#### NOTICE OF VIOLATION

**To:** Herrington Haven Subd Mandy Sappington 1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

AI Name: Herrington Haven Subd AI ID: 1469 Activity ID: ENV20230001

County: Garrard Enforcement Case ID:

Date(s) Violation(s) Observed: 02/16/2023

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

1 Violation Description for Subject Item AIOO0000001469():

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 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0053431, monitoring point 001-2, for Total Residual Chlorine. The permitted limit for Total Residual Chlorine is concentration monthly avg., less than or equal to .011 mg/L; and concentration daily max., less than or equal to .019 mg/L. The facility reported the following: concentration monthly avg. .04 mg/L; and concentration daily max. .04 mg/L for December 2022.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

#### NOTICE OF VIOLATION

**To:** River Bluffs WWTP Mandy Sappington 1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

AI Name: River Bluffs WWTP

**AI ID:** 3367 **Activity ID:** ENV20230001

County: Oldham
Enforcement Case ID:

Date(s) Violation(s) Observed: 02/16/2023

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

1 Violation Description for Subject Item AIOO0000003367():

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 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0043150, monitoring point 001-1, for Total Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is concentration monthly avg., less than or equal to 4 mg/L; and concentration daily max., less than or equal to 6 mg/L. The facility reported the following: concentration monthly avg. 13.2 mg/L; and concentration daily max. 13.2 mg/L for October 2022.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

2 Violation Description for Subject Item AIOO0000003367():

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 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0043150, monitoring point 001-1, for Total Residual Chlorine. The permitted limit for Total Residual Chlorine is concentration monthly avg., less than or equal to .011 mg/L; and concentration daily max., less than or equal to .019 mg/L. The facility reported the following: concentration monthly avg. .03 mg/L; and concentration daily max. .03 mg/L for November 2022.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [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 Sower Blvd
Frankfort, KY 40601
502-782-6859 (8:00 AM – 4:30 PM)

Issued By:

Marlon Bascombe, Environmental Control Manager

Marton A. Bascombe

Date: March 16, 2023

#### NOTICE OF VIOLATION

**To:** Great Oaks WWTP Mandy Sappington 1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

AI Name: Great Oaks WWTP AI ID: 3041 Activity ID: ENV20230001

County: McCracken Enforcement Case ID:

Date(s) Violation(s) Observed: 02/16/2023

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

1 Violation Description for Subject Item AIOO000003041():

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 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0080845, monitoring point 001-1, for E. Coli. The permitted limit for E. Coli is concentration 30-day geometric avg., less than or equal to 130 MPN/100 mL; and concentration 7-day geometric, less than or equal to 240 MPN/100 mL. The facility reported the following: concentration 30-day geometric avg. 488 MPN/100 mL; and concentration 7-day geometric 488 MPN/100 mL for January 2023.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

2 Violation Description for Subject Item AIOO0000003041():

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 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0080845, monitoring point 001-1, for CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 10 mg/L; and concentration max. weekly avg., less than or equal to 15 mg/L. The facility reported the following: concentration monthly avg. 18 mg/L; and concentration max. weekly avg. 18 mg/L for November 2022.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

AI: Great Oaks WWTP -- 3041

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 Sower Blvd
Frankfort, KY 40601
502-782-6859 (8:00 AM – 4:30 PM)

Issued By:

Marlon Bascombe, Environmental Control Manager

Marton A. Bascombe

Date: March 10, 2023

#### NOTICE OF VIOLATION

To: Kingswood WWTP Mandy Sappington 1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

AI Name: Kingswood WWTP AI ID: 455 Activity ID: ENV20230001

County: Bullitt

**Enforcement Case ID:** 

Date(s) Violation(s) Observed: 02/16/2023

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

Violation Description for Subject Item AIOO0000000455(): 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 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for E. Coli. The permitted limit for E. Coli is concentration 30-day geometric avg., less than or equal to 130 MPN/100 mL. The facility reported the following: concentration 30-day geometric avg. 235 MPN/100 mL for October

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [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 Sower Blvd
Frankfort, KY 40601
502-782-6859 (8:00 AM – 4:30 PM)

Issued By:

Marlon Bascombe, Environmental Control Manager

Marton A. Bascombe

Date: March 17, 2023

#### NOTICE OF VIOLATION

To: Lake Columbia WWTP Mandy Sappington 1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

AI Name: Lake Columbia WWTP **AI ID:** 458 Activity ID: ENV20230001

County: Bullitt

**Enforcement Case ID:** 

Date(s) Violation(s) Observed: 02/16/2023

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

Violation Description for Subject Item AIOO0000000458():

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 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0077674, monitoring point 001-1, for Dissolved Oxygen. The permitted limit for Dissolved Oxygen is concentration instantaneous min., greater than or equal to 7 mg/L. The facility reported the following: concentration instantaneous min. 5.6 mg/L for December 2022.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

Violation Description for Subject Item AIOO0000000458():

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 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0077674, monitoring point 001-1, for Total Suspended Solids. The permitted limit for Total Suspended Solids is concentration monthly avg., less than or equal to 30 mg/L; and concentration max. weekly avg., less than or equal to 45 mg/L. The facility reported the following: concentration monthly avg. 68.5 mg/L; and concentration max. weekly avg. 84 mg/L for December 2022.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

AI: Lake Columbia WWTP -- 458

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 Sower Blvd
Frankfort, KY 40601
502-782-6859 (8:00 AM – 4:30 PM)

Issued By:

Marlon Bascombe, Environmental Control Manager

Marton A. Bascombe

Date: March 20, 2023

#### NOTICE OF VIOLATION

**To:** Persimmon Ridge Subd & WWTP Mandy Sappington 1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

AI Name: Persimmon Ridge Subd & WWTP AI ID: 3955 Activity ID: ENV20230001

County: Shelby

**Enforcement Case ID:** 

Date(s) Violation(s) Observed: 02/16/2023

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

Violation Description for Subject Item AIOO000003955():

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 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0090956, monitoring point 002-1, for Total Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is loading monthly avg., less than or equal to 5.9 lbs/day; and loading max. weekly avg., less than or equal to 8.9 lbs/day; and concentration monthly avg., less than or equal to 5 mg/L; and concentration daily max., less than or equal to 7.5 mg/L. The facility reported the following: loading monthly avg. 8.118 lbs/day; and loading max. weekly avg. 12.8 lbs/day; and concentration monthly avg. 7.546 mg/L; and concentration daily max. 11.9 mg/L for December 2022.

The remedial measure(s), and date(s) to be completed by are as follows: The permittee shall comply with the terms and conditions of the KPDES Permit. [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 Sower Blvd
Frankfort, KY 40601
502-782-6859 (8:00 AM – 4:30 PM)

Issued By:

Marlon Bascombe, Environmental Control Manager

Marton A. Bascombe

Date: March 21, 2023

DFS 210 (Rev. 2-95)

### COMMONWEALTH OF KENTUCKY

# CABINET FOR HEALTH AND FAMILY SERVICES DEPARTMENT FOR PUBLIC HEALTH

4|5|33 DATE

Permit/License/ Registration/ Certification

GIU47 Sanitation Code

> E Action Code

758162 No. Request for Service

No.

## NOTICE TO CORRECT VIOLATIONS

PURSUANT TO KRS	212.210 KBS 811.180	
1.0	LAW OR REGULATION	
ISSUED TO: CENTRALS	tates Water Resources	
Bluegrass	hater Utility Operating	aCo
11/2/ATE	s Peres Rd Ste 140	)
ADDRES	S MA	1,2121
CITY	O LUDI STATE	(1)3 3  ZIP
An inspection conducted	at 11 brshall Kidge	, located
at 209 Harting Ric	ige Pol West Padurah, Ky	, under the date of
414123	Address Netal Stevenson +	Joel Barrett
(Date) disclosed the following vio	(Inspec	etor)
	1	vn
Standing Sewae	1	phrals are
Justery and	Hares MIACOIOTION T	allian alc
Timeral		
Lancon fercino das	naged; gaps in the both	om of
the fencing it in	UHI Ple Edreus	
		->
This is an official notice to	correct the above listed violations with a p	eriod of 30
period may result in suspension	his notice. Failure to comply with this notice of your:   PERMIT LICENSE	☐ REGISTRATION
	egal action (as applicable) being taken again n the cabinet during that time period.	st you, unless a written
		n^ 1
Signature	No., Pate Received	30 days from receipt
Signature 1000000000000000000000000000000000000	HIGHTH GUY-TIT	
	70 Bd 259 Title	- Bourn Att 42005
Alth Department	Mailing Address	City, State, Zip
Telephone		

Kentucky

# COMMONWEALTH OF KENTUCKY CABINET FOR HUMAN RESOURCES DEPARTMENT FOR HEALTH SERVICES

## **NOTICE TO REMEDY INSANITARY CONDITIONS**

Andy Beshear Governor

Rebecca W. Goodman 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

Kent A. Chandler Chairman

Angle Hatton Vice Chairman

**Mary Pat Regan** Commissioner

April 13, 2023

Josiah Cox CEO Central States Water Resources 1630 Des Peres Road, Suite 140 Des Peres, MO 63131

Re:

Periodic Wastewater Inspection

Bluegrass Water Utility Operating Company, LLC - Arcadia Pines Wastewater

McCracken County, KY

Dear Mr. Cox:

Public Service Commission staff performed a periodic inspection of the Bluegrass Water Utility Operating Company, LLC - Arcadia Pines wastewater system located in McCracken County, KY on March 8, 2023, reviewing utility operations and management practices pursuant to Commission regulations. The report of this inspection is enclosed with this letter.

