

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

STAFFORDSVILLE SANITARY SYSTEMS, INC.)
_____)

CASE NO. 94-036)

ALLEGED VIOLATION OF COMMISSION
REGULATION 807 KAR 5:071)

O R D E R

Staffordsville Sanitary Systems, Inc. ("Staffordsville"), a Kentucky corporation, owns and operates facilities in Johnson County, Kentucky, which are used for the treatment of sewage for the public for compensation, and is therefore, a utility subject to Commission jurisdiction. KRS 278.010(3)(f).

KRS 278.280 authorizes the Commission to prescribe rules for performance of any service furnished or supplied by a utility. Pursuant to this authority, the Commission has promulgated Commission Regulation 807 KAR 5:071, Section 7, which requires sewage treatment facilities to be constructed, installed, maintained, and operated in accordance with accepted good engineering practice.

On March 23, 1993, Commission Staff inspected Staffordsville's facilities for compliance with Commission Regulation 807 KAR 5:071, Section 7. In its report of this inspection, a copy of which is appended hereto as Appendix A, Commission Staff listed 9 instances where the utility failed to comply with Commission Regulation 807 KAR 5:071, Section 7.

On August 18, 1993, the Commission ordered James T. Franklin, the president of Staffordsville, to correct within 30 days all deficient conditions found during the March 23, 1993 inspection.¹

On November 9, 1993, Commission Staff reinspected Staffordsville's facilities. In its report of this inspection, a copy of which is appended hereto as Appendix B, Commission Staff found 6 instances where Staffordsville facilities failed to comply with Commission Regulation 807 KAR 5:071, Section 7.

Having reviewed the report of the November 9, 1993 inspection and being otherwise sufficiently advised, the Commission finds that a prima facie showing has been made that Staffordsville is in violation of Commission Regulation 807 KAR 5:071, Section 7, and that James T. Franklin has failed to comply with the Commission's Order of August 18, 1993 and has aided and abetted Staffordsville in its failure to comply with Commission Regulation 807 KAR 5:071, Section 7.

The Commission, on its own motion, HEREBY ORDERS that:

1. Staffordsville shall appear before the Commission on March 31, 1994, at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violations of Commission Regulation 807 KAR 5:071, and of showing cause why it should not be subject to the penalties prescribed in KRS 278.990(1) for these alleged violations.

¹ Case No. 92-564, Charles L. Patton v. Staffordsville Sanitary Systems, Inc. (Aug. 18, 1993).

2. James T. Franklin shall appear before the Commission on March 31, 1994, at the same time and place as stated above, for the purpose of presenting evidence concerning his alleged failure to comply with the Commission's Order of August 18, 1993 and his alleged conduct to aid and abet Staffordville's violation of Commission Regulation 807 KAR 5:071, and of showing cause why he should not be subject to the penalties prescribed in KRS 278.990(1) for his alleged conduct.

3. Staffordville and James T. Franklin shall submit to the Commission, within 20 days of the date of this Order, written responses to the allegations contained herein and to the contents of the Inspection Reports.

4. The Inspection Reports of March 23 and November 9, 1993, which are appended hereto, are made part of the record of this proceeding.

5. The record of Case No. 92-564² is incorporated by reference into the record of this proceeding.

6. Any motion requesting any informal conference with Commission Staff to consider the simplification of issues and any other matters which aid in the handling or disposition of this proceeding shall be filed with the Commission no later than 20 days from the date of this Order.

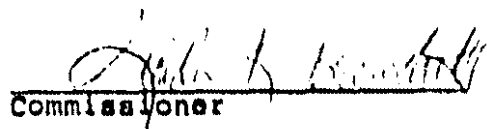
² Case No. 92-564, Charles L. Patton v. Staffordville Sanitary Systems, Inc.

Done at Frankfort, Kentucky, this 3rd day of February, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 94-036 DATED 2/3/94

Commonwealth of Kentucky
Public Service Commission

UTILITY REINSPECTION REPORT

Staffordville Sanitary Systems, Inc.
Staffordville, Kentucky

On March 23, 1993, a reinspection of Staffordville Sanitary Systems, Inc. was conducted. The purpose of the reinspection was to see what progress, if any, had been made to date on the improvements or corrections recommended in the Public Service Commission's staff inspection report dated July 22, 1992. The current status of each item is as follows:

Cross Creek Subdivision Plant

1. The diffusers need to be cleaned, repaired or replaced. (807 KAR 5:071 Sec.7(1))

Current Status

The diffusers still need to be cleaned or repaired.

