her I would call Joe Murphy + then call
her back. I asked if the house had a clean out + she
said yes in front edge of landscaping.

Called Joe Murphy at 6:25 pm told him about
problem + that Pandey had been there last year + last
week.

Said he would camera the line on Monday morning July 19.10.
I told him if street pipe that connects to house line
is damaged to fix it.

Called Mary Jo back at 6:41 and told her Joe
would be there 1st thing Monday morning + she could look
at film when we were done. I told her if it's in our
pipe it will be fixed. She said OK

Emp. [Signature]

Follow up Sat July 10.10

Kuby Lane

OKolona Septic Pressured washed PITCH

↓ Document Monday. (50)

Sunday July 19.2010 1:09 491.1332

Mr. Galloway called on Cottage Hill
with a small backup by Drain

I called him 2 times & left messages when
I got home. He called me a 7:15 pm

I asked if Joe Murphy could come 1st thing morning
he said yes.

I called Joe, Joe said they would be there by 9:00
called Mr Galloway Back

Monday July 19.2010

Called Joe mid day said that Mr Galloway
was open & happy.

Also as a follow up to Marie Jo Kidenom
case July 16.2010

He cameraed her rented house line at 9107
Cottage Hill. Her plumber made an improper
connection at the house line into our Sewer.
There is a wide space where roots are getting in
Will call her tomorrow July 20.10
& make arrangements for her to see Ben

September 27, 2010

12:32 pm

Walter & Frances 4915863

Frandsen

Said the Alarm was going off & there was gray water running into their ditch.

Shawn

Called Sean Ford. - went over immediately, saw that the grease float had stuck. Fixed.

we then set about having Okolona Sewer Company

Power washing & suctioning his ditch.

Home Owner was very satisfied

OCTOBER 1, 2010

Troy Elrod - 9211 Coalingwood H 741-1248 Cell 493-9956

Has a Black pipe along side Patio. When he flushes Basement toilet water comes out.

Sent ~~Mr~~ Murphy to his House - cameraed his line

this was homeowners clean out, that was overflowing

House line clogged Joe Murphy Billed Homeowner.

October 5, 2010

4102 San Marcos Telephone #5

Names of Owners

Very nice person

were not told they were on a private sewer
were not told what their rates were by Real Estate agent
or Disclosure

were not told neighbors Natu maple is culprit for blockage

They had a back up Friday Oct 1st about 11:30 pm.

They called Roto Rooter. They have only had house approx
a month + 1/2. I explained to them about HR Facilities
the rates what part we are responsible for From the end
of their line that dies into the main sewer & that anything
on their property is their expense.

Told him to call us next time if they have a back
up & we could send someone out, but if it was on house
line they would be responsible for the bill. But the
company we send out has a camera to see what problem is.

Oct 6, 2010

6:59 pm

Rebecca Sim Called 356-6134

Don't understand will call her in morning
NO sewer prob just quest for

October 14 + 15

Rebecca Sim 4102 San Marcos wanted me to send her
copy from Log Book on calls relating to her property

We did that on Oct 18-10 Had Executive Suites draft
a formal letter that was also sent on Oct 18, 2010

Cont Oct 18

Have a copy in our records
attached below.

Dec 2-2010 3:48 PM

Stacey Roseman 751-1660
9014 Collingwood

Aldridge Plumber called right before her.

New Homeowner has been having water in

Basement Drain, for several days. Just got around to call us.

She said she called Plumber because her house has
home warranty. She said Plumber ran out 100' Ft.

said he did camera her lines found blockage half way
out in her pipe.

Called her back at 5:45 pm 2 HRS later.

Explained to her our process everything on her property
is her's up to the connection at Road. Told her

She should call us immed, we would send someone
to camera her line. And if its our problem we

~~we~~ would be responsible. Called Joe Murphy
on Home & Cell left a message at 5:50 pm

Joe called me back at 6:02 pm.

gave ~~her~~ Joe her name & address. He said he would

go out tonight send Scott & call her to make the arrangements.

Joe called Stacey Roseman back at 6:47^{pm} to make sure Joe called
her. She said yes. That her plumber was working on a

blockage he found $\frac{1}{2}$ down her house line.
& that Joe was going to call her back in about
30 minutes to check her plumbers progress
before he comes out to camera line.

✿ We call Joe about 8:00 pm tonight

Dec 3 Friday

Follow up Joe Murphy (2:54 pm) 713-3526

Joe was ready to go out last night but Ms Roseman
said the plumber on hand found a large blockage
in her house line & were coming today to put in
a section of her house line & a clean out.

So the backup was from her blockage.

Joe told her as soon as they finished
for her to call us & we would camera the
line out as her plumber got his line stuck
& could not camera past the blockage in her house
line.

Strip.

1000.00
250.00
0

5 calls

January 1st 2011

4104 Cottage Hill Rd - Ben Gurney 777-5278

8:48pm Benjamin Gurney just moved in 4 months ago. Said he had water by wash machine ~~plug~~ drains by the plug? Explained our procedure. If it was a house line stoppage he would pay Bill if it was our problem in the main line then we would be responsible and he would call Mr. Murphy right away.

8:55 - Talked to Joe Murphy. Said he would call him & get the 1st thing in morning.

I will call Mr. Gurney back by 9:15 to see if Joe called him.



Clara Lynn Waters - Mon Jan 3 - 2011

4:42 AM

491-7499 - 499-1416 - ~~499-1416~~ 4101 San Marcos Rd

Basin Drain Back up

(5:00 5:30 get off work)

basin she had backup yesterday. She called MSD.

Then she called a Plumber. Said the Plumber opened her drain she said he went out 100 ft.

Paid him \$370.00 She said (today Monday) she couldn't

flush any things had Backup called Stewart Benson. Asked her why she didn't call us yesterday?

Said she didn't know she was supposed to call us

(But she couldn't call us?)

~~She called Stewart, she called MSD, she called Plumber~~

I asked her if someone was home. We would be there right away. She said NO NOT till 5:00. Asked her if she had a clean out. She said she does NOT. KNOW.

(I guess her plumber just handed her a Bill)

Tried for 1 Hr to call her Back. Could NOT reach her, (to get Plumbers #?)

Called Joe Murphy - To set him up for 5:30 today as she requested. after work.

Jan 3. 2011

^{se} Howed up at 5:00 pm

Checking man holes in street waiting for Ms. Waters to get home. Ms. Water showed up at 5:25. Told Troy Murphy, she was in NO MOOD to discuss this, plus she said she had to run somewhere else. They told her that if the problem was in the house line she would have to pay Bill. They told her that the Ridges "were very good about paying if the problem was theirs - they want the line cameraed. She said she wasn't paying anyone else. She would either call the other plumber or MSD.

Called Tues Jan 4. 2011 8:20 AM
left the following message on her machine

-Cont

Good morning Ms Waters This is Soups
Rider w/ Hillridge Fac. Inc.

I'm following up with your call yesterday morning
I talked to Mr Murphy last night to see
if they attended your problem at 5:30 yesterday
after you got off work. Per your request

Mr Murphy said they were out checking manholes
when you came home. They said you were NOT
in "the mood" to deal w/ this + you had somewhere to
run to. They explained the payment process to
you + let you know ~~that~~ we would pay for the
problem if it was ours. You said you would not
pay anyone else + that you would call the other
plumber or call MSD. They said they gave
you their #s to call directly if your problem
wasn't straightened out.

I reminded you again that MSD cannot
enter into the private sewer lines + that
if they damage your line or ours per
your request you will be responsible for
ALL REPAIR COSTS. I wish you well + if you
need us give us a call.

(SR)

Called MSD - 5 - 6000 Cust relation (Claretta)
Tues Apr 4 2011 8:40-846 AM
Very nice
nice

(Cathy Meier)

Explained to her that the MSD
Power Blasted My Sewer main yesterday
There were witnesses - Also, Ms Waters sent our
guy away because she said MSD
was coming today.

I told them that they were NOT to trespass
into my sewer lines at anyones intervention
Gleason Benson, Bud Shardin or Ms Waters.

Claretta (very nice) said she would call
her supervisor immediately.

3:30 pm Today Ms Waters called Joe Murphy
He said he would go over if she signed a waiver.
~~She~~ that if the blockage is on her prop she
would pay. She said she would not pay
anything to anybody.

So Joe & I discussed Digging our pipe up at
street & put in clean out. We will do nothing on
her property. He called Bud & they were
to make utilities by 10 AM tom Jan 5. 2010

Jan 5. 2010

Brad Trivette called, Ms Waters called him.
Joe Murphy explained the sit to Brad.
Lex steel has to mark their cable, will dig

Feb 13. 2011 Sunday

5:48 pm William John Allen Jr - Called

502-495-6235 9105 Iethborough Drive "Spoke to Don"

Hired company to unstop basement drain Backup. Said it was due to Sewer company main after they (outed) out it see links.

Called Joe Murphy ^{at 6:45 pm Feb 13. 11} - Called Home Owner. Homeowner

Set meeting time for 4pm on Feb 14. Monday - Joe's

Don met Home Owner & cameraed line

Spoke to Joe on Monday Evening about 7:15 pm ^{Feb 14. 11}

Said they were reviewing camera. But it showed bad connection to sewer line 6 inch filling roots were coming around house connection. Joe will call me tomorrow after viewing entire film.

Log

March 1. 2011

Call from 4016 Storm Brook

Clear water out overflow pipe Kirby Ditch By

lift station.

Called James Shane.

(SL)

Called Homeowner Back.

March 2. 2011. James Shane by Kirby with ~~to~~ ^{to} ~~order~~ ^{order} for slight order at Kirby about 1:00 today Kirby Ditch (SL)

3902 Iethborough Ct 499-3548

March 2. 11 10:41 AM Bob Called Lived there 3 years

Called Plumber. could not get auger in Basement Drain went up on roof & Ran 150 ft.

Home owner called us & I explained to him

That he needs to call us right away. And we will camera line as we unstop it.

Said I would send Joe Murphy out right away. He said no he had company that was leaving next Tuesday March 7th. I told him I would have Joe call him on 7th to come out on 8th.

In the meantime we would check line in street + see if we could camera from manhole to his property.

He doesn't have external clean out.

I called Joe Murphy to give him his numbers to call March 7th for appt on 8th.

Told Joe to check manhole + line in street + see if we could camera out, Joe said he would.

ⓐ

ⓐ

March 2, 2010

3:37 pm Mr Bill Beemus at 4105 Somerset Ct.

Said he was clothes last night + some water backed up in Basement drain. I asked him why he didn't call me last night no real answer. Said he called

Dom Doxler Plumbing today + they said it was out in street. Did not camera line!

We installed a cleanout at Edge of Street
last year. So I told Mr. Beamus that Joe
would be out this early evening.

We will camera ~~out~~ our connection from
cleanout at Street Edge, + check line in
Street. I told Mr. Beamus if roots were on his
property he would be responsible for Bill.

Called Joe Murphy + told him Mr. Beamus
would be home tonight, Joe will go right after supper
in about 1 1/2 HRS.

We will call Joe later tonight. (S)

June 27. 2011

Nancy Jorja

(3805) Shannon Run Trail

40299

(411) City 418-1974.

~~3:45~~ Called at 3:45. I returned

her call at 7:15 pm when I got in from work.

She had called a plumber to change a toilet at her house. While he was there he cameraed her line

and said she had PVC. But at street connection it was clay pipes w/ lots of roots that could

be a potential problem. He told her it was our pipe. I told her I would send Murphy Excavating out tomorrow to camera & check. & call her tomorrow afternoon. I told her if it was our problem I would take care of it.

I called Joe Murphy at 8:00 pm Joe said he would go in morning & let me know so I could call Mrs. Jorja.

Called Joe 6:17 pm Tues June 28-11

To see what he found out. They had an emergency

~~something~~ somewhere this morning, then Fuel pump went out on truck.

It was Mrs. Jorja might now to set time up tomorrow am.

I am going to get mower gas & will call her tonight around 7:30 & take sure Joe called her

Sonye

Cont

6/23 11 Cont

Called Mrs Tena (7:37pm)

You had called her & because the Clean out is in the yard she doesn't need to be Home.

She said Thank You. I told her I would

but she knows what he finds out

Janice

Follow up to Follow up 3805 Shannon Run Tr. Mrs. Jones. You met Homeowner Showed Camera film

Roofs on Home owner Property.

We may install Cleanout in Street as there is no way to camera that area to houses.

Saturday July 16-2011 2:06pm

Call from Guy who said his Name was "TED" Had tried to run cable in 9205 N. Piquette Ct. to open line & could not. Said House was owned by Dave Bishoff & rented to Family Named "Brook" TED # 419-7857, Brook # 416-8011. House was Tri level.

Called Troy Murphy - said He could go there in about an Hour & that he would call "TED" Back.

Troy called Ted Left several messages Call the Brooks & they said they Don't know of "Ted" the plumber.

Troy called me. They called Ted Person Back No response.

Cont-

Sunday July 17. ~~2010~~ 2011

Joe Murphy received call from Mr. Bischoff
Sunday Evening -

Mr. Bischoff said they had gone in thru roof vent
& tried to unclog house line, said house line was full
of roots but they could not open.

Joe said he would call me Monday and get permission
to see what problem was but if it was on Mr. Bischoff's property,
he would have to pay bill.

Monday July 18. 2011

I was talking to Shane on sewer plants operation
he told me that while he was checking the Puroje Ct. pump station
that MSD was in our lines in front of 9205 N. Puroje Ct. with
cameras in our private lines on Machine Street. He went over to them
& told them they were in private sewer lines & to remove their
equipment. They looked it up & found they were in our
lines & proceeded to remove equipment but they had
already marked the edge of street. They said they were called

By Mr Bischoff who had been told last night by Mr. Murphy we would
get back to him today, so he full well knew MSD had no right to
go into our lines. MSD told Shane, our operation that they weren't
sure if it was at connection into sewer main lines or the owners
property.

Monday July 18. 2011

I called Joe Murphy & told him what had been done.