Based on the inspector's observations, no deficiencies were identified. This closes out the 2023 inspection. No response is necessary.

Please review the enclosed inspection report in its entirety as you will find further information noted about the inspection. If you have any questions regarding this inspection, feel free to contact me at 502-330-5986 or via email at Brian.Rice@ky.gov.

> Sincerely, Bin J. Rin

Brian L. Rice **Utility Inspector** 

**Public Service Commission** 

Enclosure(s)

KentuckyUnbridledSpirit.com

Copy: Jon Brown, EHS Compliance Inspector



Hility: Pluggage Water Hility Operating Company 11	Arondia Dina		
Utility: Bluegrass Water Utility Operating Company, LLC			
Utility's Principal office location: 1630 Des Peres Roa	ad, Suite 140 St	Louis, MO 63	<u>3131</u>
Utility representative during inspection: Jon Brown, A	Arthur Faiello		
Counties served: McCracken			
Customers: 25			
Investigator: Brian L. Rice			
Date(s) of inspection: March 8, 2023			
Date(s) of last inspection: April 26, 2022			
Deficiencies noted during the last inspection: No de	ficiencies noted	during this ins	spection
Have deficiencies been corrected since last inspecti	ion? Yes 🗌	No 🗌	N/A ⊠
If no, provide a response as to why these deficiencie	es have not bee	n addressed	d.
General Questions			
Treatment Facility: Collection System:	Yes ⊠ Yes ⊠	No 🗌 No 🗍	N/A 🗌 N/A 🗍
Utility Information Total number of Employees: 0 Number of Office Employees: 0			
Note: The Company is comprised of contracted operation	ons, billing, and o	customer ser	vice.
Does the utility have its own maintenance staff?	Yes 🗌	No 🖂 N/	<b>A</b> 🗌
f not, give the name the person(s) doing the work:			
Operation and Maintenance is contracted out to Clearwa	ater Solutions.		
Bluegrass Water Utility Company, LLC – Arcadia Pines		Pa	age 1

**Periodic Compliance Inspection** 

## 807 KAR 5:006 (General Rules)

<u>Section 2:</u> General Provisions. Reference to standards or codes in 807 KAR Chapter 5 shall not prohibit a utility from continuing or initiating experimental work and installations to improve, decrease the cost of, or increase the safety of its service.

Section 4: Reports			
Has the utility filed its gross annual operating revenu	e report?		
	Yes 🗵	No 🗌	N/A 🔲
Section 7: Billings, Meter Readings, and Information.			
Is the Billing and Collection handled by the Utility?	Yes [	No ⊠	N/A
If no, then who? Billing and Collection is handled by Niti	ro Billing Se	ervices.	
Does each bill for utility service issued periodically by	y a utility o	learly show the	e following?
The date the bill was issued: Class of service: Present and last preceding meter readings: Date of the present reading: Number of units consumed: Net amount for service rendered: All taxes: Adjustments, if applicable: The gross amount of the bill: The date after which a penalty may apply to the ground of the bill is estimated or calculated: Is the rate schedule under which the bill is computations a Web site)?	Yes Yes	No	N/A
Note: Yes, the tariff (including the rate schedule) is fou readings/units/etc. are included due to the nature of the	nd on the C	Company website	e. Additionally, no
Also furnished by one (1) of the following methods, by		<u> </u>	
Printing it on the bill:	Yes 🛭	No 🗌	N/A
Bluegrass Water Utility Company, LLC – Arcadia Pines		Pi	age 2

## **Periodic Compliance Inspection**

Publishing it in a newspaper of general circulation	once each ye	ar:	
	Yes 🗌	No 🗌	N/A 🖂
Mailing it to each customer once each year; or:		—	
	Yes 📙	No 🗌	N/A ⊠
Provide a place on each bill for a customer to indi			
the applicable rates:	Yes 🛚	No 🗌	N/A
Note: Due to the nature of the bills, the flat rate found on the service areas. Additionally, the bills have multiple option billing inquiries including questions regarding the rate schedule.	ons for contact		
Section 8. Deposits.			
Is the utility requiring a minimum cash deposit or oth payment of bills?	ner guarantee Yes ⊡	e from custo No ⊠	omers to secure N/A
Section 10: Customer Complaints to the Utility			
Upon complaint to a utility by a customer at the utility the utility make a prompt and complete investigation findings?			
Does the utility keep a record of all written complaints	concerning t	the utility's s No □	service? N/A
Does the record include the following? The customer's name and address: The date and nature of the complaint: The disposition of the complaint:	Yes ⊠ Yes ⊠ Yes ⊠	No 🗌 No 🗍	N/A
Does the utility maintain these records for two (2) y complaint?	rears from th Yes ⊠	e date of re No □	esolution of the N/A
If a written complaint or a complaint made in person a the utility provide written notice to the customer of his commission?			
Note: The Company does not maintain a local office, but the website. In the Order associated with Docket 2019-001 operations without a local office.			
Does the utility provide the customer with the mailing a		site address	
number of the commission?	Yes 🖂	No 🗌	N/A
Bluegrass Water Utility Company, LLC – Arcadia Pines		Pa	age 3

Page 1670 of 2110

<b>Note:</b> The Company does not maintain a local office but customer questions and provide the Commissions mailing number and provides this information on the utility's websited.	address, w	esentative ava ebsite addres	ailable to answer as and telephone
If a telephonic complaint is not resolved, does the ucustomer of his or her right to file a complaint with the	tility provide commissior Yes ⊠	e at least or n? No 🏻	al notice to the
Section 14: Utility Customer Relations			
Does the utility post and maintain regular business hou to assist its customers and to respond to inquiries fro complaints?	rs and provi om the com Yes ⊠	de represen nission rega No 🏻	tatives available arding customer N/A
Does the utility designate at least one (1) representat questions, resolve disputes, and negotiate partial paym	ive to be av nent plans a	ailable to art the utility's	nswer customer office?
	Yes 🗌	No 🗌	N/A 🖂
Note: The Company does not maintain a local office, but customer questions, resolve disputes, and negotiate partial Order associated with Docket 2019-00104, the Commission local office.	payment pla approved B	ns thru telepl luegrass' ope	hone only. In the erations without a
If the utility has an annual operating revenue of \$25 designated representative available during the utility's than seven (7) hours per day, five (5) days per week exc	s establishe	d working h	e utility have a nours not fewer
	Yes ⊠	No 🗌	N/A
If the utility has an annual operating revenue of less designated representative available during the utility's than seven (7) hours per day, one (1) day per week?	than \$250,0 s establishe	000, does thed working h	e utility have a nours not fewer
, , , , , , , , , , , , , , , , , , ,	Yes 🗌	No 🗌	N/A 🖂
Does the utility provide the following?			
Maintain a telephone:	Yes ⊠	No 🗌	N/A
Publish the telephone number in all service areas:	Yes ⊠	No 🗌	N/A
Note: The number is available on the website and custome	r bills.		
Bluegrass Water Utility Company, LLC – Arcadia Pines		Da	ane 4

