

HENRY C. LIST  
Secretary



PAUL E. PATTON  
Governor

COMMONWEALTH OF KENTUCKY  
**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET**  
**DEPARTMENT FOR ENVIRONMENTAL PROTECTION**  
FRANKFORT OFFICE PARK  
14 REIFLY RD.  
FRANKFORT KY 40601

December 9, 2002

Ohio County Water District  
130 Washington Street  
Hartford, Kentucky 42347

RE: DW #0920332-024 Water  
Line Extension Series  
II Ohio Co, Kentucky

Dear Sir:

We have reviewed the plans and specifications for the above referenced projects. The plans include approximately 1,290 feet of 10-inch PVC or DI water line; 90,635 feet of 8-inch PVC or DI water line; 42,725 feet of 6-inch PVC or DI water line; and, 39,685, feet of 4-inch PVC or DI water line. This is to advise that plans for the above referenced subjects are APPROVED with respect to sanitary features of design as of this date. This approval is in accordance with the standard Ohio County Water District specifications as approved in our letter of July 16, 2001 and with the following stipulation:

When these projects are completed, the owner shall submit a written certification to the Division of Water that the above referenced water supply facilities have been constructed and tested in accordance with the approved plans, the standard specifications and the following stipulations. Such certification shall be signed by a registered professional engineer or the general manager of Ohio County Water Works.

Since the requirements of Administrative Regulations 401 KAR 4:050, Section 2 are met with regard to subfluvial pipe crossings, a floodplain construction permit will not be required pursuant to KRS 151.250 for this aspect of the project. Please note the reference to subfluvial pipe line crossings in the enclosed copy of the regulations.



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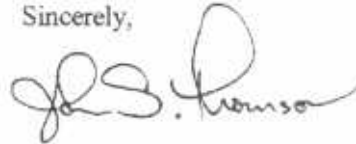
Series III 0920332-  
02-024 December  
9, 2002 Page two

If this water line project will cross a stream or wetland, the attached Water Quality Certification will apply. Please read this certification and make this a part of any contract to install the water lines. If you have any questions please contact John Dovak of the Water Quality Branch at 502/564-2225, extension 485.

This approval has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this approval does not relieve the applicant from the responsibility of obtaining any other approvals, permits or licenses required by this Cabinet and other state, federal and local agencies.

Unless construction of these projects is begun within one year from the date of approval, the approval shall expire. If you have any questions concerning these projects, please contact Mike Riley, PE at 502/564-2225, extension 592.

Sincerely,

A handwritten signature in black ink, appearing to read "John S. Thomson". The signature is fluid and cursive, with the first name "John" and last name "Thomson" clearly legible.

John S. Thomson, PE  
Supervisor, Plan Review Section  
DOW/Drinking Water Branch

JST:JMR:lm

C: Ohio County Health Department  
Public Service Commission  
Division of Plumbing Bowling  
Green Regional Office Water  
Quality Branch Water Resources  
Branch Drinking Water Files



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**General Certification-Nationwide Permit #12  
Utility Line Backfill and Bedding**

**This General** Certification is issued March 17, 2002, in conformity with the requirements of Section 401 of the Clean Water Act of 1977, as amended (33USC 1314), as well as Kentucky Statute KRS 224.16-070.

The Commonwealth of Kentucky hereby certifies under Section **401** of the Clean Water Act ( CWA) that it has reasonable assurances that applicable water quality standards under Kentucky Administrative Regulations Title 401, Chapter 5, established pursuant to Sections 301, 302, 304, 306 and 307 of the CWA, will not be violated for the activity covered under 33 CFR **Part** 330 Appendix A (B) (12), namely utility line backfill and bedding provided that the following conditions are met:

1. This general Water Quality Certification is limited to the crossing of streams by utility lines. The length of a single utility stream crossing shall not exceed twice the width of the stream. This document does not authorize the installation of utility lines in a linear manner within the stream channel or below the top of the stream bank\_
- 2\_ The provisions of 401 KAR 5:005 Section 8 are hereby incorporated into this General Water Quality Certification. Namely, "Sewer lines shall be located at least 50 feet away from a stream which appears as a blue line on a USGS 7 % minute topographic map except where the sewer alignment crosses the stream. The distance shall be measured from the top of the stream bank\_ The cabinet may allow construction within the 50' buffer if adequate methods are used to prevent soil from entering the stream.