I told him to tell Mr. Bishop if we dig it up
& it is the homeowners line then he will be responsible for the
cost. Joe said he would prepare documents for Mr. Bishop
to sign before he digs it up so that Mr. Bishop would
have to pay to fix it. As it is our problem then we
will bear cost.

Joe said as soon as we hang up he will keep Mr.
Bishop down & tell him so we can proceed.

* And that MSD may bill Mr. Bishop, as he knew when he called
MSD that he was aware that these were private lines & he
didn't tell that to MSD when he called them.

Song-fudge July 15 - 2011 Monday

Saturday July 15 - 2011 4:10 pm

Amy McDonald 9008 Collingwood # 777-6846 + 671-8694
Called & left 3 filthy messages on my machine telling
me she spent 7000.00 furnishing her basement & that her house
sewer had been replaced and the back up was due to my broken
pipes. It was evident there was Alcohol involved.

Called Joe Murphy to go out to their house. He said
he already had been called & they had been there to 9008 Collingwood
& gone already.

Joe said when Troy his son got home they were drinking outside
He ran his camera & found that 20' of their house line was
clay pipe with roots in it.

Cont Sat
July 16, 2011

Army McDonald

He showed the Homeowners & they 1/2 are apologized.
The plumber they hired hooked PVC on to his 20 Ft section
& had not replaced entire line & Back up was due to their
Roots on their line in their pipe.

I called Mrs. McDonald approx 7:00 pm for Follow up:
I didnt mention the filthy messags. ^{she left} She confirmed
it was ~~her~~ ^{their} problem. I said OK we are just falling up

& mung up. ~~She~~ She did not apologize for the
filthy messags (2). I erased them. She said Joe was giving
her a price to fix her lines.

Joey Paley

August 7, 2011

Vickie or Steve Keiber ^{cell} 291-3472 ^{Home} 499-6967

1:59 pm Sunday

2:15 Called back & got Mr Keiber

Took address & Problem

Called Joe Murphy.

Joe was to call Mr. Keiber & let him

know they were coming

Called Joe 2:30 pm

Joe called
Home owner.

3605 Shannon Run
trail
3607 Shannon Run
trail
Water coming out His
Basement Drain & neighbor

Aug 7. 2011 Cont

Joe got there about 4:00 pm within (2 Hrs on a Sunday)

6:00 pm called Homeowner to reiterate

any blockage on House Property is their cost
Road connection out is ours

guys are still working on it.

The Homeowners have NO clean out & you
have to climb on roof to auger out.

We aren't going to do that Our cables are too
big & we might damage roof.

Joe is looking for place to dig up in Easement
Needs to have Bud ~~mark~~ mark utilities tomorrow?

August 8. 2011

3605 3607

Bud marked lines

Joe cleaned out our line & replaced

set
ere

lines were clear

CASE NO: 2011-00371

CONTAINS
LARGE OR OVERSIZED
MAP(S)

RECEIVED ON: October 5, 2011

8907 Collingwood Rd- 1/20/2009 through 1/22/2009
4005 Kirby Ln- 2/02/2009 (called twice)
9212 Collingwood Rd- 3/10/2009
3808 Modesto Rd- 3/18/ 2009 (called twice) and 3/30/2009
3900 Kirby Ln- 4/10/2009
9208 Lethborough- 4/25/2009 (called twice)
9010 Collingwood Rd- 4/27/2009 (called twice) and 5/4/2009
3907 Bonifay Ct- 5/05/2009 (called three times) through 5/6/2009 (called twice)
8909 Del Cristo- 6/12/2009 (called three times)
9210 Collingwood Rd- 7/2/2009 through 7/3/2009
8910 La Costa- 7/03/2009 and 7/6/2009
8909 Collingwood Rd- 9/18/2009
8910 Lethborough- 10/23/2009 (called twice)
8909 Lethborough- 11/08/2009
3711 Modesto Rd- 11/19/2009, 12/12/2009 (called three times) and 12/22/2009
9011 Collingwood Rd- 1/21/2010
8931 La Costa Rd- 2/16/2010 (called twice) and 2/23/2010
4102 San Marcos Rd- 3/01/2010
Kirby Ln, Shannon Run and Pirogue-4/28/2010 through 4/29/2010
9311 Lebeau Ct- 5/03/2010
Kirby Ln- 7/10/2010
4107 Cottage Hill Rd- 7/16/2010 and 7/19/2010
9211 Collingwood Rd- 10/01/2010
4102 San Marcos- 10/05/2010 through 10/06/2010 and 10/14/2010 through 10/18/2010
9014 Collingwood Rd- 12/02/2010
4104 Cottage Hill Rd- 1/01/2011
4101 San Marcos Rd- 1/03/2011
9105 Lethborough Dr- 2/13/2011
9008 Collingwood Rd- 6/16/2011
3902 Lethborough Dr- 3/02/2011
8416 Hurstborne Wood Pl- 6/07/2010
4016 Stony Brook- 3/01/2011
4105 Samoset Ct- 3/02/2011
4109 Stony Brook- 2/23/2009
4105 Samoset- 5/20/2009 (called twice)
4107 Samoset Ct- 7/08/2009 and 7/25/2009
Brookhurst – 7/27/2009 (smell coming from MSD sewer)
3313 Lafollette Dr- 9/05/2009 and 9/15/2009
4111 Samoset Ct- 3/19/2010
4006 Stony Brook Dr- 5/17/2010
4111 Samoset Ct- 5/28/2010 through 5/29/2010

3805 Bristol Oaks Ct- 7/27/2009 (called twice)

8707 Bristol Oaks Ct- 3/01/2010

3808 Shannon Run Trail- 4/15/2010

3805 Shannon Run Trail- 6/27/2011 through 6/28/2011 and 7/16/2011 through 7/18/2011

3605 Shannon Run Trail- 8/07/2011 through 8/08/2011

3607 Shannon Run Trail- 8/07/2011 through 8/08/2011

STEVEN L. BESHEAR
GOVERNOR



ROBERT D. VANCE
SECRETARY

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

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

February 15, 2008

Certified No. 7005 0390 0003 0864 0186
Return Receipt Requested

Donald Ridge
17825 Bradbe Rd
Fishersville, KY 40023

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

Dear Donald Ridge:

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

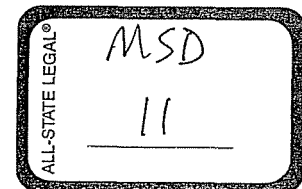
Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 502-429-7122.

Sincerely,

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

Mr. Brad Trivette,
Environmental Inspector III
Division of Water

Enclosure



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

NOTICE OF VIOLATION

To: Donald Ridge
17825 Bradbe Rd
Fisherville, KY 40023

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

time the permittee becomes aware of the circumstances. This report shall be in addition to and not in lieu of any other reporting requirement applicable to the noncompliance. [401 KAR 5.065 Section 1(12)(f)]

Description of Non Compliance:

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

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

Immediately report all overflows and bypasses from the sewer collection system or the waste water treatment plant. [401 KAR 5.015 Section 2, 401 KAR 5.065 Section 1(12)(f)]

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

Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. [401 KAR 5.065 Section 1(5)]

Description of Non Compliance:

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

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

Use proper operations and maintenance practices that will ensure compliance with all applicable regulations and KPDES permit requirements. [401 KAR 5.065 Section 1(5)]

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

All wastewater treatment plants shall have a disinfection process which meets the following requirements: An ultraviolet disinfection system designed to treat the anticipated peak hourly flow; a chlorination system with a flow or demand proportional feed system. The chlorine contact tank shall have a minimum detention time of thirty (30) minutes based on the average flow, or fifteen (15) minutes based on the peak hourly flow, whichever requires the larger tank size. Wastewater treatment plants shall also have a dechlorination system with a flow or demand proportional feed system if necessary to meet the effluent limits, or a chlorination system with a manually controlled feed system and a flow equalization basin designed to eliminate the diurnal flow variations. [401 KAR 5.005 Section 11(1)]

Description of Non Compliance:

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

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

Properly operate the disinfection system to meet permit limits. [401 KAR 5.005 Section 11(1)]

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

The flow measuring device shall measure all flow received at the wastewater treatment plant. An indicating, recording, and totalizing flow measuring device shall be installed at each large wastewater treatment plant. [401 KAR 5.005 Section 12]

Description of Non Compliance:

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

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

Description of Non Compliance:

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

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

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

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

0

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

Description of Non Compliance:

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

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

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

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

1

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

Description of Non Compliance:

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

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

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

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

2

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

Description of Non Compliance:

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

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

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

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

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

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

Brad Trivette

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

Date: February 15, 2008

Charles A. Roth

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

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



STEVEN L. BESHEAR
GOVERNOR

ROBERT D. VANCE
SECRETARY

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

April 30, 2008

Hand Delivered

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

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

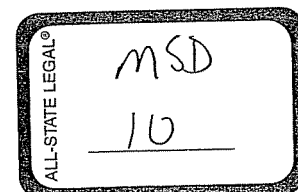
Dear Mr. Ridge:

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

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

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

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



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

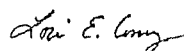
Failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for Total Suspended Solids (TSS) during the month of April 2007. The permitted limits for TSS Concentration are a 30-day average of 30 mg/l and a daily maximum of 60 mg/l. The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

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

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

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

Sincerely,



Lori Conway
Environmental Enforcement Specialist
Division of Enforcement



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

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

June 27, 2008

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

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

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

Dear Mr. Ridge:

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

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

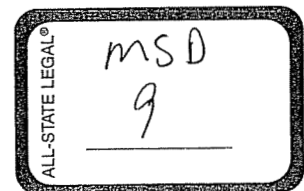
Sincerely,

E-Signed by Comley, Erin
VERIFY authenticity with ApproveIt

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

MJC/lec

Enclosure



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

NOTICE OF VIOLATION

To: Donald Ridge
17825 Bradbe Rd
Fisherville, KY 40023

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

Description of Non Compliance:

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

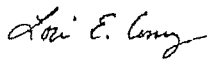
The remedial measure(s), and date(s) to be completed by are as follows:

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

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

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

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



Issued By:

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



Issued By:

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

How Delivered: Certified Mail

Certified/Registered # 7005 3110 0002 2395 6437

STEVEN L. BESHEAR
GOVERNOR



LEONARD K. PETERS
SECRETARY

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

October 28, 2008

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

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

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

Dear Mr. Ridge:

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

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

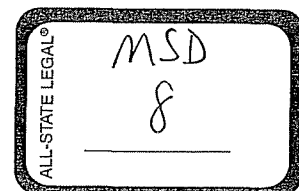
Sincerely,

A handwritten signature in cursive script that reads "Erin Conway".

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

MJC/lec

Enclosure



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

NOTICE OF VIOLATION

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

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

Description of Non Compliance:

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

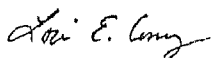
The remedial measure(s), and date(s) to be completed by are as follows:

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

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

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

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



Issued By: _____

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



Issued By: _____

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

STEVEN L. BESHEAR
GOVERNOR



LEONARD K. PETERS
SECRETARY

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

March 8, 2010

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

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

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

Dear Mr. Ridge:

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

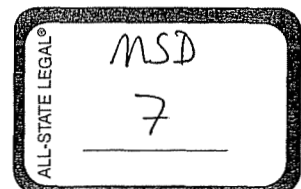
Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at (502) 564-2150 extension 266.

Sincerely,

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

Lori E. Conway
Environmental Enforcement Specialist
Compliance and Operations Branch

Enclosure



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

NOTICE OF VIOLATION

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

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

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

1 Violation Description for Subject Item AIOO0000002067():

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

Description of Non Compliance:

Failing to comply with 40 CFR 122.41(a) as adopted by 401 KAR 5.065 Sec. 2(1)(a) by failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for Total Ammonia Nitrogen (TAN) during the months of August of 2008, and for the months of May, July and September of 2009.

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

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

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

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

2 Violation Description for Subject Item AIOO0000002067():

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

Description of Non Compliance:

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

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

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

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

3 Violation Description for Subject Item AIOO0000002067():

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

Description of Non Compliance:

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

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

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

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

4 Violation Description for Subject Item AIOO0000002067():

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

Description of Non Compliance:

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

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

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

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

5 Violation Description for Subject Item AIOO0000002067():

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

Description of Non Compliance:

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

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

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

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

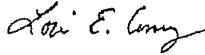
Hillridge Facilities Inc. shall comply with the terms and conditions of KPDES Permit #KY0036226 [KRS 224.70-110]

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

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

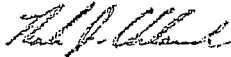
Department for Environmental Protection
Division of Enforcement
300 Fair Oaks Lane
Frankfort, KY 40601
502-564-2150 ext. 266 (8:00 AM – 4:30 PM)
Lori E. Conway, Enforcement Specialist

AI: Hillridge Facilities Inc -- 2067



Issued By:

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



Issued By:

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

How Delivered: Certified Mail

Certified/Registered # 7008 1830 0003 6510 1603

STEVEN L. BESHEAR
GOVERNOR



LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

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

January 20, 2011

Certified No. 7008 1140 0003 3813 2966
Return Receipt Requested

Donald Ridge
17825 Bradbe Rd
Fisherville, KY 40023

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

Dear Mr. Ridge:

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

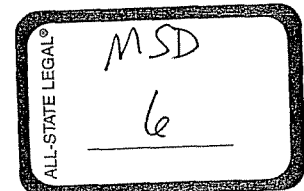
Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 502-429-7122.

Sincerely,

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

Mr. Brad Trivette,
Environmental Inspector III
Division of Water

Enclosure



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

NOTICE OF VIOLATION

To: Donald Ridge
17825 Bradbe Rd
Fisherville, KY 40023

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

Description of Non Compliance:

The facility has failed to comply with the effluent limitations contained in the permit.

DMR violations for 2010:

Jan- Fecal and TRC

May-D.O., NH3 and TRC

June-D.O., NH3, TRC, Fecal, and B.O.D.

July- D.O. and NH3

Aug- D.O.