Permit all customers to contact the utility's designated re	epresentativo	e without cha	arge:
	Yes ⊠	No 🗌	N/A
Does the utility prominently display in each office open to shall post on its Web site, if it maintains a Web site) a su commission, of the customer's rights pursuant to the administrative regulation?	mmary, prep	pared and pr	ovided by the
Note: The Company does not maintain a local office, but this in website. In the Order associated with Docket 2019-00104 operations without a local office. Records are kept electron reasonable notice at reasonable hours.	, the Commi	ission approv	ed Bluegrass'
Section 20: Access to Property			
Do employees of the utility (whose duties require him to enter the customer's premises) wear a distinguishing uniform or other insignia, identifying them as an employee of the utility, and show a badge or other identification that shall identify them as an employee of the utility?  Yes  No  N/A			
Section 23: System Maps and Records			
Does the utility have on file at its principal office locate request with the commission a map or maps of suitable or holds itself ready to serve?			
Note: In the Order associated with Docket 2019-00104, methodology of utilizing the Kentucky Infrastructure Authority. The Company does maintain maps electronically that can be Additionally, the Company utilizes the Kentucky Infrastructure including districts. KIA does not have a map for this system; I	y to comply of the filed upon read the Authority for	with mapping quest with the maps that ca	requirements. e Commission. an show layers
Is the map or maps available in electronic format as a database?	a PDF file o Yes ⊠	r as a digita No ☐	al geographic N/A 🗌
Is the following data available on the map or maps?			
Rate districts:	Yes ☐ Yes ☐ Yes ⊠	No 🗌 No 🔲 No 🗍	N/A 🖂 N/A 🖂 N/A 🗌

## Periodic Compliance Inspection

made available to representatives, agents, or staff of the commission upon reasonable notice at all reasonable hours.  Are all records required by 807 KAR Chapter 5 kept in the office of the utility and shall be made
at all reasonable hours.  Are all records required by 807 KAR Chapter 5 kept in the office of the utility and shall be made
Are all records required by 807 KAR Chapter 5 kept in the office of the utility and shall be made
available to representatives, agents, or staff of the commission upon reasonable notice at all reasonable hours?  Yes No No N/A
In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.
Section 25: Safety Program:
Each utility shall adopt and execute a safety program, appropriate to the size and type of its operations. At a minimum, the safety program shall:  (1) Establish a safety manual with written guidelines for safe working practices and procedures to be followed by utility employees.  (2) Instruct employees in safe methods of performing their work.  (3) Instruct employees who, in the course of their work, are subject to the hazard of electrical shock, asphyxiation, or drowning, in accepted methods of artificial respiration.
Has the utility adopted and executed a safety program, appropriate to the size and type of its operations?
Yes No No N/A
<b>Note:</b> Bluegrass Water contracts with Clearwater Solutions to operate and maintain the wastewater treatment facility. Clearwater Solutions has a safety program.
At a minimum, does the safety program include the following?
A safety manual with written guidelines for safe working practices and procedures to be followed by utility employees: Yes $\square$ No $\square$ N/A $\boxtimes$
Note: Bluegrass Water has no employees.
Instruct employees in safe methods of performing their work.
Yes ☐ No ☐ N/A ☒ Note: Bluegrass Water has no employees.
Bluegrass Water Has no employees.  Page 6

Instruct employees who, in the course of their work, are subject to the hazard of electrical shock, asphyxiation, or drowning, in accepted methods of artificial respiration:  Yes \( \subseteq  \text{No} \subseteq  \text{N/A} \text{ \subseteq}
Note: Bluegrass Water has no employees.
Section 26: Inspection of Systems:
<ol> <li>A utility shall adopt inspection procedures to assure safe and adequate operation of the utility's facilities and compliance with KRS Chapter 278 and 807 KAR Chapter 5 and shall file these procedures with the commission for review.</li> <li>Upon receipt of a report of a potentially hazardous condition at a utility facility, the utility shall inspect all portions of the system that are the subject of the report.</li> <li>Appropriate records shall be kept by a utility to identify the inspection made, the date and time of inspection, the person conducting the inspection, deficiencies found, and action taken to correct the deficiencies.</li> </ol>
Has the utility adopted inspection procedures to assure safe and adequate operation of the utility's facilities and compliance with KRS Chapter 278 and 807 KAR Chapter 5?  Yes ⊠ No ☐ N/A ☐
Have these inspection procedures been filed with the commission for review?  Yes ⊠ No □ N/A □
Upon receipt of a report of a potentially hazardous condition at a utility facility, does the utility inspect all portions of the system that are the subject of the report?  Yes  No  N/A
Are appropriate records kept by a utility to identify the inspection made, the date and time of inspection, the person conducting the inspection, deficiencies found, and action taken to correct the deficiencies?  Yes  No  N/A
Section 27: Reporting of Accidents, Property Damage, or Loss of Service.
(1) Within two (2) hours following discovery each utility, other than a natural gas utility, shall notify the commission by telephone or electronic mail of a utility related accident that results in:
(a) Death or shock or burn requiring medical treatment at a hospital or similar medical facility, or any accident requiring inpatient overnight hospitalization.
Bluegrass Water Utility Company, LLC – Arcadia Pines Page 7

Bluegrass Water Utility Company, LLC – Arcadia Pines		Pa	ge 8	
f so, provide the case no. <u>Case No. 2019-00104.</u>				
las the utility been permitted by the commission to deregulations?	eviate from tl Yes 🛚	nese adminis No 🗌	trative N/A	
n special cases, for good cause shown, the commissi administrative regulation.	on shall peri	mit deviation	s from t	his
Section 28: Deviations from Administrative Regulation	<u>ı:</u>			
salonaar aayo or the atmy related accident:	Yes 🗌	No 🗌	N/A	$\boxtimes$
Was a summary written report submitted by the uncalendar days of the utility related accident?	tility to the o	ommission v	within s	even (7)
,	Yes 🗌	No 🗌	N/A	$\boxtimes$
Loss of service for four (4) or more hours to ten (1 customers, whichever is less:	l0) percent o	r 500 or mor	e of the	utility's
Actual or potential property damage of \$25,000 or r	more: Yes □	No 🗌	N/A	$\boxtimes$
	Yes 🗌	No 🗌	N/A	$\boxtimes$
Death, shock, or burn requiring medical treatment any accident requiring inpatient overnight hospital	at a hospital	or similar me	edical fa	cility, or
If yes, was the Commission notified by telephone or discovery of a utility related accident that resulted in t	r electronic he following	mail within t	wo (2) I	hours of
Has the Utility had any Accidents, Property Damage, o	or Loss of Se Yes 🗌	rvice? No ⊠	N/A	
(2) A summary written report shall be submitted by the (7) calendar days of the utility related accident. For gof the commission, shall, upon application in writing, submission of this report.	ood cause s	hown, the ex	ecutive	director
(b) Actual or potential property damage of \$25,000 (c) Loss of service for four (4) or more hours to ten customers, whichever is less.	or more; or (10) percent	or 500 or mo	re of the	e utility's

Periodic Compliance Inspection

## 807 KAR 5:011 (Tariffs)

Section 12: Posting tariffs, Administrative Regulation	s, and Statutes
Does the utility display a suitable placard, in large type, t are available for public inspection?	that states that the utility's tariff and statutes s
Note: The Company does not maintain a local office, but the website. In the Order associated with Docket 2019-00 operations without a local office. Records are kept electroasonable notice at reasonable hours.	104, the Commission approved Bluegrass'
Does the utility provide a suitable table or desk in its offi may view all effective tariffs?	ice or place of business on which the publics No No N/A
Note: The Company does not maintain a local office, but the website. In the Order associated with Docket 2019-00 operations without a local office. Records are kept electroasonable notice at reasonable hours.	104, the Commission approved Bluegrass'
Section 13: Special Contracts	
Does the utility have any special contracts that establish contained in its tariff?	rates, charges, or conditions of service not s No No N/A
If yes, has the utility filed the special contracts with the PS Yes	SC? s □ No □ N/A ⊠
807 KAR 5:071 (Se	ewage):
Section 1: General. The purpose of this administrative administrative regulations governing the service of Jurisdiction of the Public Service Commission.  Section 4: Information Available to Customers.	
(1) System maps or records. Each utility shall maintain entire force main and collection systems, with such cenable the utility to advise prospective customers, and the facilities available for serving any locality.	other information as may be necessary to
Bluegrass Water Utility Company, LLC – Arcadia Pines	Page 9