2. The plant needs to be covered by locked down grating or a 6-foot high chain link fence needs to be placed around the plant area for safety. (807 KAR 5:071, Sec.7(4))

Current Status

Is still needed.

3. Some of the existing grating needs to be replaced for safety reasons. (807 KAR 5:071 Sec.7(4))

Current Status

Is still needed.

4. The chlorine contact basin needs to be cleaned of sludge. (807 KAR 5:071, Sec.7(1))

Current Status

Still needs to be cleaned of sludge.

5. A greasy scummy layer of dark brown foam covered about 80% of the aeration basin. Such a condition usually indicates that the sludge is too old and additional wasting is needed. (807 KAR 5:071, Sec.7(1))

Current Status

The scummy layer of dark foam has been alleviated.

6. The clarifier was dark grey indicating that it needs to be cleaned out. (807 KAR 5:071, Sec.7(1))

Current Status

The clarifier still needs to be cleaned out.

7. The lift station for the plant needs a backup pump or immediate access to one in case of an emergency. (807 KAR 5:071, Sec.7(1)).

Current Status

A backup pump is still needed.

8. The plant is currently being operated without a comminutor. As long as the plant can be operated satisfactorily and produce an acceptable effluent the Commission may not require the use of a comminutor. However, the utility must monitor plant operations and immediately install a functioning comminutor should conditions warrant. (807 KAR 5:071, Sec. 7,1)

Current Status

Same as stated above.

Additional deficiencies found on the inspection dated March 23, 1993 are as follows:

- 1-A The effluent is not being chlorinated. (807 KAR 5:071, Sec.7(1)).

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Systems, Inc.
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2-A The aeration tank is grey in color. (807 KAR
3:071, Sec.7(1))

Submitted,
April 6, 1993

Rosemary Updike
~~Larry Updike~~

CGR:LNU:aem

Commonwealth of Kentucky
Public Service Commission

UTILITY REINSPECTION REPORT

Staffordsville Sanitary Systems, Inc.
Staffordsville, Kentucky

On November 9, 1993, a reinspection of Staffordsville Sanitary Systems, Inc. was conducted. The purpose of the reinspection was to see what progress, if any, had been made to date on the improvements or corrections recommended in the Public Service Commission's staff inspection report dated July 22, 1992 and a reinspection report dated April 6, 1993. The current status of each item is as follows:

Cross Creek Subdivision Plant

1. The diffusers need to be cleaned, repaired or replaced. (807 KAR 5:071 Sec.7(1))

Current Status

The diffusers still need to be cleaned or repaired.

2. The plant needs to be covered by locked down grating or a 6-foot high chain link fence needs to be placed around the plant area for safety. (807 KAR 5:071, Sec.7(4))

Current Status

Is still needed.

3. Some of the existing grating needs to be replaced for safety reasons. (807 KAR 5:071 Sec.7(4))

Current Status

Is still needed.

4. The chlorine contact basin needs to be cleaned of sludge. (807 KAR 5:071, Sec.7(1))

Current Status

Still needs to be cleaned of sludge.

5. A greasy scummy layer of dark brown foam covered about 80% of the aeration basin. Such a condition usually indicates that the sludge is too old and additional wasting is needed. (807 KAR 5:071, Sec.7(1))

Current Status

The scummy layer of dark foam has been alleviated.

6. The clarifier was dark grey indicating that it needs to be cleaned out. (807 KAR 5:071, Sec.7(1))

Current Status

The clarifier has improved to an acceptable condition.

7. The lift station for the plant needs a backup pump or immediate access to one in case of an emergency. (807 KAR 5:071, Sec.7(1)).

Current Status

A backup pump is still needed.

8. The plant is currently being operated without a comminutor. As long as the plant can be operated satisfactorily and produce an acceptable effluent the Commission may not require the use of a comminutor. However, the utility must monitor plant operations and immediately install a functioning comminutor should conditions warrant. (807 KAR 5:071, Sec. 7,1)

Current Status

Same as stated above.

The current status of the additional deficiencies found on the inspection dated March 23, 1993 are as follows:

- 1-A The effluent is not being chlorinated. (807 KAR 5:071, Sec.7(1)).

Current Status

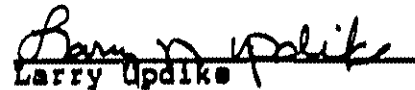
The effluent still needs to be chlorinated.

- 2-A The aeration tank is grey in color. (807 KAR 5:071, Sec.7(1)).

Current Status

The grey color of the aeration tank has been alleviated and replaced by a dark brown color which is acceptable.

Submitted,
November 19, 1993


~~Larry Updike~~ E/S

CGR:LNU:aem