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

Description of Non Compliance:

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

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

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

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

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

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

Brad Trivette

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

Date: January 20, 2011

Charles A. Roth

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

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



RECYCLED PAPER MADE FROM 25% POST CONSUMER CONTENT



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

February 19, 2010

Certified No. 7007 0710 0004 2989 9591
Return Receipt Requested

Mr. Donald Ridge
17825 Bradbe Road
Fisherville, KY 40023

RE: Sewer Sanction in place on
Hillridge Facilities, Inc. WWTP
DOW 080111
AI ID: 2067
KPDES NO. KY0036226
Jefferson County, Kentucky

Dear Mr. Ridge:

This letter is to notify you that the Division of Enforcement has placed a sewer sanction on the Hillridge Facilities wastewater treatment plant and sewage collection system for the following reasons:

1. Our records indicate that the wwtp and the sewer collection system has had an excessive number of overflows and the facility has failed to develop and implement a Sanitary Sewer Overflow Plan (SSOP) to address the Inflow, Infiltration (I&I) within the collection system; and
- 2) The facility's Kentucky Pollutant Discharge Elimination System (KPDES) Permit Number KY0036226 was suspended by the Cabinet on April 30, 2008.

State regulations allow the Cabinet to place the Hillridge Facilities wastewater system on sewer sanction to ensure appropriate measures are taken to protect the waters of the Commonwealth. The sewer sanction once in place will not allow any sewer line extensions or taps on to existing sewer lines, including single family dwellings, to occur without an exemption approved by this office. These requests for exemption to the sanction should be submitted to Greg Wilson at the Division of Enforcement using the attached Sewer Sanction Exemption Request Form. All exemption requests submitted must be signed by a representative of the municipality, facility, or agency receiving the

wastewater. These requests are reviewed on a case-by-case basis and approved or denied based on the nature of the request, the condition of the system, and the progress the facility has made in complying with all pertinent regulations, permits, and orders.

To have the sewer sanction lifted, the Hillridge facility must meet with the Division of Water and the Division of Enforcement to outline remedial measures necessary to address capacity, Inflow Infiltration (I/I) problems and the excessive number of overflows that occur within the sewer collection system.

If you would like to arrange a meeting with this office or if you have any questions please do not hesitate to contact Greg Wilson at 502-564-2150, extension 168 or e-mail at greg.wilson@ky.gov.

Sincerely,



Jeffrey Cummins, Assistant Director
Division Enforcement

JAC/jgw

Enclosure

Cc: DOW Louisville Regional Office- Charlie Roth
Division of Plumbing
Main File
DOW - Hamid Beykzadeh
KPDES File



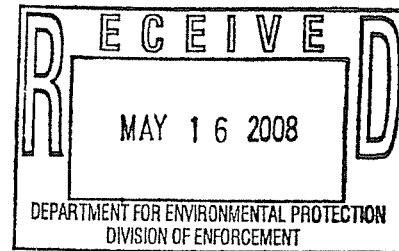
SMITH, GREENBERG & NAPIER PLLC
ATTORNEYS

RICHARD A. GREENBERG
rgreenberg@sgnattorneys.com

COUNTY: Jefferson
FACILITY: Hillridge Facilities
P.D. # KY PDES # KY0036226
SECTION: DOW/KY PDES
SENT BY: JGW BRANCH DENF

May 14, 2008

Greg Wilson
Division of Enforcement
Environmental & Public
Protection Cabinet
300 Fair Oaks Lane
Frankfort, KY 40601



Re: Hillridge Facilities, Inc. KYPDES Permit #KY0036226

Dear Mr. Wilson:

Hillridge Facilities, Inc., ("Hillridge") appreciated Commonwealth of Kentucky Personnel ("State") meeting with Hillridge representatives on April 30, 2008 to address various issues at Hillridge's Wastewater Treatment Facility. In our meeting, it was agreed that Hillridge would respond to certain items brought to its attention at the meeting.

Many of the events addressed in the meeting occurred four years ago, which had been resolved. Also, some of the items that the State wanted to address were already remedied prior the State bringing them to Hillridge's attention in the meeting. Hillridge has been informed by State Personnel that it need not further respond to the April 30, 2008 correspondence from Lori Conway and Hillridge has provided verbal responses to various other matters identified by the State in our meeting.

Hillridge is a well run facility. This has been noted by many individuals including, but not limited to, inspectors from the Louisville Metro Health Department, plant operators who also operate other facilities, and many others. Hillridge has and continues to be proactive in its operations.

The following statements are made pursuant to the State's request to address certain issues at the facility. Hillridge does not admit any wrong doing, violation, or liability. Hillridge waives no rights, remedies, or defenses and specifically reserves any rights, remedies or defenses in responding to the State's inquires.



Hillridge has and will continue to:

(1) Report, when required by law, all spills, bypass discharges, upset condition discharges, or other releases of substances and will make its primary reports of any such discharges or releases by telephone to the Cabinets' 24 hour notification number and the Louisville regional office;

(2) Operate and maintain its facility with a properly certified operator;

(3) Strive to avoid discharge of solids from its wastewater treatment plant; and

(4) Conduct proper sampling, monitoring and reporting of discharging effluents from its facility.

Hillridge believes that a flow measuring device that measures the flow that enters the facility is not needed. As the State was informed in the meeting, Hillridge has proactively moved forward with the installation of new pumps and it has addressed other matters, which have significantly improved operations. For instance, during the recent significant rain events, Hillridge has not had any bypasses from the manhole at the plant property. Along with the anticipated corrective activities, it will be evident whether the alleged inflow/infiltration issues have been satisfactorily addressed. A flow measuring device for flow entering the facility is extremely expensive and the dollars are better spent on any corrective activity.

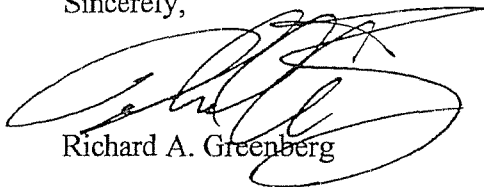
As we informed the State in the meeting, Hillridge immediately in February, after being informed by the inspector, ceased bypassing secondary treatment of its waste. The Operator, at the time, believed that due to the immediate situation it was more protective of the environment to pump into the chlorine tank.

Hillridge will retain the services of a professional engineer to prepare a plan to evaluate the collection system which will address significant sources of inflow/infiltration that allegedly are entering the collection system, provide a description on how to address certain contributors to inflow/infiltration in a cost effective manner, provide drawings of the collection system, and evaluate cost effective approach to addressing the alleged inflow/infiltration.

Again, Hillridge requests issuance of a new final KPDES permit. It is not logical to implement a corrective action program with the attendant significant cost without knowing if Hillridge will be allowed to operate its facility. Therefore, Hillridge reiterates its request for the Division of Water to take immediate action to either approve or deny the permit

Hillridge suggests a meeting be scheduled with the appropriate State Personnel to address these and other issues. I have spoken with John West, about my thoughts concerning an upcoming meeting. Please contact him accordingly. Hillridge looks forward to working with the State on these matters.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard A. Greenberg', written over a large, loopy scribble.

Richard A. Greenberg

cc: Jeff Cummings
John West
Jory Becker

HAZELRIGG & COX, LLP

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. Box 676

FRANKFORT, KENTUCKY 40602-0676

JOHN B. BAUGHMAN
ROBERT C. MOORE

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

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

February 25, 2011

Ms. Sandy Gruzesky
Director, Kentucky Division of Water
200 Fair Oaks Lane, 4th Floor
Frankfort, Kentucky 40601

Re: Hillridge Facilities, Inc. ("Hillridge")
Hillridge Wastewater Treatment Plant ("WWTP")

Dear Ms. Gruzesky:

I am writing to you on behalf of my client, Hillridge Facilities, Inc., to address a number of inaccurate statements made in your letter of January 28, 2011, to William Bush, Associate Regional Counsel for the U.S.EPA, Region 4 concerning the Hillridge WWTP. These inaccurate statements are set forth below, along with the accurate information. Based on the accurate information, it is clear that your request that the U.S. EPA Region 4 authorize the Louisville and Jefferson County Metropolitan Sewer District ("MSD") to take over the flow from the Hillridge WWTP is premature:

- 1) Your letter accurately states that Hillridge's KPDES permit expired and that KDOW did not renew the permit. Your letter fails to note that Hillridge's KPDES permit was issued on December 3, 2003, and that prior to its expiration on December 31, 2007, Hillridge timely filed its application to renew the permit. Your letter alleges that the permit was not renewed "due to the WWTP's chronic noncompliance and potential availability of the regional system". Of course, the regional system has not been available since December of 2007 and is still not available. Accordingly, Hillridge's KPDES permit should have been renewed as of January 1, 2008, and the DOW wrongfully failed to renew the permit.
- 2) Hillridge has spent a substantial amount in making repairs to its collection system and to its plant in 2009 and 2010. Additionally, and as you are aware, Hillridge has filed an application with the Public Service Commission to obtain a surcharge in the amount of \$11.19 per month for 36 months so that it can make needed repairs to its collection system. The quotes obtained by Hillridge reflect that the cost to make the needed repairs to the collection system range from \$333,500.00 to \$290,000.00. (See Attachment A) These repairs will be implemented as soon as the surcharge has been approved by the Public Service Commission.
- 3) Your letter mistakenly states that the Hillridge WWTP and collection system were built in 1965. Approximately forty percent (40%) of the Hillridge collection system was built after 1980 pursuant to under the approval and inspection of MSD. The sewer mains serving the 55 to 58

Ms. Sandy Gruzesky
February 25, 2011
Page Two

homes in the Summer Breeze development served by the Hillridge WWTP were built in 2007. The sewer mains serving the 20 homes in the Mansfield Estates development served by the Hillridge WWTP were built in 2005 and 2006. The sewer mains serving the 8 homes in the extension of the Mansfield Estates development served by the Hillridge WWTP were built in 2010. The sewer mains serving the approximately 100 homes in the Bristol Oaks development served by the Hillridge WWTP were built in 1992 to 1993. The sewer mains serving the approximately 58 homes in the Hillridge East development served by the Hillridge WWTP were built in 1984. The sewer mains serving the 10 lots in the DS Henry development served by the Hillridge WWTP were built in approximately 2008. Again, the engineering and construction of these lines was approved by MSD. Accordingly, the statement that the Hillridge collection system was built in 1965 was clearly made in error.

4) Your letter states that MSD may begin serving the homeowners currently receiving their wastewater treatment services from the Hillridge WWTP. This statement is inaccurate, because the construction and/or upgrade of the pump station that MSD plans to use in taking the flow from Hillridge is not yet complete. Pursuant to KRS 61.872, et seq., on November 24, 2011, an Open Records Request was forwarded to MSD requesting information concerning the status of the repair(s) and/or upgrade(s) being made to the Lee Ann Way Pump Station. The response to this open records request did not include any information indicating that the work on the pump station was complete. Thereafter, on February 4, 2011, another Open Records Request was submitted seeking to obtain copies of the engineers' certifications indicating that the work on the Lee Ann Way Pump Station has been completed. To date, MSD has not responded to the February 4, 2011 Open Records Request. MSD's failure to provide the engineers' certifications indicates that they are not available because the Lee Ann Way Pump Station project is not complete.

5) Your letter refers to MSD's estimate of the cost to make repairs to the Hillridge WWTP as exceeding \$1,000,000. I have enclosed for your review copies of three quotes of the cost to make the needed repairs to the Hillridge collection system, with the highest quote being \$333,000.00 and the lowest quote being \$290,000.00. Hillridge will be requesting Murphys Excavating to implement the repairs after the Public Service Commission has approved the request for surcharge.

6) Your letter states that if the Hillridge wastewater is treated by MSD it would result in "treatment of that wastewater to a higher level than is possible at the Hillridge WWTP". Please note that MSD's 2008 Interim Sanitary Sewer Discharge Plan lists no less than 23 sanitary sewer overflows ("SSO") on the MSD system within the same zip code area as Hillridge. This large number of SSO's does not include the SSO's between the Lee Ann Way Pump station and the MSD treatment facility that will ultimately treat the wastewater now treated by Hillridge. Nor does it include the large number of overflows, bypasses and other exceedances that occur on a regular basis at MSD's wastewater treatment plants. Therefore, your statement that MSD will treat the wastewater currently treated by Hillridge to a higher level is also inaccurate.

Ms. Sandy Gruzesky
February 25, 2011
Page Three

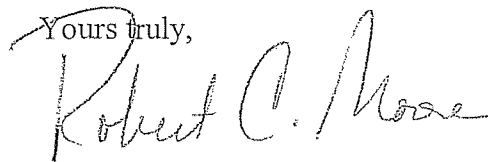
7) Any discharges from the Hillridge collection system occur during large rain events. Of course, these are the very same type of discharges that occur from the MSD collection system, although MSD's discharges are in larger quantities.

8) Your letter asserts that MSD should not be required to comply with its approved System Capacity Assurance Plan ("SCAP") requiring new developments in the area currently served by the Hillridge collection system to meet a 3:1 ratio so that each additional gallon of sewage added by any new development to the system will require the removal of three gallons of inflow and infiltration. The basis for your assertion is that MSD operates a compliant regional system. Of course, this assertion is inaccurate, as MSD continues to operate its collection system in spite of the large numbers of SSO's throughout its collection system, the overflows, bypasses and exceedences at its wastewater treatment plants, and the fact that its operations are governed by the Amended Consent Decree entered into with the U.S. EPA, Region 4.

9) Your letter forwarded a copy of the administrative complaint filed against Hillridge by the Division of Water. I have attached a copy of the Answer to the Complaint that was filed on behalf of Hillridge. Of course, the Answer denies the allegations set forth in the complaint. (See Attachment B).

Based on the above-stated facts, Hillridge is requesting that the Division of Water withdraw the above described January 28, 2011, letter forwarded to Mr. Bush. Furthermore, I would like to schedule a meeting to discuss these issues and ensure that the Division of Water is relying on accurate information in making decisions with respect to the Hillridge WWTP. Finally, I am requesting that the Division of Water move forward to issue the renewal KPDES permit to Hillridge.