(2) Rates, rules, and regulations. A schedule of approved rates for sewage service applicable for each class of customers and the approved rules and regulations of the sewage utility shall be available to any customer or prospective customer upon request.				
Does the Utility have a current map and/or plans for its	system? <b>Yes</b> ⊠	No 🗌	N/A 🗌	
Section 5. Quality of Service.				
(1) General. Each utility shall maintain and operate sewage treatment facilities of adequate size and properly equipped to collect, transport, and treat sewage, and discharge the effluent at the degree of purity required by the health laws of the State of Kentucky, and all other regulatory agencies, federal, state, and local, having jurisdiction over such matters.				
(2) Limitations of service. No sewage disposal company shall be obliged to receive for treatment or disposal any material except sewage as defined by Section 2(7) of this administrative regulation. In compliance with the administrative regulation, the utility shall make all reasonable efforts to eliminate or prevent the entry of surface or ground water, or any corrosive or toxic industrial liquid waste into its sanitary sewer system. A utility may request assistance from the appropriate state, county, or municipal authorities in its efforts, but such a request does not relieve the utility of its responsibilities.				
Is the utility in compliance with the Division of Water?	Yes	No 🗌	N/A ⊠	
Note: This system does not fall under the jurisdiction of	of Division of	Water.		
Is the utility making every reasonable effort to eliminate or prevent the entry of surface or ground water, or any corrosive or toxic industrial liquid waste into its sanitary sewer system?  Yes  No  N/A				
Section 6: Continuity of Service.				
(1) Emergency Interruptions. Each utility shall make all reasonable efforts to prevent interruptions of service and when such interruptions occur shall endeavor to reestablish service with the shortest possible delay consistent with the safety of its customers and the general public.				
(2) Scheduled interruptions. Whenever any utility finds it necessary to schedule an interruption of its service, it shall notify all customers to be affected by the interruption stating the time and anticipated duration of the interruption. Whenever possible, scheduled				
Bluegrass Water Utility Company, LLC - Arcadia Pines			Page 10	

## **Periodic Compliance Inspection**

interruptions shall be made at such hours as will customers.	provide leas	t inconvenier	ice to the			
(3) Record of interruptions. Each utility shall keep a complete record of all interruptions on its system. This record shall show the cause of interruption, date, time, duration, remedy, and steps taken to prevent recurrence.						
Is the utility making all reasonable efforts to prevent interruptions of service and when such interruptions occur shall endeavor to reestablish service with the shortest possible delay consistent with the safety of its customers and the public?						
consistent with the suicty of its oustomers and the	Yes 🛛	No 🗌	N/A 🗌			
If the utility schedules an interruption of service the interruption?	are all custoı Yes ⊠	mers notified No □	that are affected by N/A			
PROVIDE DOCUMENTATION DURING INSPECTION IF ANY.						
Does the utility make all reasonable efforts to provide least inconvenience to the customers?		erruptions at No	such hours as will N/A			
Does the utility maintain a record of all interruptions of service regarding the following items?  Yes  No  N/A						
Cause of interruption Date Time Duration Remedy # Of customers affected steps taken to prevent recurrence	Yes X	No	N/A			
Section 7. Design, Construction, and Operation.						
<ul> <li>(1) General. The sewage treatment facilities of the sewage utility shall be constructed, installed, maintained and operated in accordance with accepted good engineering practice to assure, as far as reasonably possible, continuity of service, uniformity in the quality of service furnished, and the safety of persons and property.</li> <li>(2) Design and construction requirements. The design and construction of the sewage utility's collecting sewers, treatment plant and facilities, and all additions thereto and modifications</li> </ul>						
Bluegrass Water Utility Company, LLC - Arcadia Pines			Page 11			

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### **Periodic Compliance Inspection**

thereof, shall conform to the requirements of the Kentucky Department for Natural Resources and Environmental Protection, Bureau of Environmental Quality, Division of Water Quality.

- (3) Adequacy of facilities. The capacity of the sewage utility's sewage treatment facilities for the collection, treatment and disposal of sewage and sewage effluent must be sufficiently sized to meet all normal demands for service and provide a reasonable reserve for emergencies.
- (4) Inspection of facilities. Each sewage utility shall adopt procedures for inspection of its sewage treatment facilities to assure safe and adequate operation of its facilities and compliance with commission rules. These procedures shall be filed with the commission. Unless otherwise authorized in writing by the commission, the sewage utility shall make inspections of collecting sewers and manholes on a scheduled basis at intervals not to exceed one (1) year, unless conditions warrant more frequent inspections and shall make inspections of all mechanical equipment daily. The sewage utility shall maintain a record of findings and corrective actions required, and/or taken, by location and date.

Is the utility operating and maintaining their facility practice to assure, as far as reasonably possible, cont furnished, and the safety of persons and property?	inuity (	of servic		
Is the utility adhering to their inspection procedure facilities and compliance with the Commission rules?			afe and aded	uate operation of its
Unless otherwise authorized in writing by the commistheir collecting sewers and manholes on a schedule unless conditions warrant more frequent inspections?	ed bas	is at int	sewage utility ervals not to <b>No</b>	y make inspections of exceed one (1) year, N/A
Does the utility inspect all mechanical equipment dail	y? <b>Yes</b>		No 🗌	N/A 🗌
Note: This facility has a Mission-Manage SCADA mo	nitorin	ng syster	<u>m.</u>	
Does the utility maintain a record of findings and corrand date?	ective <b>Yes</b>		required, and	l/or taken, by location <b>N/A</b>

**Periodic Compliance Inspection** 

### **Additional Comments**

Midwest Water Operations merged with Clearwater Solutions. Clearwater Solutions is now contracted with Bluegrass Water for operations and maintenance.



**Arcadia Pines WWTF** 



## **Periodic Compliance Inspection**

Comment: During this periodic regulatory compliance inspection, it was not possible to review/discuss every record relating to all Commission requirements. Therefore, in some instances the results contained in this report are indicative of those items inspected and reviewed on a sample basis.

Report by:

Brian L. Rice Utility Inspector

Bin L. Rian

**Kentucky Public Service Commission** 

Bluegrass Water Utility Company, LLC - Arcadia Pines

Page 14

Date: April 6, 2023

Andy Beshear Governor

Rebecca W. Goodman 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

Kent A. Chandler Chairman

Angie Hatton Vice Chairman

Mary Pat Regan Commissioner

April 13, 2023

Josiah Cox CEO Central States Water Resources 1630 Des Peres Road, Suite 140 Des Peres, MO 63131

Re:

Periodic Wastewater Inspection

Bluegrass Water Utility Operating Company, LLC - Carriage Park Wastewater

System

McCracken County, KY

Dear Mr. Cox:

Public Service Commission staff performed a periodic inspection of the Bluegrass Water Utility Operating Company, LLC – Carriage Park wastewater system located in McCracken County, KY on March 8, 2023, reviewing utility operations and management practices pursuant to Commission regulations. The report of this inspection is enclosed with this letter.

Based on the inspector's observations, no deficiencies were identified. This closes out the 2023 inspection. No response is necessary.

Please review the enclosed inspection report in its entirety as you will find further information noted about the inspection. If you have any questions regarding this inspection, feel free to contact me at 502-330-5986 or via email at Brian.Rice@ky.gov.

Sincerely, Bin J. Rie

Brian L. Rice Utility Inspector

**Public Service Commission** 

Enclosure(s)

Copy: Jon Brown, EHS Compliance Inspector



Utility: Bluegrass Water Utility Operating Company, LLC -	Carriage Pa	<u>ark</u>			
Utility's Principal office location: 1630 Des Peres Road,	Suite 140 S	t Louis, M	O 63131		
Utility representative during inspection: Jon Brown, Arth	ur Faiello				
Counties served: McCracken					
Customers: <u>38</u>					
Investigator: Brian L. Rice					
Date(s) of inspection: March 8, 2023					
Date(s) of last inspection: April 28, 2022					
Deficiencies noted during the last inspection: No deficient	encies noted	d during thi	s inspection		
Have deficiencies been corrected since last inspection	? Yes □	No 🗌	N/A ⊠		
If no, provide a response as to why these deficiencies have not been addressed.					
General Questions					
Treatment Facility: Collection System:	Yes ⊠ Yes ⊠	No 🗌 No 🗍	N/A 🔲 N/A 🔲		
Utility Information Total number of Employees: 0 Number of Office Employees: 0					
Note: The Company is comprised of contracted operations	, billing, and	l customer	service.		
Does the utility have its own maintenance staff?	Yes 🗌	No 🖂	N/A 🗌		
If not, give the name the person(s) doing the work:					
Operation and Maintenance is contracted out to Clearwater	Solutions.				
Bluegrass Water Utility Company, LLC – Carriage Park			Page 1		

**Periodic Compliance Inspection** 

#### 807 KAR 5:006 (General Rules)

<u>Section 2:</u> General Provisions. Reference to standards or codes in 807 KAR Chapter 5 shall not prohibit a utility from continuing or initiating experimental work and installations to improve, decrease the cost of, or increase the safety of its service.

