



Matthew G. Bevin
Governor

Charles G. Snively
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Michael J. Schmitt
Chairman

Robert Cicero
Vice Chairman

Talina R. Mathews
Commissioner

April 11, 2019

Marshall County Environmental Services, LLC
ATTN: William Allen Artis
522 US Highway 68 West
Benton, KY 42025

RE: Case No. 2018-00264

Failure of Marshall County Environmental Services, LLC to File Required Reports

Dear Mr. Artis:

In Case No. 2017-00032, the Commission, after a hearing, issued an order on September 28, 2017, that assessed Marshall County Environmental Services, LLC (Marshall Environmental) a total \$10,000 fine and suspended the payment of \$6,000 of the fine, contingent upon Marshall Environmental's timely filing of its 2017, 2018, and 2019 annual and gross operating reports. The Commission held that the remaining \$6,000 of the suspended fine would be due and payable if Marshall Environmental failed to timely file any of the required reports for the 2017, 2018, or 2019 calendar years.

In Case No. 2018-00264, the Commission, after a hearing, issued an order on February 21, 2019, stating that the \$6,000 fine assessed against Marshall Environmental in Case No. 2017-00032 is now due and payable for Marshall Environmental's willful failure to comply with KRS 278.230(3), 807 KAR 5:006, Section 4(2), KRS 278.140 and the September 28, 2017 Order of Case No. 2017-00032.

In the same February 21, 2019 Order the Commission also assessed Marshall Environmental a penalty of \$2,500, pursuant to KRS 278.990(1), for its willful failure to comply with the Commission's December 6, 2018 Order by failing to appear at the formal hearing held January 31, 2019, at which neither Marshall Environmental nor a representative for Marshall Environmental appeared.

A copy of the February 21, 2019 Order was served on you by certified mail. As of the writing of this letter, the time for requesting rehearing or filing an appeal has expired, and the \$8,500 payment has not been received. Marshall Environmental has thirty (30) calendar days from the mailing of this letter to submit payment of the \$8,500 civil penalty

by certified check or money order made payable to "Kentucky State Treasurer." Please mail or deliver these items to the Office of General Counsel, Kentucky Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602-0615.

The Commission will seek to enforce this Order in Franklin Circuit Court if the required payment is not received thirty (30) calendar days from the mailing of this letter. You may view Orders issued by the Commission or other formal case documents on our website at <http://psc.ky.gov>.

If you have any questions, please contact me at (502) 782-2580, or by email at Andrew.Bowker@ky.gov.

Sincerely,



Andrew Bowker
Staff Attorney

*Marshall County Environmental Services, LLC
522 US Hwy 68 West
Benton, KY 42025

*Marshall County Environmental Servic
Marshall County Environmental Services, LLC
522 US Hwy 68 West
Benton, KY 42025