Thank you for your attention to this important matter.

Yours truly,

Robert C. Moore

RCM/neb
Enclosure

cc: Josh Nacey
William Bush
Larry Zielke
Sonja Ridge

2ND Bid repair

P.O. Box 137
Crestwood, KY 40014
502-241-4809
502-241-7943 Fax

**Camden
Environmental
Service Co., Inc.**

Quote

To: Hill Ridge Facilities Inc.

From: Larry Smither

Date: 9/10/10

Pages:

Re: Sewer main repairs that help eliminate some of the infiltration and inflow

I am please to present our quote to make sewer main repairs at the following locations: (Note: The following locations were taken from a list supplied by Hill Ridge Facilities, Inc.)

- 3905 Lethborough Ct.
- 8517 Old Watterson Trail
- 3400 LaFollette
- 3904 Bonafay Ct.
- 3700 Modesto
- 3913 San Marcos
- 4111 Stoneybrook
- Sewer main between Stoneybrook and the Kirby Lane lift station
- 8900 Stoneybrook
- 8808 Avondale
- 8807 Kirby Ln.
- 3716 Bristol Oaks

ATTACHMENT A

September 10, 2010

- 3913 Bonafay Ct
- 9102 Lethborough
- Largo Ct
- Wakulla Ct
- 4003 Stoneybrook Road
- 4002 Stoneybrook Road
- 3822 Shannon Run Trail
- Intersection of LaCosta & Collingwood
- San Marcus & Watterson Trail
- 200' of 8" sewer main at the end of Lethborough

Total Cost for the above repairs and replacements -- \$333,500.00

Thanks for the opportunity to quote you on this project.

If you have questions or need additional information please call.

Sincerely,

A handwritten signature in black ink, appearing to read "L. W. Smither", with a long horizontal flourish extending to the right.

Lawrence W. Smither

BLAND PLUMBING & PIPING
8306 ARNOLDTOWN RD.
LOU. KENTUCKY
PHONE-9356172

HILLRIDGE UTILITIES
BID PROPOSAL
REPAIR WORK PER INFO
8-5-2010

3905 LETHBOROUGH REPLACE BAD SEC. PIPING	6,500.00
8517 OLD WATERSON TRAIL — REPLACE BAD PIPING 8FT DOWNSTREAM FROM MANHOE	4,600.00
3400 LA FOLLETTE REPLACE BAD SEC PIPING 10 TO 12 FT. IN ROAD	7,600.00
3904 BONAFAY CT REPLACE BAD T CON. AND ALL BROKEN PIPING IN STREET	18,900.00
3700 MODESTO REPLACE ONE BAD SEC. PIPING IN STREET	4,800.00
3913 SAN MARCOS REPAIR 15FT OF BAD PIPING UNDER STREET	12,800.00
4111 STONEY BROOK REPAIR DROPPED AND SEPERATED PIPING, UNDER STREET	9,600.00
8 INCH MAIN BETWEEN STONEYBROOK AND LIFT STATION AT KIRBY LANE REPAIR LARGE HOLE IN PIPING, NEXT TO CREEK	6,750.00
8900 STONEY BROOK REPAIR LARGE HOLE IN PIPING IN STREET	8,600.00
8808 AVONDALE REPAIR BROKEN AND MISALIGNED PIPING	11,500.00
8807 KIRBY LANE REPAIR PIPING JUST BEFORE LIFT STATION IN 7 LOCAT.	28,700.00
8716 BRISTOL OAKS REPAIR BAD PIPING AND INFLITERATION—5 LOCATIONS	18,900.00
3913 BONAFAY COURT MULTIPLE FRACTURES IN FRONT & BELOW MANHOLE	16,500.00
4003 STONEYBROOK RD. ROOTS AT 5 LOCATIONS	28,600.00

4002 STONEYBROOK RD. BAD PIPING AT 3 LOCATIONS	26,850.00
3822 SHANNONRUN TRAIL BAD PIPING, LARGE AMT. I & I	12,800.00
INTERSECTION OF LA COSTA & COLLINGWOOD, CRACKED & BROKEN PIPIN ENTIRE SECTION	27,500.00
LARGE 15" MAIN, SAN MARCOS & WATERSON TRAIL—LARGE AMT. ROOTS IN EVERY OTHER SECTION	26,500.00
AT THE END OF LETHBROUGH CT., BROKEN PIPING - NEXT TO DITCHLINE 12-14 LOCATIONS	28,700.00

TOTAL—PARTS & LABOR—————\$306,700.00

THREE HUNDRED SIX THOUSAND, & SEVEN HUNDRED DOLLARS

THANKS-RALPH BLAND

4002 STONEYBROOK RD. BAD PIPING AT 3 LOCATIONS	26,850.00
3822 SHANNONRUN TRAIL BAD PIPING, LARGE AMT. I & J	12,800.00
INTERSECTION OF LA COSTA & COLLINGWOOD, CRACKED & BROKEN PIPIN ENTIRE SECTION	27,500.00
LARGE 15" MAIN, SAN MARCOS & WATERSON TRAIL—LARGE AMT. ROOTS IN EVERY OTHER SECTION	26,500.00
AT THE END OF LETHBROUGH CT., BROKEN PIPING - NEXT TO DITCHLINE 12-14 LOCATIONS	28,700.00

TOTAL—PARTS & LABOR—————\$306,700.00

THREE HUNDRED SIX THOUSAND, & SEVEN HUNDRED DOLLARS

THANKS-RALPH BLAND

MURPHYS EXCAVATING
379 BROOKSVIEW CR.
BROOKS, KY. 40109
PHONE-9573775-MOBIL-7733526-FAX-9576185
2-26-10

HILLRIDGE FACILITIES INC.

BID PROPOSAL FOR:
REPAIRING SEWER LINES & STOPPING INFILTRATION & INFLOW OF WATER
PAGE 1

- 3905 LETHBOROUGH CT— REPAIR BROKEN PIPING BELOW MANHOLE, HAS LARGE HOLE APPROX. 2FT. LONG-- REPLACE APPROX. 6FT. OF BROKEN TERRA COTTA PIPE.
- 8517 OLD WATTERSON TRAIL— REPLACE BROKEN PIPING JUST BELOW MANHOLE
- 3400 LA FOLLETTE— LARGE AMOUNT OF BROKEN PIPE & WATER INFILTRATION, REPLACE APPROX. 10FT. OF TERRA COTTA PIPE.
- 3904 BONAFAY CT.—REPLACE BAD T CONNECTION & BROKEN PIPING.—BAD I & I.
- 3700 MODESTO— BROKEN PIPING, REPLACE 5FT.
- 3913 SAN MARCOS— APPROX. 15FT. OF PIPING BROKEN, LARGE AMOUNT OF HOLES, GRAVEL & INFILTRATION.
- 4111 STONEY BROOK— DROPPED & SEPARATED PIPING—REPLACE 1 SECTION.
- 8" MAIN BETWEEN STONEY BROOK & THE LIFT STATION AT KIRBY LN.—LARGE HOLE IN PIPING, NEXT TO CREEK.-REPLACE 1 SECTION.
- 8900 STONEY BROOK—LARGE HOLE IN PIPING, WATER INFILTRATION
- 8808 AVONDALE— BROKEN PIPES & DROPPED & MISALIGNED PIPES.
- 8807 KIRBY LN.—JUST BEFORE LIFT-STATION: CRACKED & BROKEN PIPING—7 LOCATIONS.

- FULL LABOR PRICE OF ALL REPAIRS----- \$196,600.00

- PARTS: PAVEMENT, CONCRETE, PIPING
PERMITS & BONDING-----\$ 93,400.00

- TOTAL-----\$290,000.00

TWO HUNDRED NINETY THOUSAND DOLLARS

THANK YOU

JOSEPH MURPHY

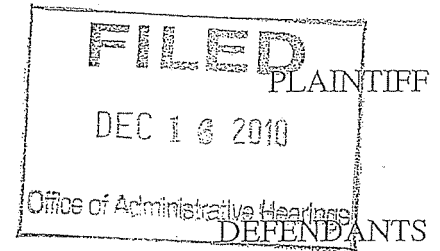
COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
FILE NO. DOW-33312

ENERGY AND ENVIRONMENT CABINET

vs.

ANSWER

HILLRIDGE FACILITIES, INC



COMES the Defendant, Hillridge Facilities, Inc. (hereinafter referred to as "Hillridge"), by counsel, and for its Answer to the Complaint of the Energy and Environment Cabinet (hereinafter "Cabinet"), states as follows:

1) The Defendant, Hillridge, admits the truth of the allegations contained in paragraphs 1 and 2 of the Plaintiff's Complaint.

2) The Defendant, Hillridge, admits the truth of the allegations contained in paragraph 3 of the Plaintiff's Complaint, but further states that it timely filed an application to renew the KPDES permit issued to it, but the Cabinet has wrongly failed to renew said permit.

3) The Defendant, Hillridge, admits so much of the allegations contained in paragraph 4 of the Plaintiff's Complaint that alleges that at all times relevant to the Complaint, Hillridge operated a Waste Water Treatment Plant ("WWTP") located in Jefferson County near Kirby Lane and Watterson Trail, and this WWTP was permitted to discharge into Fern Creek at mile point 29.17. The Defendant, Hillridge, is without sufficient knowledge or information to form a belief of as to the truth of the remaining allegations contained in said paragraph and therefore denies same.

4) That the Defendant, Hillridge, is without knowledge or information sufficient enough to form a belief as to the truth of the allegations contained in paragraphs 5 and 6 of the Plaintiff's Complaint and therefore denies same.

5) That the Defendant, Hillridge, denies so much of the allegations contained in

paragraph 7 of the Plaintiff's Complaint that alleges that Hillridge did not submit discharge monitoring reports ("DMR's") for the months of February, March, August, and October of 2007. That with respect to the remaining allegations contained in paragraph 7 of the Plaintiff's Complaint, the Defendant, Hillridge, states that the DMR's and other plant records speak for themselves and denies the truth of the allegations contained in said paragraph.

6) That the Defendant admits so much of the allegations contained in paragraph 8 of the Plaintiff's Complaint that states that on or about February 15, 2008, DOW issued a NOV to Hillridge and that a copy of the NOV is attached as Plaintiff's exhibit 1. Further answering, Hillridge states that the NOV speaks for itself and denies that it committed the violations set forth in the NOV.

7) That the Defendant, Hillridge, is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9 of the Plaintiff's Complaint, and therefore denies same. Further answering, Hillridge denies that a violation of 401 KAR 5:065 Section 1 (13) (c) occurred.

8) That the Defendant, Hillridge, admits so much of the allegations contained in paragraph 10 of the Plaintiff's Complaint that the Cabinet has placed Hillridge on the State's Sewer Sanction List. Hillridge is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 10 of the Plaintiff's Complaint and therefore denies same.

9) That the Defendant, Hillridge, denies the truth of any allegations contained in the Plaintiff's Complaint not specifically admitted herein.

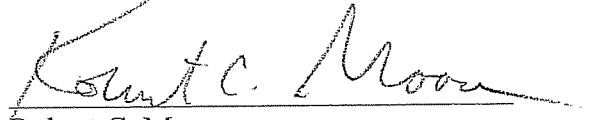
10) That the Defendant, Hillridge, affirmatively plead the defenses set forth in Civil Rule 8.03, to the extent practicable, as if fully set forth herein.

First Defense

A. That the Plaintiff's Complaint fails to states a claim against this Defendant upon which relief could be granted.

NOW THEREFORE, the Defendant, Hillridge, requests that judgment be entered in its favor and against the Plaintiff's Claims and that the Plaintiff's Complaint be dismissed with prejudiced and for any and all other relief to which it may be entitled, including but not limited to the recovery of the costs and reasonable attorneys fees incurred in defending against the Plaintiff's complaint.

Respectfully submitted,

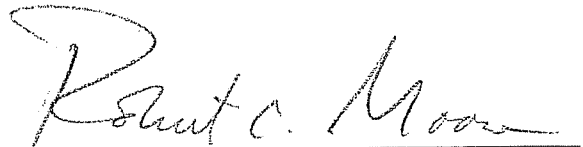


Robert C. Moore
HAZELRIGG & COX, LLP.
415 W. Main Street
P.O. Box 676
Frankfort, Kentucky 40601-0676
(502) 227-2271

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Answer was served by first class mail, postage prepaid, this 16th day of December, 2010 on the following:

Josh W. Nacey
Office of General Counsel
200 Fair Oaks Lane, 1st Floor
Frankfort, Kentucky 40601



Robert C. Moore

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

March 29, 2011

Via Hand Delivery

Mrs. Sandy Gruzesky
Director, Kentucky Division of Water
200 Fair Oaks Lane, 4th Floor
Frankfort, Kentucky 40601

Re: Hillridge Facilities, Inc. ("Hillridge")
Hillridge Wastewater Treatment Plant ("WWTP")

Dear Ms. Gruzesky:

I look forward to meeting with you on Friday, April 1, 2011, at 10 AM to discuss issues concerning the Hillridge WWTP. During the meeting I would like to discuss repairs that Hillridge has made to its wastewater treatment plant to ensure its proper operation, as well as repairs made to its collection system to address inflow and infiltration issues. I would also like to discuss Hillridges' plan to address the remaining inflow and infiltration issues concerning its collection system and the way it plans to finance repairs to same.

It is my understanding that the Division of Water ("DOW") is currently determining whether the Louisville & Jefferson Metropolitan Sewer District is capable of accepting the flow from Hillridge without violating the Consent Decree MSD entered into with the US EPA. My review of MSD's records reflects that it continues to have significant inflow and infiltration issues in its collection system in the area's near Hillridge, and also significant problems at the Jeffersontown WWTP. For example, as recently as March 5, 2011, unpermitted releases from MSD's collection system caused wastewater from the sanitary sewer to discharge into the stream that flows through the Watterson Woods subdivision. I have enclosed for your review photographs taken of this stream where it leaves the Watterson Woods subdivision near the intersection of Morgan James and Lockridge. (See Attachment A) I have also enclosed photographs taken on March 12, 2011, of a sanitary sewer overflow on Ruckriegal Parkway (Attachment B) and photographs taken on Sunday, March 13, 2011, of a sanitary sewer overflow at the corner of Watterson Trail and Ruckriegal Parkway (Attachment C).