Bluegrass Water Utility Company, LLC - Carriage Park			Pa	age 2
Printing it on the bill:	Yes		No 🗌	N/A
Also furnished by one (1) of the following methods, by	y:			
readings/units/etc. are included due to the nature of the	e flat rat	es cha	arged.	
Note: Yes, the tariff (including the rate schedule) is four	nd on th	e Con	pany website	e. Additionally, no
N. A. Weise at the resident formation of the state of the				
maintains a Web site)?	Yes		No 🗌	N/A
Is the rate schedule under which the bill is compu		sted o		's Web site (if it
If the bill is estimated or calculated:	Yes	Ħ	No 🗍	N/A 🖂
the sate area minor a portary may apply to the git	Yes		No 🗆	N/A
The date after which a penalty may apply to the gro			No 🗌	N/A
Adjustments, if applicable: The gross amount of the bill:	Yes Yes		No 🗌	N/A
All taxes:	Yes	Н	No	N/A 🛛
Net amount for service rendered:	Yes		No 🗌	N/A 🔲
Number of units consumed:	Yes		No 🗌	N/A 🔯
Date of the present reading:	Yes		No 🗌	N/A 🔀
Present and last preceding meter readings:	Yes	No.	No 🗍	N/A 🖂
Class of service:	Yes	Monand	No 🗌	N/A
The date the bill was issued:	Yes	$\boxtimes$	No 🗆	N/A
Does each bill for utility service issued periodically by	y a utilit	y clea	rly show the	following?
If no, then who? Billing and Collection is handled by Nitr	ro Billing	Servi	ces.	
If no then who? Rilling and Collection is handled by Nite			_	
Is the Billing and Collection handled by the Utility?	Yes		No 🖂	N/A 🗆
Section 7: Billings, Meter Readings, and Information.				
	Yes	$\boxtimes$	No 🗌	N/A
Has the utility filed its gross annual operating revenue	e report	?		
Section 4: Reports				
Seetles 4: Beneate				

Publishing it in a newspaper of general circulation	once eac	h year:	
	Yes [	☐ No ☐	N/A 🖂
Mailing it to each customer once each year; or:	v F		NUA SZ
Provide a place on each bill for a customer to indi	Yes L	∐ No ∐	N/A 🖂
the applicable rates:	Yes		N/A 🗌
Note: Due to the nature of the bills, the flat rate found on			
the service areas. Additionally, the bills have multiple option billing inquiries including questions regarding the rate sche		tacting the Utilit	y if they have any
Section 8. Deposits.			
dection of Deposits.			
Is the utility requiring a minimum cash deposit or oth payment of bills?	ner guara Yes 🗌		omers to secure N/A
Section 10: Customer Complaints to the Utility			
Upon complaint to a utility by a customer at the utility'	's office. I	ov telephone o	r in writing, does
the utility make a prompt and complete investigation			
findings?	Yes $oxed{oxtime}$	No 🗌	N/A
Does the utility keep a record of all written complaints	concerni Yes ⊠		service? N/A
Does the record include the following?	163	110	
The customer's name and address:	Yes $oxtime $		N/A
The date and nature of the complaint:	Yes 🔀		N/A
The disposition of the complaint:	Yes 🛚	No 🗌	N/A 🗌
Does the utility maintain these records for two (2) y complaint?	ears fron Yes ⊠		esolution of the
•			
If a written complaint or a complaint made in person a the utility provide written notice to the customer of his			
commission?	Yes _	No 🗌	N/A 🛮
Note: The Company does not maintain a local office, but thi	is informat	ion is available v	via the Company's
website. In the Order associated with Docket 2019-001 operations without a local office.			
Speraterio marode a robal office.			
Does the utility provide the customer with the mailing a	ddress, V	Veb site addres	s, and telephone
number of the commission?	Yes $oxtime $	No 🗌	N/A
Bluegrass Water Utility Company, LLC – Carriage Park		F	Page 3

<b>Note:</b> The Company does not maintain a local office but customer questions and provide the Commissions mailing number and provides this information on the utility's website	address, web	entative availa osite address	able to and te	o answer elephone
If a telephonic complaint is not resolved, does the ut	ility provide	at least oral	notic	e to the
customer of his or her right to file a complaint with the	commission?			
	Yes ⊠	No 🗌	N/A	
Section 14: Utility Customer Relations				
Does the utility post and maintain regular business hour to assist its customers and to respond to inquiries from complaints?	rs and provid m the comm Yes ⊠	ission regard	tives a ding c N/A	u <u>st</u> omer
Does the utility designate at least one (1) representation questions, resolve disputes, and negotiate partial payments.	ve to be ava ent plans at t	ilable to ans the utility's of	wer c ffice?	ustomer
	Yes 🗌	No 🗌	N/A	
Note: The Company does not maintain a local office, but customer questions, resolve disputes, and negotiate partial Order associated with Docket 2019-00104, the Commission local office.	payment plan	s thru telepho	ne onl	y. In the
If the utility has an annual operating revenue of \$250 designated representative available during the utility's than seven (7) hours per day, five (5) days per week exc	established	working ho		
	Yes 🗵	No 🗌	N/A	
If the utility has an annual operating revenue of less designated representative available during the utility's than seven (7) hours per day, one (1) day per week?	than \$250,00 established	0, does the working ho	utility urs n	have a ot fewer
( , ) = ( , ) = ( , ) = ( , )	Yes 🗌	No 🗌	N/A	$\boxtimes$
Does the utility provide the following?				
Maintain a telephone:	Yes 🛚	No 🗌	N/A	
Publish the telephone number in all service areas:	Yes 🖂	No 🗌	N/A	
Note: The number is available on the website and customer	bills.			
Bluegrass Water Utility Company, LLC – Carriage Park		Page	4	

#### **Periodic Compliance Inspection**

representa	tive without o	charge:
Yes 🛚	No 🗌	N/A
ummary, p	repared and	provided by the
4, the Con	nmission appi	roved Bluegrass'
nem as an	employee of	the utility, and
ity to comp e filed upor re Authority	ly with mappi request with for maps that	ng requirements. the Commission. can show layers
a PDF file Yes ⊠	e or as a dio No □	gital geographic N/A 🗌
Yes 🗌	No 🗌	N/A 🖂
Yes ☐ Yes ⊠	No 🗌 No 🗍	N/A 🖂 N/A 🗌
	to the public to the public this section Yes Information 4, the Componically and the scale of the Yes Information as an Yes Information the Yes In	to the public for custom ummary, prepared and this section and Section appropriate the Commission appropriate the customer's premas an employee of them as an employee of Yes No Section No Section appropriate to comply with mapping effled upon request with the Authority for maps that however, BW was able to a PDF file or as a dig Yes No Section 2015

Page 1690 of 2110

Section 24: Location of Records.				
All records required by 807 KAR Chapter 5 shall be kel made available to representatives, agents, or staff of tat all reasonable hours.	pt in th he com	e offic imissi	e of the uti on upon re	lity and shall be asonable notice
Are all records required by 807 KAR Chapter 5 kept in t available to representatives, agents, or staff of the correasonable hours?	he offic mmissi Yes	on up	ne utility an on reasona No 🏻	d shall be made ble notice at all N/A ⊠
In the Order associated with Docket 2019-00104, the Cowithout a local office. Records are kept electronically and notice at reasonable hours.	mmission I can be	on app e made	roved Blue e available	grass' operations upon reasonable
Section 25: Safety Program:				
Each utility shall adopt and execute a safety program, operations. At a minimum, the safety program shall: (1) Establish a safety manual with written guidelines for to be followed by utility employees. (2) Instruct employees in safe methods of performing the course of their workshock, asphyxiation, or drowning, in accepted methods	r safe w heir wo k, are s	/orkinç rk. ubject	g practices to the haz	and procedures
Has the utility adopted and executed a safety program operations?	, appro	priate	to the size	and type of its
	Yes		No 🗌	N/A
<b>Note:</b> Bluegrass Water contracts with Clearwater Solutions treatment facility. Clearwater Solutions has a safety progra	s to op	erate a	ınd maintair	n the wastewater
At a minimum, does the safety program include the following	owing?	•		
A safety manual with written guidelines for safe we followed by utility employees:	orking Yes	practi	ces and pr No 🗌	ocedures to be N/A ⊠
Note: Bluegrass Water has no employees.				
Instruct employees in safe methods of performing their	work. Yes		No 🗌	N/A ⊠
Note: Bluegrass Water has no employees.			_	
Bluegrass Water Utility Company, LLC - Carriage Park			Pa	ige 6