Gravity sewer lines and force mains that cross streams shall be constructed by methods that maintain normal stream flow and allow **for a** dry excavation. Water pumped from the excavation shall be contained and allowed to settle prior to re-entering the stream. Excavation equipment and vehicles shall operate outside of the flowing portion of the stream. Spoil material from the sewer line excavation shall not be allowed to enter the flowing portion of the stream." The provisions of this condition shall apply to all types of utility line stream crossings.

3. Removal of riparian vegetation in the utility line right-of-way shall be limited to that necessary for equipment access. Effective erosion and sedimentation control measures must be employed at all times during the project to prevent degradation of waters of the Commonwealth. Site regarding and reseeding will be accomplished within 14 days after disturbance.



4. Utility line construction projects through jurisdictional wetlands shall not result in conversion of the area to non-wetland status\_
5. This General Certification shall not apply to those waters of the Commonwealth identified as Outstanding . State Resource Waters, Exceptional Waters or Cold Water Aquatic Habitat Waters, as designated by the Division of Water. An individual Water Quality Certification will be required for projects in these waters.

Non-compliance with the conditions of this general certification or violation of Kentucky state water quality standards may result in civil penalties.

This general certification will expire on March 19, 2007, or sooner if the COE makes significant changes to this nationwide permit

401 KAR 4b50. Construction exemptions.

RELATES To: KR S 151.110.151.250, 151-310

STATUTORY AUTHORITY: KRS 151230.151-250

NECESSITY, FUNCTION, AND CONFORMITY. In the course of regulatin construction in or along streams pursuant to KRS 151250, the Natural Resources and Environmental Protection Cabinet frequently encounters actions or proposed actions which are of such nature or location as to have little potential for damage or such that any damage which would occur is Omit In extent to the Immediate vicinity of the scion. This administrative regulation exempts <sup>construction</sup> of this type from the provisions of KRS 151.250.

Section 1. A construction permit pursuant to KRS 151250 shad not be required for construction in or along a stream whose watershed is less than one (1) square mile, except for he construction of dams as defined by KRS 151\_100 or other water impounding structures or for any construction that does or may endanger life or cause severe damage to <sup>residential</sup> or commercial property.

Section 2. A <sup>construction</sup> permit pursuant to KRS 151250 shall not be required for a subfluvial utility or pipeline crossing provided that the construction of the crossing meets the following criteria:

(1) During the construction of the crossing, no material may be placed in the stream or in the Hood plain of the stream to form construction pads, cotter dams, access roads, etc., unless prior approval has been obtained from We cabinet

The trench shall be backfilled as dosely as possible to the original contour. All excess material from construction of the trench shall be disposed of outside of the flood plain unless the applicant has received prior approval from the cabinet to fill within the flood plain.

(3) For **subfluviant crossings of erodible channels**, there shall be at least thirty (30) inches clear to the top of the pipe or conduit at all points.

(4) For subfluvial crossings of nonerodible channels, here shall be at least six <sup>(6)</sup> Inches of clear cover above the top of the pipe or conduit at all points, and the pipe or conduit shall be encased on a# sides by at least slot (6) Incites of concrete.

(5) The weight of a pipe and Es contents during normal operating conditions at all points exist excised that of an equal volume of water, or the applicant must <sup>provide</sup> the division with sufficient Information to show that the pipe and joints have sufficient strength. (7 Ky.R. 365; elf. 11-600.)