The CSO/SSO Overflow Location Maps on MSD's Website identify approximately 23 SSOs in its collection system near the Hillridge Facility, but do not to show the SSOs that caused the discharge(s) into this stream. MSD's Water Quality Treatment Center that would treat the Hillridge Flow has reported over 46 overflows or discharges, some of which were weather discharges and some which were dry weather discharges. Some of these overflows or discharges were minor, but many were in significant amounts, including one that exceeded 1.5 million

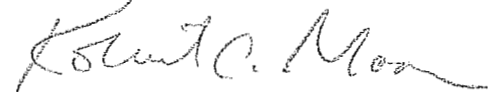
Mrs. Sandy Gruzesky
March 29, 2011
Page Two

gallons of wastewater. Of course, the reports detailing these discharges are submitted on a monthly basis to the Division of Water, and are also on the MSD website.

Hillridge respectfully requests that prior to making any determination on whether MSD should be allowed to accept the flow from Hillridge, the DOW should carefully review the status of MSD's collection system and MSD's compliance with its Consent Decree with the USEPA. In light of the above information, it does not appear that MSD can properly treat the Hillridge flow and should not be allowed to do so at this time.

I look forward to speaking with you concerning this matter.

Yours truly,



Robert C. Moore

RCM/neb
Enclosure

cc: Josh Nacey
William Bush
Sonja Ridge

Rick Greenberg

From: Rick Greenberg [rgreenberg@sgnattorneys.com]
Sent: Friday, December 28, 2007 6:04 PM
To: Jory Becker (Jory.Becker@ky.gov)
Subject: Hillridge Facilities, Inc. Permit Continuance

Jory

I appreciated the information that you left on my voice mail. This correspondence serves to confirm your statement that Hillridge Facilities, Inc's KPDES permit which is set to expire at year end is generally and administratively continued until such time that the Department of Environmental protection takes action and decides whether or not to reissue the permit. Please contact me immediately if my understanding of your statement is incorrect.

I hope that you and your family have a Happy & Healthy New Year.

Rick

Smith, Greenberg & Napier, PLLC
Attorneys at Law
2321 Lime Kiln Lane, Ste. C
Louisville, KY 40222
(502) 426-1058
(502) 426-6337 fax

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12/28/2007

HAZELRIGG & COX, LLP

ATTORNEYS AT LAW

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FRANKFORT, KENTUCKY 40602-0676

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

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

April 8, 2011

Via Hand Delivery

Mr. Jeffrey Schuhmann
Department of Environmental Protection
Division of Enforcement
300 Fair Oaks Lane
Frankfort, KY 40601

Re: Hillridge Facilities, Inc. ("Hillridge")

Dear Jeffrey:

Sonja Ridge and I would like to thank you and the other members of the Division of Water ("DOW") for meeting with us on Friday, April 1, 2011, to discuss issues concerning Hillridge. As discussed during the meeting, Hillridge is working to address any deficiencies in the operation of its wastewater treatment plant and any inflow and infiltration ("I & I") affecting its collection system. Consistent with these efforts is the Application for Rate Adjustment filed with the Kentucky Public Service Commission ("Commission") in which Hillridge is seeking to obtain needed additional revenue so that it can update and repair any deficiencies in its system.

During the meeting, Hillridge raised the issue of whether the Louisville and Jefferson County Metropolitan Sewer District ("MSD") has the capability of accepting the flow from the Hillridge system ("Hillridge Flow") without experiencing serious I & I issues. Based upon the following information, it does not appear that MSD is currently in a position to accept the Hillridge flow:

1) MSD has indicated that the flow from the Hillridge Subdivision will be served by the Lea Ann Way Pump Station ("Pump Station"), which serves the Lee Ann Way sanitary sewer system ("Lee Ann Way System"). To date, MSD has not indicated how the Hillridge Flow will be conveyed to the Pump Station. The Lee Ann Way System is a very large sewer system that serves a substantial portion of southern Jefferson County. As stated in the report issued by RJN Group, Inc:

In general, the service area is located between Jefferson Boulevard and Watterson Trail along Fern Valley Road and South Hurstbourne Parkway. This system drains along Fern Creek and Northern Ditch to the Lea Ann Way Pump Station, which serves as a regional pump station. . . . The Lea Ann Way Pump Station has experienced SSOs. This system is located in the Pond Creek watershed, and flow from the sewer system travels to the Derek R. Guthrie Water Quality Treatment Center.

Mr. Jeffrey Schuhmann
April 8, 2011
Page Two

(RJN Report at p. 1). As we discussed during the above-described meeting, MSD has contracted for a sanitary sewer evaluation study (SSES) of the Lea Ann Way System and due to its size, the area of the study has been divided into the west half and the east half. Additionally, MSD had a separate investigation performed on the 18-inch and larger pipes and the associated manholes within the Lea Ann Way System. I have enclosed copies of maps provided by MSD reflecting the entire Lea Ann Way System. (Attachment A). The SSES for the Lea Ann Way System has not been completed. The SSES of the Western portion of the Lea Ann Way System has been completed, and the Defect Data and Recommendations Table, CCTV Inspection reflects that there are 479 portions of pipe (with lengths up to 400 feet) that need to be replaced or repaired, the Defect Data and Recommendations Table, Manhole Inspection reflects that 760 manholes need to be replaced or repaired and the Defect Data and Recommendations Table, Smoke Inspection reflects at least 578 problem areas that will need to be addressed. (Attachment B).

The RJN Report states that MSD, using its SCAP credit system, determined that the detected defects results in 816,110 gallons per day of I & I. However, "Using RJN's method, 2,074,473 gpd of I/I was identified. The variance is due to the significant differences used to calculate flows for cover defects, frame seals, and sump pumps." (See RJN Report at p. 3). Added to this amount is the 920,908 gpd identified by CCTV, for a total of 1,737,018 gpd using MSD's SCAP methodology or 2,995,381 gpd using RJN's calculations. Accordingly, the defects identified in the RJN SSES of only the Lea Ann Way System West reflected I & I between 1,737,018 gpd and 2,995,381 gpd. Of course, these figures do not include the results of the SSES of the Lea Ann Way System East, which is not yet complete, or the separate investigation performed on the 18-inch and larger pipes and the associated manholes within the Lea Ann Way System.

I have attached a copy of the RJN Report concerning the investigation of the Lea Ann Way West for your review. (Attachment B). Prior to making any decision on MSD's request to accept the Hillridge Flow, the DOW should require MSD to complete the investigation of the Lea Ann Way East System, and then address the I & I issues associated with the entire Lea Ann Way System.

2) The CSO/SSO Overflow Location Maps on MSD's Website identify approximately 23 SSOs in its collection system near the Hillridge Facility, but do not to show that these SSOs have been eliminated. Additionally, MSD's Derek Guthrie Water Quality Treatment Center that would ultimately treat the Hillridge Flow has reported over 46 overflows or discharges, some of which were wet weather discharges and some of which were dry weather discharges. Some of these overflows or discharges were minor, but many were in significant amounts, including one that exceeded 1.5 million gallons of wastewater. Of course, the reports detailing these discharges are submitted on a monthly basis to the Division of Water, and are also on the MSD website.

Mr. Jeffrey Schuhmann

April 8, 2011

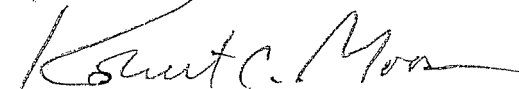
Page Three

Hillridge has spent a significant amount of money over the last several years addressing issues at its WWTP and the collection system, as reflected in the information provided to the Public Service Commission. Upon the Public Service Commission's approval of the new rate in the ongoing rate case, Hillridge will begin implementing the repairs set forth on the attached bid for repairs. (Attachment C). Certainly Hillridge will be able to complete these repairs and eliminate the I & I issue from its collection system before MSD can complete the repairs to the Lea Ann Way System, which is to accept the Hillridge flow. Based on the information provided above, as well as the information previously provided to you, it does not appear that MSD will be able to adequately handle the Hillridge flow, which will apparently be discharged into the Lea Ann Way System and then treated at the Derek Guthrie Water Quality Treatment Center, both of which suffer from significant problems. Additionally, Hillridge will be able to address the I & I issues more expeditiously and effectively than MSD. Accordingly, Hillridge requests the Division of Water to determine that MSD cannot adequately treat the flow from Hillridge at this time and issue a new KPDES permit to Hillridge.

I have requested through Kentucky's Open Records Act a copy of the results of the investigation of the Lea Ann Way East System and the separate investigation performed on the 18-inch and larger pipes and the associated manholes within the Lea Ann Way System, and will provide it to you upon its receipt.

Again, thank you for meeting with Ms. Ridge and me to discuss the Hillridge facility. Please contact me if you would like to discuss this matter further.

Yours truly,



(Robert C. Moore)

RCM/neb

cc: Sandy Gruzesky - via email (without enclosures)
Jeff Cummins - via email (without enclosures)
Josh Nacey - via email (without enclosures)
William Bush - (with enclosures)
Sonja Ridge - via email (without enclosures)

HAZELRIGG & COX, LLP

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. BOX 676

FRANKFORT, KENTUCKY 40602-0676

JOHN B. BAUGHMAN
ROBERT C. MOORE

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

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

May 17, 2011

Mr. Jeffrey Schuhmann
Department of Environmental Protection
Division of Enforcement
300 Fair Oaks Lane
Frankfort, KY 40601

Re: Hillridge Facilities, Inc. ("Hillridge")

Dear Jeffrey:

During our April 1, 2011, meeting concerning the above-referenced facility, the Division of Water ("DOW") was informed that the Louisville & Jefferson County Metropolitan Sewer District ("MSD") indicates that, if given approval, the flow from Hillridge is to be served by MSD's Lea Ann Way Pump Station. The Lea Ann Way Pump Station serves the Lea Ann Way West and Lea Ann Way East Sanitary Sewer Systems. Because of the large size of the Lea Ann Way Sanitary Sewer System, MSD contracted for a sanitary sewer evaluation study of the Lea Ann Way West Sanitary Sewer System and the Lea Ann Way East Sanitary Sewer System. The results of the Lea Ann Way West Sanitary Sewer Evaluation Study ("SSES") were presented to you at the April 1, 2011 meeting; but the Lea Ann Way East SSES had not been completed at that time. MSD has since provided me with the report reflecting the results of the Lea Ann Way East SSES, and I have enclosed a copy of same for your review.

A review of the Lea Ann Way East SSES reflects that the study was performed by Grisham Smith and Partners ("GS&P"), and that GS&P divided the Lea Ann Way East Sanitary Sewer basin into five sub-basins. The report reflects that 731, or 43%, out of the 1,710 manholes in the Lea Ann Way East sub-basins, suffered from defects. Additionally, 81,339, or 23%, of the 353,222 linear feet of the system surveyed had defects requiring lining of the pipe, point repair, heavy cleaning or medium cleaning. The cost to make these repairs is estimated to be \$2,877,492. Smoke testing was also performed on 359,749 feet of pipe in connection with the Lea Ann Way East SSES and the smoke testing results identified property service connections and cleanouts as potentially large contributors of infiltration and inflow (I&I) into the system.

Further review of the Lea Ann Way East SSES reflects that the two basins closest to the area served by Hillridge suffer from the greatest number of defects. The GS&P report indicates that 57% of the lines inspected in sub-basin PCP were recommended for rehabilitation.

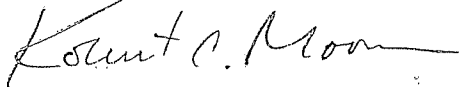
Mr. Jeffrey Schuhmann
May 17, 2011
Page Two

Additionally, 37% of the lines in sub-basin PCO were recommended for rehabilitation.

This information, as well as the information provided to you on April 8, 2011, establishes that MSD will be unable to accept the flow from Hillridge without experiencing serious I&I issues, and that at this time MSD is not in a position to accept the Hillridge flow. One additional matter, I have also enclosed a DVD provided by MSD which reflects the map overviews of the Lea Ann Way West SSES for your review.

I will be contacting you to discuss this matter and look forward to speaking with you at that time.

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/dsg

cc: Sonja Ridge
Sandy Gruzesky (without enclosures)



STEVEN L. BESHEAR
GOVERNOR

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

LEONARD K. PETERS
SECRETARY

August 1, 2011

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

RE: Public Notice of Draft KPDES Intent to Deny
KPDES No.: KY0036226
Hillridge Facilities, Inc.
AI ID: 2067
Jefferson County, Kentucky

Dear Mr. Ridge:

A draft Notice of Intent to deny the Kentucky Pollutant Discharge Elimination System (KPDES) permit for the above-referenced facility has been completed and the information sent to public notice as per Regulation 401 KAR 5:075, Sections 3 and 5. Copies of the fact sheet, application and other support material may be viewed by using the e-Search feature on the Division of Water's Webpage at: http://dep.gateway.ky.gov/eSearch/Search_Pending_Approvals.aspx?NumDaysDoc=30&Program=Wastewater

Once on the page enter the AI NO. to view the documents available. Persons wishing to comment upon or object to this proposed action are invited to submit comments in writing to the Division of Water prior to the end of the comment period, which is 30 (thirty) days from the date of this letter.

If you have any questions, feel free to contact the permit writer (referenced in the public notice) or me at 502/564-8158, extension 4850.