Instruct employees who, in the course of their work, are subject to the hazard of electrical shock, asphyxiation, or drowning, in accepted methods of artificial respiration:  Yes \( \subseteq \text{No} \subseteq \text{N/A} \subseteq \text{N/A}
Note: Bluegrass Water has no employees.
Section 26: Inspection of Systems:
(1) A utility shall adopt inspection procedures to assure safe and adequate operation of the utility's facilities and compliance with KRS Chapter 278 and 807 KAR Chapter 5 and shall file these procedures with the commission for review.  (2) Upon receipt of a report of a potentially hazardous condition at a utility facility, the utility shall inspect all portions of the system that are the subject of the report.  (3) Appropriate records shall be kept by a utility to identify the inspection made, the date and time of inspection, the person conducting the inspection, deficiencies found, and action taken to correct the deficiencies.
Has the utility adopted inspection procedures to assure safe and adequate operation of the utility's facilities and compliance with KRS Chapter 278 and 807 KAR Chapter 5?  Yes ⊠ No ☐ N/A ☐
Have these inspection procedures been filed with the commission for review?  Yes ⊠ No □ N/A □
Upon receipt of a report of a potentially hazardous condition at a utility facility, does the utility inspect all portions of the system that are the subject of the report?  Yes No No N/A
Are appropriate records kept by a utility to identify the inspection made, the date and time of inspection, the person conducting the inspection, deficiencies found, and action taken to correct the deficiencies?  Yes $\square$ No $\square$ N/A $\square$
Section 27: Reporting of Accidents, Property Damage, or Loss of Service.
<ul> <li>(1) Within two (2) hours following discovery each utility, other than a natural gas utility, shall notify the commission by telephone or electronic mail of a utility related accident that results in:         <ul> <li>(a) Death or shock or burn requiring medical treatment at a hospital or similar medical facility, or any accident requiring inpatient overnight hospitalization.</li> </ul> </li> </ul>
Bluegrass Water Utility Company, LLC - Carriage Park Page 7

<ul><li>(b) Actual or potential property damage of \$25,000 c</li><li>(c) Loss of service for four (4) or more hours to ten (customers, whichever is less.</li></ul>	or more; or 10) percent o	r 500 or more	of the	utility's
(2) A summary written report shall be submitted by the (7) calendar days of the utility related accident. For go of the commission, shall, upon application in writing, a submission of this report.	od cause sh	own, the exe	cutive	director
Has the Utility had any Accidents, Property Damage, o	Loss of Services	vice? No ⊠	N/A	
f yes, was the Commission notified by telephone or discovery of a utility related accident that resulted in th	electronic me following:	ail within tw	o (2) ł	nours of
Death, shock, or burn requiring medical treatment a any accident requiring inpatient overnight hospitalize	t a hospital o zation:	r similar med	lical fa	cility, or
	Yes 🗌	No 🗌	N/A	$\boxtimes$
Actual or potential property damage of \$25,000 or m	ore: Yes 🗌	No 🗌	N/A	$\boxtimes$
Loss of service for four (4) or more hours to ten (1) customers, whichever is less:	0) percent or	500 or more	of the	utility's
	Yes 🗌	No 🗌	N/A	$\boxtimes$
Was a summary written report submitted by the ut calendar days of the utility related accident?	ility to the co	mmission w	ithin s	even (7)
	Yes 🗌	No 🗌	N/A	$\boxtimes$
Section 28: Deviations from Administrative Regulation:				
n special cases, for good cause shown, the commission administrative regulation.	on shall perm	it deviations	from t	his
las the utility been permitted by the commission to de egulations?	viate from the Yes ⊠	ese administ No 🗌	rative N/A	
f so, provide the case no. Case No. 2019-00104.				
luegrass Water Utility Company, LLC Carriage Park		Page	± 8	

**Periodic Compliance Inspection** 

#### 807 KAR 5:011 (Tariffs)

Section 12: Posting tariffs, Administrative Regulations, and Statutes
Does the utility display a suitable placard, in large type, that states that the utility's tariff and statutes are available for public inspection?  Yes No No N/A
Note: The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.
Does the utility provide a suitable table or desk in its office or place of business on which the public may view all effective tariffs?  Yes No NA
Note: The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.
Section 13: Special Contracts
Does the utility have any special contracts that establish rates, charges, or conditions of service not contained in its tariff?  Yes No N/A
If yes, has the utility filed the special contracts with the PSC?  Yes □ No □ N/A ⊠
807 KAR 5:071 (Sewage):
Section 1: General. The purpose of this administrative regulation is to provide standard rules administrative regulations governing the service of sewage utilities operating under the Jurisdiction of the Public Service Commission.  Section 4: Information Available to Customers.
(1) System maps or records. Each utility shall maintain up-to-date maps, plans, or records of its entire force main and collection systems, with such other information as may be necessary to

enable the utility to advise prospective customers, and others entitled to the information, as to

the facilities available for serving any locality.

(2) Rates, rules, and regulations. A schedule of approved rates for sewage service applicable for each class of customers and the approved rules and regulations of the sewage utility shall be available to any customer or prospective customer upon request.			
Does the Utility have a current map and/or plans for its	s system? <b>Yes</b> ⊠	No 🗌	N/A 🗌
Section 5. Quality of Service.			
(1) General. Each utility shall maintain and operate and properly equipped to collect, transport, and tr degree of purity required by the health laws of th agencies, federal, state, and local, having jurisdicti	reat sewage, ie State of K	and discharg entucky, and	e the effluent at the
(2) Limitations of service. No sewage disposal comor disposal any material except sewage as defregulation. In compliance with the administrative refforts to eliminate or prevent the entry of surfacindustrial liquid waste into its sanitary sewer system appropriate state, county, or municipal authorities relieve the utility of its responsibilities.	fined by Sec egulation, the e or ground em. A utility	ction 2(7) of e utility shall water, or an may request	this administrative make all reasonable y corrosive or toxic assistance from the
Is the utility in compliance with the Division of Water?	Yes	No 🗌	N/A 🖂
Note: This system does not fall under the jurisdiction	of Division of	Water.	
Is the utility making every reasonable effort to eliminate or any corrosive or toxic industrial liquid waste into its <b>Section 6: Continuity of Service.</b>	e or prevent the sanitary sewe	ne entry of sur er system? <b>No</b>	face or ground water,
(1) Emergency interruptions. Each utility shall mal interruptions of service and when such interruption service with the shortest possible delay consisten general public.	ons occur sh	all endeavor	to reestablish
(2) Scheduled interruptions. Whenever any utility finterruption of its service, it shall notify all custom the time and anticipated duration of the interruption	ners to be aff	ected by the	interruption stating
Blucgrass Water Utility Company, LLC - Carriage Park			Page 10

## Periodic Compliance Inspection

interruptions shall be made at such hours as will customers.	provide lea	ast inconvenie	ence to the	
(3) Record of interruptions. Each utility shall kee system. This record shall show the cause of intertaken to prevent recurrence.	•			
Is the utility making all reasonable efforts to pro interruptions occur shall endeavor to reestable consistent with the safety of its customers and the	ish service			
consistent with the salety of its customers and the	Yes 🖂	No 🗌	N/A 🗌	
If the utility schedules an interruption of service the interruption?	are all cust Yes ⊠	tomers notifie No 🗌	d that are affected   N/A []	by
PROVIDE DOCUMENTATION DURING INSPECTION	ON IF ANY.			
Does the utility make all reasonable efforts to provide least inconvenience to the customers?		nterruptions a	at such hours as w N/A	/ill
Does the utility maintain a record of all interrupt			the following items	s?
Cause of interruption Date Time Duration Remedy # Of customers affected steps taken to prevent recurrence	Yes X Yes X Yes X Yes X Yes X Yes X Yes X	No	N/A	
Section 7. Design, Construction, and Operation.				
(1) General. The sewage treatment facilities of the maintained and operated in accordance with acc far as reasonably possible, continuity of service, and the safety of persons and property.  (2) Design and construction requirements. The decollecting sewers, treatment plant and facilities	epted good , uniformity lesign and	engineering in the quality	practice to assure, of service furnishe of the sewage utility	as ed, y's
Bluegrass Water Utility Company, LLC – Carriage Park			Page 11	_

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#### **Periodic Compliance Inspection**

thereof, shall conform to the requirements of the Kentucky Department for Natural Resource
and Environmental Protection, Bureau of Environmental Quality, Division of Water Quality.

- (3) Adequacy of facilities. The capacity of the sewage utility's sewage treatment facilities for the collection, treatment and disposal of sewage and sewage effluent must be sufficiently sized to meet all normal demands for service and provide a reasonable reserve for emergencies.
- (4) Inspection of facilities. Each sewage utility shall adopt procedures for inspection of its sewage treatment facilities to assure safe and adequate operation of its facilities and compliance with commission rules. These procedures shall be filed with the commission. Unless otherwise authorized in writing by the commission, the sewage utility shall make inspections of collecting sewers and manholes on a scheduled basis at intervals not to exceed one (1) year, unless conditions warrant more frequent inspections and shall make inspections of all mechanical equipment daily. The sewage utility shall maintain a record of findings and corrective actions required, and/or taken, by location and date.

Is the utility operating and maintaining their facility practice to assure, as far as reasonably possible, continuous furnished, and the safety of persons and property?	nuity o	of servic	e with accept e, uniformity ir <b>No</b>	ed good engineering the quality of service N/A
Is the utility adhering to their inspection procedures facilities and compliance with the Commission rules?	to a	ssure s	afe and adeq	uate operation of its
Unless otherwise authorized in writing by the commiss their collecting sewers and manholes on a scheduler unless conditions warrant more frequent inspections?	d bas	is at int	sewage utility ervals not to o <b>No</b> []	/ make inspections of exceed one (1) year N/A
Does the utility inspect all mechanical equipment daily	/? Yes	$\boxtimes$	No 🗌	N/A 🗌
Note: This facility has a Mission-Manage SCADA mor	nitorin	g syster	<u>n.</u>	
Does the utility maintain a record of findings and correand date?	ective <b>Yes</b>	actions	required, and <b>No</b>	/or taken, by location N/A ☐

Bluegrass Water Utility Company, LLC - Carriage Park

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**Periodic Compliance Inspection** 

#### **Additional Comments**

Midwest Water Operations merged with Clearwater Solutions. Clearwater Solutions is now contracted with Bluegrass Water for operations and maintenance.



Carriage Park WWTF





Carriage Park WWTF



#### **Periodic Compliance Inspection**

Comment: During this periodic regulatory compliance inspection, it was not possible to review/discuss every record relating to all Commission requirements. Therefore, in some instances the results contained in this report are indicative of those items inspected and reviewed on a sample basis.

Report by:

Brian L. Rice

Bin L. Rin

Utility Inspector
Kentucky Public Service Commission

Date: April 6, 2023

Andy Beshear Governor

Rebecca W. Goodman 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

Kent A. Chandler Chairman

Angle Hatton Vice Chairman

Mary Pat Regan Commissioner

April 13, 2023

Josiah Cox CEO Central States Water Resources 1630 Des Peres Road, Suite 140 Des Peres, MO 63131

Re:

Periodic Wastewater Inspection

Bluegrass Water Utility Operating Company, LLC - Great Oaks Wastewater

System

Marshall County, KY

Dear Mr. Cox:

Public Service Commission staff performed a periodic inspection of the Bluegrass Water Utility Operating Company, LLC – Great Oaks wastewater system located in Marshall County, KY on March 7, 2023, reviewing utility operations and management practices pursuant to Commission regulations. The report of this inspection is enclosed with this letter.

Based on the inspector's observations, no deficiencies were identified. This closes out the 2023 inspection. No response is necessary.

Please review the enclosed inspection report in its entirety as you will find further information noted about the inspection. If you have any questions regarding this inspection, feel free to contact me at 502-330-5986 or via email at <a href="mailto:Brian.Rice@ky.gov">Brian.Rice@ky.gov</a>.

Sincerely, Bin L. Rie

Brian L. Rice Utility Inspector

**Public Service Commission** 

Enclosure(s)

Copy: Jon Brown, EHS Compliance Inspector



Utility: Bluegrass Water Utility Operating Company, LLC	C – Great Oaks		
Utility's Principal office location: 1630 Des Peres Roa	ad, Suite 140 St	Louis, MO 63	<u>3131</u>
Utility representative during inspection: Jon Brown, A	Arthur Faiello		
Counties served: McCracken			
Customers: 161			
Investigator: Brian L. Rice			
Date(s) of inspection: March 7, 2023			
Date(s) of last inspection: April 26, 2022			
Deficiencies noted during the last inspection: No def	iciencies noted	during this in	spection
Have deficiencies been corrected since last inspecti	on? Yes ☐	No 🗌	N/A ⊠
If no, provide a response as to why these deficiencies	es have not bee	n addresse	d.
General Questions			
Treatment Facility: Collection System:	Yes ⊠ Yes ⊠	No 🗌 No 🗌	N/A 🗌 N/A 🔲
Utility Information Total number of Employees: 0 Number of Office Employees: 0			
Note: The Company is comprised of contracted operation	ons, billing, and o	customer ser	vice.
Does the utility have its own maintenance staff?	Yes 🗌	No 🖂 N/	<b>A</b> 🗌
If not, give the name the person(s) doing the work:			
Operation and Maintenance is contracted out to Clearwa	ater Solutions.		
Bluegrass Water Utility Company, LLC – Great Oaks		Pi	age 1

**Periodic Compliance Inspection** 

#### 807 KAR 5:006 (General Rules)

<u>Section 2:</u> General Provisions. Reference to standards or codes in 807 KAR Chapter 5 shall not prohibit a utility from continuing or initiating experimental work and installations to improve, decrease the cost of, or increase the safety of its service.

Bluegrass Water Utility Company, LLC – Great Oaks			Р	age 2
Printing it on the bill:	Yes		No 🗌	N/A
Also furnished by one (1) of the following methods, b	y:			
readings/units/etc. are included due to the nature of the	e flat rate	s cha	rged.	
Note: Yes, the tariff (including the rate schedule) is fou	ind on the	Com	pany website	e. Additionally, no
The same of the sa			_	
maintains a Web site)?	uteu pos Yes		No 🗌	N/A
Is the rate schedule under which the bill is comp	Yes	tod o	No ☐ n the utility	N/A ⊠
If the bill is estimated or calculated:	Yes		No 🗌	N/A
The date after which a penalty may apply to the gr			$\Box$	
The gross amount of the bill:	Yes	$\overline{\boxtimes}$	No 🗌	N/A 🗌
Adjustments, if applicable:	Yes		No 🗌	N/A 🖂
All taxes:	Yes		No 🗆	N/A
Net amount for service rendered:	Yes		No 🗌	N/A ⊠ N/A □
Number of units consumed:	Yes Yes	H	No _	N/A 🖂
Present and last preceding meter readings:  Date-of-the-present-reading:	Yes		No 🗌	N/A 🖂
Class of service:	Yes	$\boxtimes$	No 🗌	N/A 🗌
The date the bill was issued:	Yes	$\boxtimes$	No 🔲	N/A 🔲
Does each bill for utility service issued periodically b	y a utility	/ clea	rly show the	e following?
If no, then who? Billing and Collection is handled by Nit	ro Billing	Servi	ces.	
Is the Billing and Collection handled by the Utility?	Yes		No 🖂	N/A
Section 7: Billings, Meter Readings, and Information.				
	Yes	$\boxtimes$	No 🗌	N/A
The tile dulity filed its gross affilial operating revenu	•		🗖	
Has the utility filed its gross annual operating revenu	o ronort			
Section 4: Reports				
-				