Sincerely,

Jory M. Becker
Manager, Surface Water Permits Branch
Division of Water

JMB:ASW:asw

C:TEMPO



STEVEN L. BESHEAR
GOVERNOR

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

LEONARD K. PETERS
SECRETARY

July 28, 2011

Mr. Donald Ridge
Hillridge Facilities, Inc.
17825 Bradbe Road
Fishersville, Kentucky 40023

Re: Final Decision to Deny KPDES Permit
KPDES No: KY0036226
Hillridge Facility
Jefferson County, Kentucky

Dear Mr. Ridge:

The Division of Water has made a final decision to deny the Kentucky Pollutant Elimination System (KPDES) permit for the above referenced project. This action constitutes a final permit decision under 401 KAR 5:075, Section 11(1), pursuant to KRS 224.16-050 and KRS 224.10-100. The reasons for this denial are noted on the attached Fact Sheet.

The denial of the KPDES permit shall be effective thirty (30) days from the date of this letter.

Any demand for a hearing concerning this determination shall be filed in accordance with the procedures specified in KRS 224.10-420, 224.10-440, 224.10-470 and any regulations promulgated thereto. Any person aggrieved by this final decision may demand a hearing, pursuant to KRS 224.10-420(2) within thirty (30) days of the date of this letter. Two (2) copies of the request for hearing should be submitted in writing to the Energy and Environment Cabinet, Office of Administrative Hearings, 35-36 Fountain Place, Frankfort, Kentucky 40601 and the Department for Environmental Protection, Division of Water, 200 Fair Oaks Lane, Frankfort, Kentucky 40601. For your record keeping purposes, it is recommended that these requests be sent by certified mail. The written request must conform to the appropriate statutes referenced above.

If you have any questions concerning this permit decision, please contact William Shane by phone at (502) 564-3410, extension 4893 or by email at William.Shane@ky.gov. Further information on procedures and legal matters pertaining to the hearing request may be obtained by contacting the Office of Administrative Hearings at (502) 564-7312.

Sincerely,

Jory Becker, Manager
Surface Water Permit Branch
Division of Water

JMB:wts



STEVEN L. BESHEAR
GOVERNOR

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

LEONARD K. PETERS
SECRETARY

FACT SHEET

KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT TO DISCHARGE TREATED WASTEWATER
INTO WATERS OF THE COMMONWEALTH

KPDES No.: KY0036226 Permit Writer: William Shane Date: July 28, 2011
AI No.: 2067

1. SYNOPSIS OF APPLICATION

a. Name and Address of Applicant

Hillridge Facilities, Inc.
17825 Bradbe Road
Fishersville, Kentucky 40023

b. Facility Location

Hillridge Facility
Kirby Lane at Watterson Trail
Jeffersontown, Jefferson County, Kentucky

c. Description of Applicant's Operation

Treatment of domestic wastewater from a residential development

d. Design Capacity of Facility

0.3268 MGD

e. Description of Existing Pollution Abatement Facilities

Treatment consists of screening, extended aeration, settling, rapid sand filtration, chlorine disinfection

f. Permitting Action

Denial of a KPDES permit for an existing sanitary treatment plant that treats domestic wastewater from a residential development.

2. RECEIVING WATERS

Facility discharges to Fern Creek at latitude 38°11'03"N and longitude 85°35'42"W (mile point 29.17).

3. JUSTIFICATION

The Division of Water received an application on June 12, 2007 for the renewal of KPDES Permit KY0036226 for Hillridge Facilities, Inc. This facility treats domestic wastewater from a residential development and is considered to be a package wastewater treatment plant. The Division of Water considers package wastewater treatment plants treating domestic wastewaters as temporary solutions that shall be eliminated by connection to a regional wastewater treatment facility when sewers of sufficient capacity become available. "Available" is defined as:

1. Sewers with sufficient integrity and capacity to carry the additional flow are available within one (1.0) mile of the facility (i.e. the additional flow will not result in new or expanded Sanitary Sewer Overflows or Combined Sewer Overflows); and
2. The regional facility has sufficient capacity to assimilate the additional wastewater flow and strength (i.e. the regional facility is not under a sewer sanction or tap on ban).

This requirement to eliminate the package treatment plant serving this facility is consistent with the requirements of 401 KAR 5:005, Section 4(6) and 401 KAR 5:002, Section 1(21).

The Hillridge Facility and its wastewater treatment plant are located within the regional facility planning area of Louisville and Jefferson County Metropolitan Sewer District. Existing sewers are available within one mile of the facility and the regional facility is available for connection. Therefore it is the decision of DOW to deny the renewal of the KPDES permit and require connection to the regional facility.

4. PERMIT AND PUBLIC NOTICE INFORMATION

The application, fact sheet and public notice are available on the DOW Public Notice web page and the Department of Environmental Protection's Pending Approvals Search web page at:

<http://water.ky.gov/Pages/PublicNotices.aspx>

http://dep.gateway.ky.gov/eSearch/Search_Pending_Approvals.aspx?Program=WasteWater&NumDaysDoc=30

Comments may be filed electronically at the following e-mail address:
DOWPublicNotice@ky.gov

Or by sending written comments to:
Division of Water
Surface Water Permits Branch
200 Fair Oaks Lane
Frankfort, Kentucky 40601

5. REFERENCES AND CITED DOCUMENTS

All material and documents referenced or cited in this fact sheet are parts of the permit information as described above and are readily available at the Division of Water Central Office. Information regarding these materials may be obtained from the Division of Water's Open Records Coordinator at (502) 564-3410 or by e-mail at dowopenrecords@ky.gov.

DRAFT



ERNIE FLETCHER
GOVERNOR

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
14 REILLY ROAD
FRANKFORT, KENTUCKY 40601
www.kentucky.gov

TERESA J. HILL
SECRETARY

May 31, 2007

Mr. Donald Ridge
Hillridge Facilities, Incorporated
17825 Bradee Road
Fisherville, Kentucky 40023

RE: KPDES No. KY0036226
Hillridge Facilities, Incorporated
Jefferson County, Kentucky

Dear Mr. Ridge:

Our records indicate that your Kentucky Pollutant Discharge Elimination System (KPDES) permit is due to expire on December 31, 2007. According to the KPDES Regulation 401 KAR 5:060, "any person with a currently effective permit shall submit a new application at least 180 days before the expiration of the existing permit..." **The due date for your permit renewal application is July 5, 2007.**

Please complete the enclosed application forms and return to the KPDES Branch, Division of Water, at the above address by the indicated due date. Applications received after the due date are in violation of 401 KAR 5:060, Section 1, which could result in enforcement action being taken.

If you have any questions regarding the completion of these forms, please contact me at (502) 564-8158, extension 470, or Ann Workman at extension 528.

Sincerely,

Vickie L. Prather, Acting Supervisor
Inventory and Data Management Section
KPDES Branch
Division of Water

VLP:ASW:asw

Enclosures

C: Louisville Regional Office
Division of Water Files



ERNIE FLETCHER
GOVERNOR

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF WATER

14 REILLY ROAD

FRANKFORT, KENTUCKY 40601-1190

www.kentucky.gov

TERESA J. HILL
SECRETARY

June 29, 2007

Donald Ridge, President
Hillridge Facilities Inc
17825 Bradbe Road
Fishersville, Kentucky 40023

Re: Complete KPDES Permit Application
KPDES No.: KY0036226
Hillridge Facility
Jefferson County, Kentucky

Dear Mr. Ridge:

Your Kentucky Pollutant Discharge Elimination System (KPDES) permit application for the above-referenced facility was received by the Division of Water on June 12, 2007, and has been determined complete. As per 401 KAR 5:075, Section 1(7), the official effective date of your application has been determined as June 29, 2007, the date of this notice.

If this application is for new construction, appropriate plans and specifications must be submitted and a construction permit issued before construction may begin. For new facilities, the review of this application may be coordinated in accordance with 401 KAR 5:300, Section 4(1).

A technical review of your permit application will commence in the near future. Please be aware that you may be asked to provide additional information to clarify, modify, or supplement your application material. A request for this additional information will not render your application incomplete.

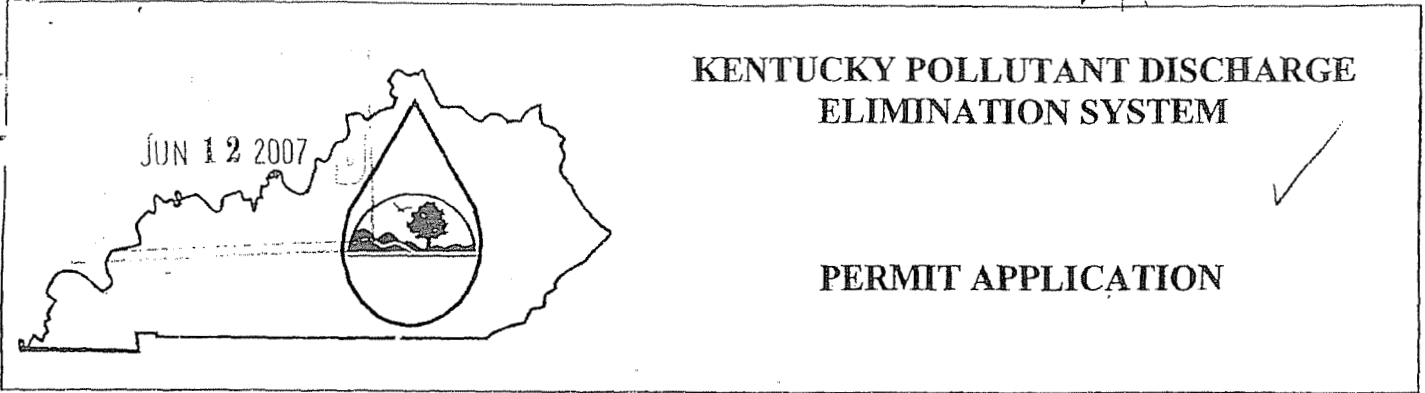
If you have any questions concerning this matter, please contact Barry Elmore at (502) 564-8158, extension 459.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Green".

Nancy Green, Program Coordinator
Inventory and Data Management Section
KPDES Branch
Division of Water

NG:ng
c: Division of Water Files



This is an application to: (check one)

- Apply for a new permit.
- Apply for reissuance of expiring permit.
- Apply for a construction permit.
- Modify an existing permit.

Give reason for modification under Item II.A.

A complete application consists of this form and one of the following:
Form A, Form B, Form C, Form F, or Short Form C

For additional information contact:
KPDES Branch (502) 564-3410

CHK 340

I. FACILITY LOCATION AND CONTACT INFORMATION		AGENCY USE	0	0	3	6	2	2	6
A. Name of business, municipality, company, etc. requesting permit Hillridge Facilities, Inc.									
B. Facility Name and Location					C. Facility Owner/Mailing Address				
Facility Location Name: Hillridge Facility					Owner Name: Hillridge Facilities Inc				
Facility Location Address (i.e. street, road, etc.): Kirby Lane at Watterson Trail					Mailing Street: 17825 Bradbe Road				
Facility Location City, State, Zip Code: Jeffersontown, KY 40299					Mailing City, State, Zip Code: Fisherville, KY 40023				
					Telephone Number: 502-267-7091				

II. FACILITY DESCRIPTION		
A. Provide a brief description of activities, products, etc: This extended aeration sewage treatment plant treats the domestic waste from this residential development.		
B. Standard Industrial Classification (SIC) Code and Description		
Principal SIC Code & Description:		
Other SIC Codes:		

III. FACILITY LOCATION	
A. Attach a U.S. Geological Survey 7 1/2 minute quadrangle map for the site. (See instructions)	
B. County where facility is located: Jefferson	City where facility is located (if applicable):
C. Body of water receiving discharge: Fern Creek	
D. Facility Site Latitude (degrees, minutes, seconds): 38° 11' 03"	Facility Site Longitude (degrees, minutes, seconds): 85° 35' 68 42
E. Method used to obtain latitude & longitude (see instructions):	
F. Facility Dun and Bradstreet Number (DUNS #) (if applicable):	

IV. OWNER/OPERATOR INFORMATION	
A. Type of Ownership: <input type="checkbox"/> Publicly Owned <input checked="" type="checkbox"/> Privately Owned <input type="checkbox"/> State Owned <input type="checkbox"/> Both Public and Private Owned <input type="checkbox"/> Federally owned	
B. Operator Contact Information (See instructions)	
Name of Treatment Plant Operator: SANDERS SALES + SERVICE	Telephone Number: 231-2909
Operator Mailing Address (Street): 7109 LORENZO LN. LOUISVILLE, KY 40228	
Operator Mailing Address (City, State, Zip Code): Louisville, KY 40228	
Is the operator also the owner? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is the operator certified? If yes, list certification class and number below. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Certification Class: III	Certification Number: #06181

V. EXISTING ENVIRONMENTAL PERMITS		
Current NPDES Number: KY0036226	Issue Date of Current Permit: 8/01/98	Expiration Date of Current Permit: 7/31/2003
Number of Times Permit Reissued:	Date of Original Permit Issuance: 1/14/76	Sludge Disposal Permit Number:
Kentucky DOW Operational Permit #:	Kentucky DSMRE Permit Number(s):	

C. Which of the following additional environmental permit/registration categories will also apply to this facility?

CATEGORY	EXISTING PERMIT WITH NO.	PERMIT NEEDED WITH PLANNED APPLICATION DATE
Air Emission Source		
Solid or Special Waste		
Hazardous Waste - Registration or Permit		

VI. DISCHARGE MONITORING REPORTS (DMRs)
KPDES permit holders are required to submit DMRs to the Division of Water on a regular schedule (as defined by the KPDES permit). The information in this section serves to specifically identify the department, office or individual you designate as responsible for submitting DMR forms to the Division of Water.

A. Name of department, office or official submitting DMRs:	Hillridge Facilities, Inc. Don Ridge, President
B. Address where DMR forms are to be sent. (Complete only if address is different from mailing address in Section I.)	
DMR Mailing Name:	Beckmar Laboratory, Inc.
DMR Mailing Street:	3251 Ruckriegel Parkway
DMR Mailing City, State, Zip Code:	Louisville, KY 40299
DMR Official Telephone Number:	502-266-6533

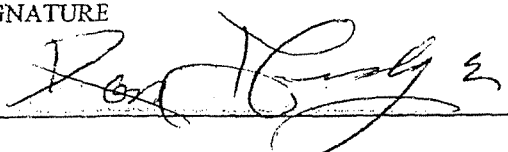
VII. APPLICATION FILING FEE

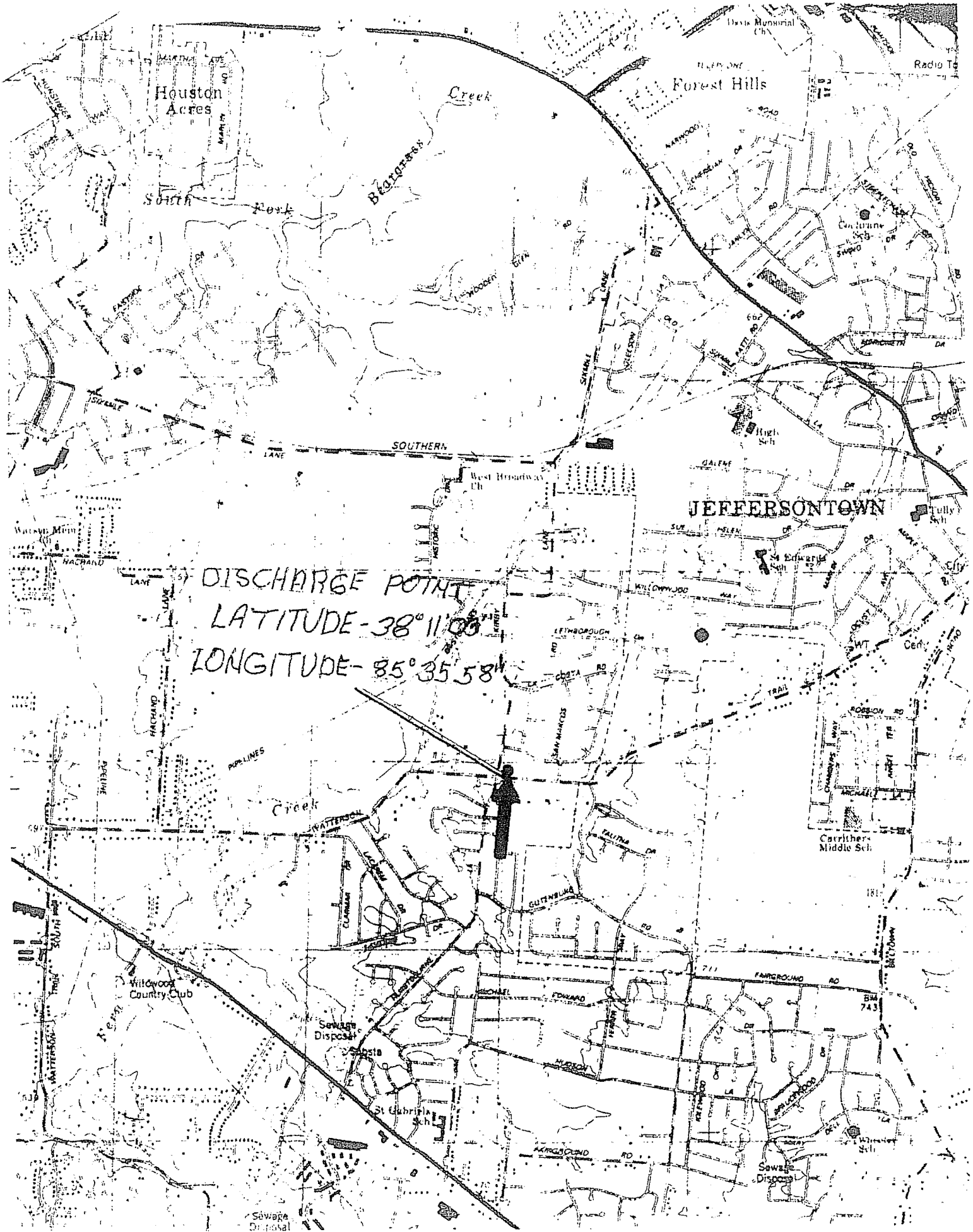
KPDES regulations require that a permit applicant pay an application filing fee equal to twenty percent of the permit base fee. Please examine the base and filing fees listed below and in the Form 1 instructions and enclose a check payable to "Kentucky State Treasurer" for the appropriate amount. Descriptions of the base fee amounts are given in the "General Instructions."

Facility Fee Category: Large Non-POTW ✓	Filing Fee Enclosed: \$340.00
--	----------------------------------

VIII. CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME AND OFFICIAL TITLE (type or print): Donald Ridge, President	TELEPHONE NUMBER (area code and number): 502-267-7091
SIGNATURE 	DATE: 6-4-07



Houston Acres

Creek

Forest Hills

South Fork

Blairsville

JEFFERSON TOWNSHIP

DISCHARGE POINT
LATITUDE - 38° 11' 03"
LONGITUDE - 85° 35' 58"



Willowood Country Club

Sewage Disposal

St. Gabriel Sch.

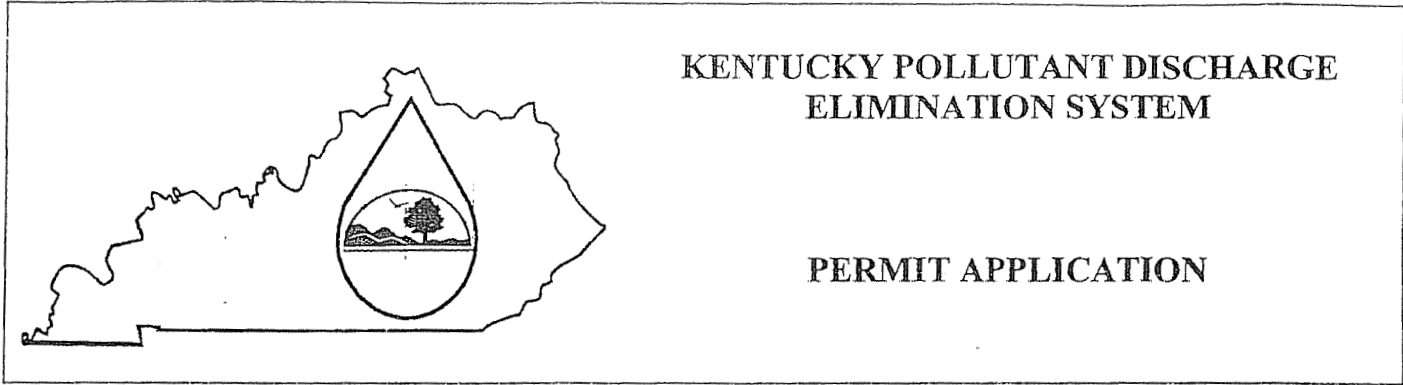
Sewage Disposal

Sewage Disposal

Carlther Middle Sch.

BM 743

KPDES FORM SC ✓



A complete application consists of this form and Form 1.
 For additional information, contact: KPDES Branch, (502) 564-3410.

NAME OF FACILITY: Hillridge Facilities, Inc.							
I. FACILITY DISCHARGE FREQUENCY				AGENCY USE			
A. Do discharge(s) occur all year? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> (Complete Item IX for intermittent discharges.)							
B. How many days per week?				7			
II. A. Give the basis of design for sizing of the wastewater facility (see instructions): Plant is designed to treat the waste from 816 R.E.'s.							
B. If new discharger, indicate anticipated discharge date:							
C. Indicate the design capacity of the treatment system:				.3268 MGD			

III. Outfall Location (see instructions)

Outfall (list)	LATITUDE			LONGITUDE			RECEIVING WATER (name)
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds	
001	38	11	03	85	35	58	Fern Creek

Method used to obtain latitude/longitude
 (i.e. GPS unit, USGS topographic map coordinates, etc.)

IV. FLOWS, SOURCES OF POLLUTION, AND TREATMENT TECHNOLOGIES (see instructions)				
If wastewater other than domestic or sanitary is listed, complete page 4 in addition to page 1 and 2.				
OUTFALL NO. (list)	OPERATION(S) CONTRIBUTING FLOW		TREATMENT	
	Operation (list)	Avg/Design Flow (include units)	List treatment components	List Codes from Table SC-1
001	Sanitary Wastewater		Screening	1 T
			Aeration	3 M
			Settling	1 U
			Rapid Sand filter	1 R
			Disinfection	2 F

V. Check the type(s) of wastewater discharged.

- Domestic (60% or more sanitary sewage)
 Oil field waste
 Noncontact cooling water
 Other (list):

VI. Does all water used at facility (except for human consumption) flow to a treatment plant? Yes No

VII. Discharge to other than surface waters. Check appropriate location:

- Publicly-owned lake or impoundment Name of lake:
 Publicly-owned treatment works (POTW). Name of POTW:
 Land application of Effluent
 Surface injection (Check term and identify on map) lateral field; sinkhole; sinking stream; deep well
 Closed Circuit (Check appropriate term) Holding tank; Mechanical evaporation; Waste impoundment

VIII. Check the metals present in the discharge if applicable and indicate the quantity discharged per year. (Indicate units).

<input type="checkbox"/>	Antimony		<input type="checkbox"/>	Copper		<input type="checkbox"/>	Silver	
<input type="checkbox"/>	Arsenic		<input type="checkbox"/>	Lead		<input type="checkbox"/>	Thallium	
<input type="checkbox"/>	Beryllium		<input type="checkbox"/>	Mercury		<input type="checkbox"/>	Zinc	
<input type="checkbox"/>	Cadmium		<input type="checkbox"/>	Nickel		<input type="checkbox"/>		
<input type="checkbox"/>	Chromium		<input type="checkbox"/>	Selenium		<input type="checkbox"/>		

A
 See DMR REPORTS

IX. INTERMITTENT DISCHARGES (Complete this section for intermittent discharges.)

A. Number of bypass points: _____ (If bypass points are indicated, information below must be completed for each bypass.)

Check when bypass occurs:	<input type="checkbox"/> Wet Weather	<input type="checkbox"/> Dry Weather
Give the number of bypass incidents	_____ per year	_____ per year
Give average duration of bypass	_____ hours	_____ hours
Give average volume per incident	_____ 1,000 gallons	_____ 1,000 gallons
Give reason why bypass occurs:	_____	

B. Number of Overflow Points: _____ (If discharge is from an overflow point, the information below must be completed.)

Check when overflow occurs:	<input type="checkbox"/> Wet Weather	<input type="checkbox"/> Dry Weather
Give the number of overflow incidents:	_____ per year	_____ per year
Give average duration of overflow:	_____ hours	_____ hours
Give average volume per incident:	_____ 1,000 gallons	_____ 1,000 gallons

C. Number of seasonal discharge points _____

Give the number of times discharge occurs per year	1
Give the average volume per discharge occurrence	(1,000 gallons)
Give the average duration of each discharge	(days)
List month(s) when the discharge occurs	_____

X. AREA SERVED (see instructions)

NAME	ACTUAL POPULATION SERVED
TOTAL POPULATION SERVED	3000

(PLEASE COMPLETE THIS PAGE IF OTHER THAN DOMESTIC WASTEWATER IS DISCHARGED)

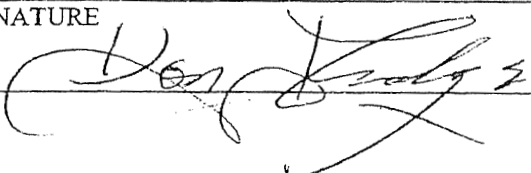
XI. COOLING WATER ADDITIVES AND THEIR COMPOSITIONS		
Additive	Composition	Concentration (mg/l)

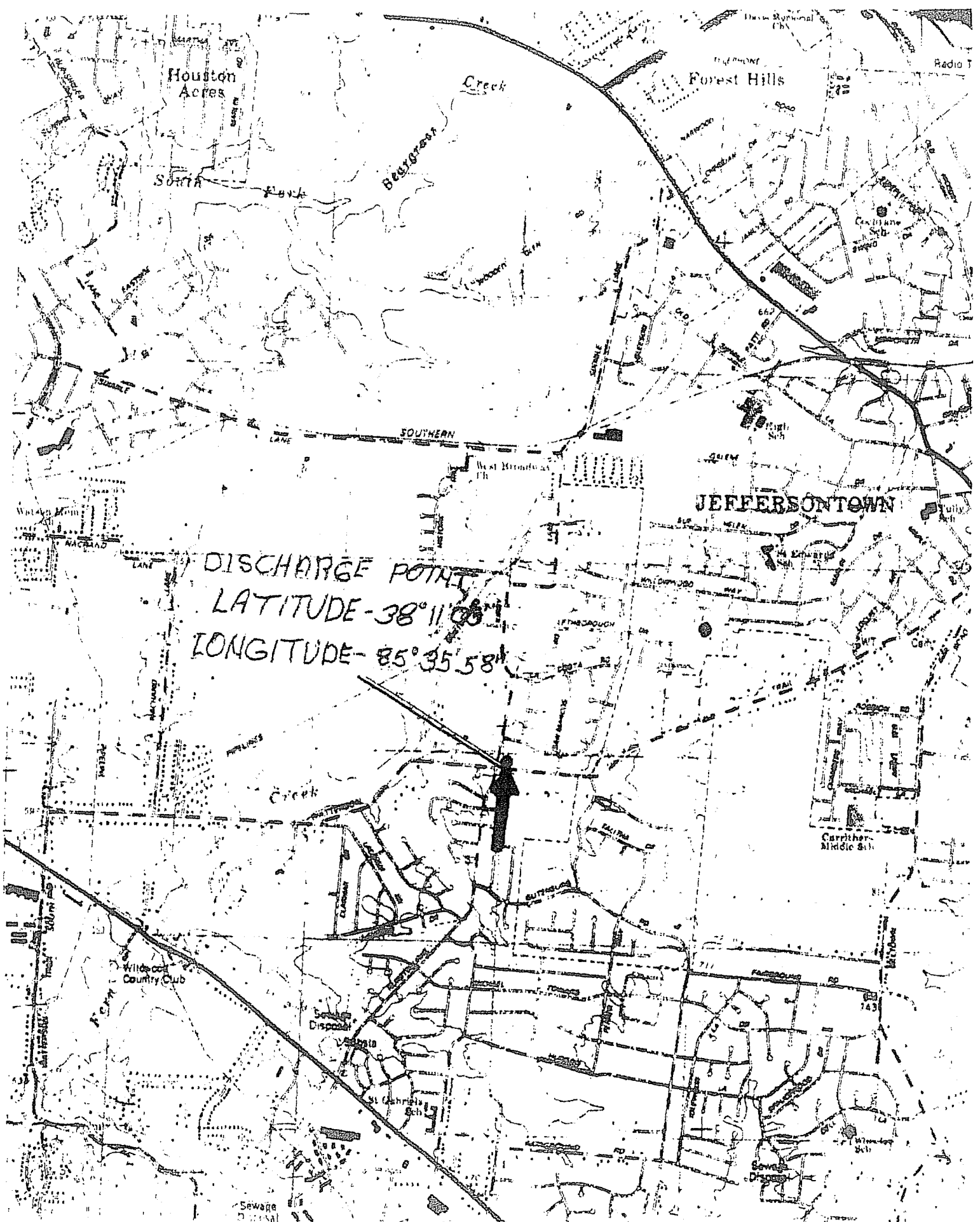
XII. EFFLUENT CHARACTERISTICS			
A. Indicate results of analysis for pollutants listed below.			
POLLUTANT/PARAMETER	MAX DAILY VALUE	AVG DAILY VALUE	NUMBER OF SAMPLES
BOD ₅			
TOTAL SUSPENDED SOLIDS		}	
FECAL COLIFORM			
TOTAL RESIDUAL CHLORINE			
OIL AND GREASE	SEE DMR ₅ REPORTS		
CHEMICAL OXYGEN DEMAND		}	
TOTAL ORGANIC CARBON			
AMMONIA			
DISCHARGE FLOW			
PH			
TEMPERATURE (WINTER)			
TEMPERATURE (SUMMER)			

B. Frequency and duration of flow:

XIII. CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME AND OFFICIAL TITLE (type or print): Donald Ridge, President	TELEPHONE NUMBER (area code and number): 502-267-7091
SIGNATURE 	DATE 5-4-07



DISCHARGE POINT
LATITUDE - 38° 11' 03"
LONGITUDE - 85° 35' 58"

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
THOMAS J. HELLMANN

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

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

August 31, 2011

Hand Delivery

Jory M. Becker
Department for Environmental Protection
Division of Water
200 Fair Oaks Lane
Frankfort, Kentucky 40601

Re: **Objection to Draft Final Decision to Deny KPDES Permit**
KPDES No. KY00346226
Hillridge Facility
Jefferson County, Kentucky

Dear Sir/Madam:

Hillridge Facilities, Inc. ("Hillridge"), hereby submits its objection to the Draft Final Decision to Deny KPDES Permit issued to Hillridge on August 1, 2011.

1) The Justification section of the Fact Sheet associated with this Draft Final Decision to Deny KPDES Permit states "The Division of Water received an application on June 12, 2007 for the renewal of KPDES Permit KY0036226 for Hillridge Facilities, Inc." The draft final decision was issued on or about August 1, 2011, more than four (4) years after the receipt of Hillridge's Application by the Division of Water ("DOW"). The DOW has violated Hillridge's constitutional and statutory rights in deferring the decision on its KPDES Application for more than four (4) years, including its right under Section 2 of the Kentucky Constitution prohibiting arbitrary action by the state and its agencies. For this reason, the DOW cannot now deny Hillridge's Application for a KPDES permit.

2) The DOW is estopped from denying Hillridge's Application for a KPDES permit, as Hillridge has been required to spend a substantial amount of money in order to maintain and upgrade its Wastewater Treatment Plant ("WWTP") and collection system to ensure that it is operating in compliance with the requirements of its KPDES permit (now expired). These costs, including the cost of filing and pursuing an Application for Rate Adjustment with the Kentucky Public Service Commission, would not have been incurred had the DOW acted in a timely manner with respect to Hillridge's Application for a KPDES Permit.

3) The Justification section of the Fact Sheet states Hillridge's Application was denied because "Sewers with sufficient integrity and capacity to carry the additional flow are available within one (1.0) mile of the facility (i.e. the additional flow will not result in new or expanded Sanitary Sewer Overflows or Combined Sewer Overflows)". The DOW cannot

properly rely upon this statement as justification for the denial of Hillridge's Application. Hillridge has previously provided the DOW with a substantial amount of information establishing that the Louisville and Jefferson County Metropolitan Sewer District ("MSD") sanitary sewer that would accept the flow from Hillridge does not have the required integrity and capacity to carry the Hillridge flow. The DOW is aware that MSD indicates, if given approval, the flow from the Hillridge WWTP is to be served by MSD's Lea Ann Way Pump Station. As indicated in my letter of May 17, 2011, to Jeffrey Schuhmann (see Attachment A), the Lea Ann Way Pump Station serves the Lea Ann Way West and Lee Ann Way East Sanitary Sewer System. Because of the large size of the Lea Ann Way Sanitary Sewer System, MSD contracted with Grisham, Smith and Partners ("GS&P") to evaluate the Lea Ann Way East Sanitary Sewer System and with RJN Group, Inc. ("RJN") to evaluate the Lea Ann Way East Sanitary Sewer System.

The Lea Ann Way East Sanitary Sewer Evaluation Study ("SSES") issued by RJN indicates that 731 (43%) of the manholes in the Lea Ann Way East sub-basins suffered from defects, 81,339 linear feet (23%) of the sewer lines in this system had defects requiring lining of the sewer lines, point repair, heavy cleaning or medium cleaning, and the smoke testing identified property service connections and cleanouts as potentially large contributors of infiltration and inflow ("I&I") into the Lea Ann Way East Sanitary Sewer System.

The Lea Ann Way West SSES issued by RJN indicates that there are 479 portions of pipe (with lengths up to 400 feet) that need to be replaced or repaired, 760 manholes that need to be replaced or repaired, and smoke testing reflects that 578 problem areas will need to be addressed. Using RJN's methodology, 2,074,473 gpd of I&I was identified. The Lea Ann Way West SSES was provided to Mr. Schuhmann by letter dated April 8, 2011. (See Attachment B).

The information contained in the Lea Ann Way West SSES and the Lea Ann Way East SSES confirms that MSD will be unable to accept the flow from Hillridge without experiencing new or expanded Sanitary Sewer Overflows or significant additional I&I problems.

4) As indicated in my April 8, 2011 letter to Mr. Schuhmann, CSO/SSO Overflow Location Maps on MSD's Website at that time identified approximately 23 SSOs in its collection system near Hillridge. Additionally, MSD's Derek Guthrie Water Quality Treatment Center the treatment plant that would ultimately treat the Hillridge flow, has reported over 46 sanitary sewer overflows or discharges during wet and dry conditions within the last several years. Some of these discharges were minor, but many were significant, including one discharge in excess of 1.5 million gallons of wastewater. The information on MSD's own website confirms that MSD will be unable to accept the flow from Hillridge without experiencing new or expanded Sanitary Sewer Overflows.

5) It is unclear whether MSD has complied with the requirements of its System Capacity Assurance Program, which is Exhibit B to the Amended Consent Decree entered into by MSD, the Commonwealth of Kentucky and the United States of America.

Jory M. Becker
August 31, 2011
Page Three

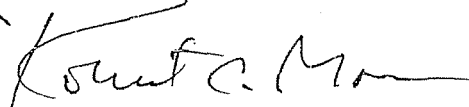
6) The Justification section of the Fact Sheet states that “The regional facility has sufficient capacity to assimilate the additional wastewater flow and strength (i.e. the regional facility is not under a sewer sanction or tap on ban).” Based upon the information contained in the attached Lea Ann Way West SSES and the Lea Ann Way East SSES, this information is incorrect. Furthermore, the above-described Amended Consent Decree serves, in effect, as a sewer sanction or tap on ban, particularly when the requirements of the System Capacity Assurance Program have not been fully satisfied.

7) Repairs and upgrades have been made to the Hillridge WWTP and collection system so that it will treat its flow in a more efficient manner than would MSD. Furthermore, additional repairs will be made to the Hillridge collection system as the increased rate sought from the Public Service Commission is approved.

8) For the reasons set forth about, the requirement to eliminate the Hillridge WWTP is inconsistent with the requirements of 401 KAR 5:005, Section 4(6) and 401 KAR 5:002, Section 1(21), including the fact that the SSES issued for the Lea Ann Way West and Lea Ann Way East Sanitary Sewer Systems establish that the addition of the Hillridge flow will result in new or expanded Sanitary Sewer Overflows.

In conclusion, Hillridge hereby objects to the Draft Final Decision to Deny its Application for a KPDES permit for its WWTP.

Yours truly,



Robert C. Moore

RCM/neb
Enclosures

cc: Sonja Ridge - via email
Ms. Workman (DOW) - Via Hand Delivery

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
THOMAS J. HELLMANN

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

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

September 27, 2011

Via Hand Delivery

Mr. Jeffrey Schuhmann
Department of Environmental Protection
Division of Enforcement
300 Fair Oaks Lane
Frankfort, KY 40601

Re: Hillridge Facilities, Inc. ("Hillridge")

Dear Jeffrey:

On August 31, 2011, the Public Service Commission issued its Order approving a rate of \$36.44 per month per customer for Hillridge. (See Attachment A). Based upon the issuance of the August 31, 2011 Order, Hillridge is able to submit the following plan to improve and upgrade its wastewater treatment plant and collection system.

Hillridge has spent a substantial amount of money over the last several years to make upgrades and repairs to its wastewater treatment plant ("WWTP"). In 2010 and through July of 2011, Hillridge has spent over \$57,000 to make the repairs reflected on Attachment B to its WWTP and collection system. As reflected in its Discharge Monitoring Reports submitted to the Division of Water, the discharge from Hillridge's WWTP is substantially in compliance with the limits of its now-expired KPDES permit.

Hillridge has also previously experienced a number of issues with respect to the operation of its collection system. Now that it has been able to implement the new rate, Hillridge is financially able to begin making repairs and upgrades to its collection system on a more expedited schedule. The repairs to be made to Hillridge's collection system are set forth on the quote issued by Murphy's Excavating. (See Attachment C). The quote of the cost to make these repairs to the collection system is estimated to be \$290,000. Hillridge has authorized Murphy's Excavating to begin implementing the repairs to the collection system in September, 2011. Accordingly, pursuant to its Plan, Hillridge will spend the amount of \$30,000 annually over the next several years to make the repairs listed on Attachment C. Should additional monies be available, Hillridge will spend more than this amount on an annual basis to make the planned repairs. Of course, any other deficiencies in the collection system and/or WWTP that are identified in the future will be repaired consistent with this Plan. The repairs to the collection system will be made in the following order:

- 1) 3400 La Follette - large amount of broken pipe and water infiltration, replace approximately 10 ft of terra cotta pipe.
- 2) 3913 San Marcos - approximately 15 ft of piping broken, large amount of holes, gravel and infiltration.

- 3) 8" main between Stoney Brook and the lift station at Kirby Lane - large hole in piping, next to creek replace 1 section.
- 4) 8807 Kirby Lane - just before lift station - cracked and broken piping-7 locations.
- 5) Large 15" main, just below San Marcus and Watterson Trail, has large amount of roots in manhole and in every other section of pipe - 176 ft long.
- 6) Wakulla Court - water coming in at 4 locations, just before lift station.
- 7) 3913 Bonafay Court - multiple fractures above and below manhole - roots and water infiltration.
- 8) 3716 Bristol Oaks - large amount of roots and infiltration at 5 locations.
- 9) 3905 Lethborough Court - repair broken piping below manhole has large hole approximately 2 ft long - replace approximately 6 ft of broken terra cotta pipe.
- 10) 9102 Lethborough - cracked pipes and large amount of roots.
- 11) 9211 Lethborough - large amount of roots at 56 ft. downstream from manhole.
- 12) 3822 Shannon Run Trail - 8" main running to lift station and next to creek, I&I at 3 locations.
- 13) From manhole at the end of Lethborough Court to 8 in. Main in ditchline, roots and cracked pipe 200 ft long.
- 14) Intersection of Lacosta & Collingwood - roots and cracked pipes running entire length.
- 15) 8900 Stoney Brook - large hole in piping, water infiltration.
- 16) 8808 Avondale - broken pipes and dropped and misaligned pipes.
- 17) 4111 Stoney Brook - dropped and separated piping - replace 1 section.
- 18) 3904 Bonafay Court - replace Bad T connection and broken piping to address I&I.
- 19) 3700 Modesto - broken piping, replace 5 ft.
- 20) 8517 Old Watterson Trail - replace broken piping just below manhole.
- 21) Large Court - Large amount of roots at 6 locations, downstream from manhole.

Mr. Jeffrey Schuhmann
September 27, 2011
Page Three

- 22) 4003 Stoney Brook - roots at 5 locations.
- 23) 4002 Stoney Brook - bad roots at 3 locations.

In addition to the above repairs, Hillridge has authorized Murphy's Excavating to conduct a visual inspection of the collection system to ensure that illegal connections are not contributing I & I to its collection system. For example, customers will be required to disconnect downspouts and sump pumps from the collection system. A copy of the notice of the inspection that will be delivered in October, 2011 to the customers of Hillridge is enclosed for your review. (See Attachment D).

With the implementation of the above-described plan, Hillridge will be making substantial repairs/upgrades to its collection system, thereby eliminating a number of the issues experienced by Hillridge, including its I & I.

Please contact me after you have reviewed this letter to discuss same. I look forward to speaking with you at that time.

Yours truly,



Robert C. Moore

RCM/jlc

cc: Sonja Ridge