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Publishing it in a newspaper of general circulation	once each ye	ar:	
	Yes 🗌	No 🗌	N/A 🖂
Mailing it to each customer once each year; or:	Vec 🗆	No 🗆	N/A 🖂
Provide a place on each bill for a customer to ind	Yes icate the cust	No ∐ omer's desi	
the applicable rates:	Yes 🖂	No 🗌	N/A
<b>Note:</b> Due to the nature of the bills, the flat rate found on the service areas. Additionally, the bills have multiple opti-			
billing inquiries including questions regarding the rate sch		ing the Othicy	if they have any
Section 8. Deposits.			
Is the utility requiring a minimum cash deposit or ot	her guarantee	from custo	mers to secure
payment of bills?	Yes 🗌	No 🛛	N/A 🗌
Section 10: Customer Complaints to the Utility			
Section 10: Customer Complaints to the Utility			
Upon complaint to a utility by a customer at the utility			
the utility make a prompt and complete investigation findings?	and advise t $igwedge$	he custome No □	r of the utility's N/A □
	<u>—</u>	_	
Does the utility keep a record of all written complaints			
Does the record include the following?	Yes 🛚	No 🗌	N/A
The customer's name and address:	Yes ⊠	No 🗌	N/A
The date and nature of the complaint:	Yes 🔯	No 🗌	N/A 🔲
The disposition of the complaint:	Yes 🛚	No 🗌	N/A
Does the utility maintain these records for two (2)	years from th	e date of re	solution of the
complaint?	Yes 🛚	No 🗌	N/A
If a written complaint or a complaint made in person	at the utility's	office is not	resolved, does
the utility provide written notice to the customer of h	is or her right	to file a cor	
commission?	Yes 🗌	No 🗌	N/A 🖂
Note: The Company does not maintain a local office, but the	nis information i	s available vi	a the Company's
website. In the Order associated with Docket 2019-00	104, the Comr	mission appr	oved Bluegrass'
operations without a local office.			
Does the utility provide the customer with the mailing	address. Web	site address	s. and telephone
number of the commission?	Yes 🏻	No 🗌	N/A
Discourse Line Control of the Contro	<u> </u>		
Bluegrass Water Utility Company, LLC – Great Oaks		Pa	age 3

<b>Note:</b> The Company does not maintain a local office but has a representative available to answer customer questions and provide the Commissions mailing address, website address and telephone number and provides this information on the utility's website.						
If a telephonic complaint is not resolved, does the uncustomer of his or her right to file a complaint with the	tility provide commission? Yes 🏿	at least oral ? No □	notice to the			
Section 14: Utility Customer Relations						
Does the utility post and maintain regular business hou to assist its customers and to respond to inquiries fro complaints?	rs and provid om the comm Yes ⊠	e representa ission regard No 🏻	tives available ding customer N/A			
Does the utility designate at least one (1) representati questions, resolve disputes, and negotiate partial paym	ve to be ava	ilable to ans the utility's o	wer customer ffice?			
	Yes 🗌	No 🗌	N/A 🖂			
<b>Note:</b> The Company does not maintain a local office, but customer questions, resolve disputes, and negotiate partial Order associated with Docket 2019-00104, the Commission local office.	payment plan	s thru telepho	ne only. In the			
If the utility has an annual operating revenue of \$250 designated representative available during the utility's than seven (7) hours per day, five (5) days per week exc	s established	working ho	utility have a urs not fewer			
	Yes ⊠	No 🗌	N/A			
If the utility has an annual operating revenue of less designated representative available during the utility's than seven (7) hours per day, one (1) day per week?	than \$250,00 established	00, does the I working ho	utility have a urs not fewer			
( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )	Yes 🗌	No 🗌	N/A 🖂			
Does the utility provide the following?						
Maintain a telephone:	Yes ⊠	No 🗌	N/A			
Publish the telephone number in all service areas:	Yes 🖂	No 🗌	N/A			
Note: The number is available on the website and customer	bills.					
Bluegrass Water Hillity Company LLC - Great Oaks			4			

Permit all customers to contact the utility's designated i	representativ	e without ch	arge:		
	Yes ⊠	No 🗌	N/A		
Does the utility prominently display in each office open shall post on its Web site, if it maintains a Web site) a s commission, of the customer's rights pursuant to administrative regulation?	ummary, pre	pared and pi	rovided by the		
Note: The Company does not maintain a local office, but this website. In the Order associated with Docket 2019-0010 operations without a local office. Records are kept electroreasonable notice at reasonable hours.	4, the Comn	nission appro	ved Bluegrass'		
Section 20: Access to Property					
Do employees of the utility (whose duties require him to enter the customer's premises) wear a distinguishing uniform or other insignia, identifying them as an employee of the utility, and show a badge or other identification that shall identify them as an employee of the utility? Yes $\boxtimes$ No $\square$ N/A $\square$					
Section 23: System Maps and Records					
Does the utility have on file at its principal office locat request with the commission a map or maps of suitable or holds itself ready to serve?					
Note: In the Order associated with Docket 2019-00104 methodology of utilizing the Kentucky Infrastructure Authorithe Company does maintain maps electronically that can be Additionally, the Company utilizes the Kentucky Infrastructurincluding districts.	ity to comply e filed upon r	with mapping equest with th	requirements. e Commission.		
Is the map or maps available in electronic format as database?	a PDF file ∉ Yes ⊠	or as a digit No □	al geographic N/A ☐		
Is the following data available on the map or maps?					
Operating districts	Yes	No 🗌	N/A ⊠		
Rate districts: Communities served:	Yes ☐ Yes ⊠	No 🗌	N/A 🖂		

#### **Periodic Compliance Inspection**

Section 24: Location of Records.				
All records required by 807 KAR Chapter 5 shall be key made available to representatives, agents, or staff of that all reasonable hours.	pt in th he con	e offic imissi	e of the util on upon rea	ity and shall be sonable notice
Are all records required by 807 KAR Chapter 5 kept in t available to representatives, agents, or staff of the correasonable hours?	he offic mmissi Yes	on up	ne utility and on reasonal No []	d shall be made ble notice at all N/A ⊠
In the Order associated with Docket 2019-00104, the Cowithout a local office. Records are kept electronically and notice at reasonable hours.	mmissi I can b	on app e made	roved Blueg e available ι	rass' operations ipon reasonable
Section 25: Safety Program:				
Each utility shall adopt and execute a safety program operations. At a minimum, the safety program shall:  (1) Establish a safety manual with written guidelines for to be followed by utility employees.  (2) Instruct employees in safe methods of performing the course of their workshock, asphyxiation, or drowning, in accepted methods	r safe w heir wo k, are s s of arti	vorking ork. subject ificial r	g practices a to the haza espiration.	and procedures
Has the utility adopted and executed a safety program operations?	i, appro	priate	to the size	and type of its
	Yes	$\boxtimes$	No 🗌	N/A
<b>Note:</b> Bluegrass Water contracts with Clearwater Solution treatment facility. Clearwater Solutions has a safety progra	s to op m.	erate a	and maintain	the wastewater
At a minimum, does the safety program include the following	owing?	?		
A safety manual with written guidelines for safe w followed by utility employees:				
Note: Bluegrass Water has no employees.				
Instruct employees in safe methods of performing their	work. Yes		No 🗌	N/A ⊠
Note: Bluegrass Water has no employees.		8 10		
Bluegrass Water Utility Company, LLC - Great Oaks			Pag	je 6

Instruct employees who, in the course of their work shock, asphyxiation, or drowning, in accepted meth					_
Note: Bluegrass Water has no employees.					
Section 26: Inspection of Systems:					
<ol> <li>A utility shall adopt inspection procedures to assure utility's facilities and compliance with KRS Chapter 27 these procedures with the commission for review.</li> <li>Upon receipt of a report of a potentially hazardous shall inspect all portions of the system that are the sub (3) Appropriate records shall be kept by a utility to ide time of inspection, the person conducting the inspection to correct the deficiencies.</li> </ol>	8 and cond ject of ntify t	807 KA ition at the rep he insp	AR Chapter 5 a utility faci port. ection made	i and slility, the	hall file e utility ate and
Has the utility adopted inspection procedures to assuutility's facilities and compliance with KRS Chapter 278		07 KAR			
Have these inspection procedures been filed with the c	ommis Yes		or review? No □	N/A [	
Upon receipt of a report of a potentially hazardous con inspect all portions of the system that are the subject o		eport?	lity facility, o	loes the	_
Are appropriate records kept by a utility to identify the inspection, the person conducting the inspection, decorrect the deficiencies?		cies fo			ken to
Section 27: Reporting of Accidents, Property Damage,	or Los	s of Sei	rvice.		
(1) Within two (2) hours following discovery each utilit notify the commission by telephone or electronic mail in:					
(a) Death or shock or burn requiring medical trea facility, or any accident requiring inpatient overnigh				imilar r	nedical
Bluegrass Water Utility Company, LLC – Great Oaks			Page	7	

<ul><li>(b) Actual or potential property damage of \$25,000</li><li>(c) Loss of service for four (4) or more hours to ten customers, whichever is less.</li></ul>	or more; or (10) percent	or 500 or mo	re of the utility's
(2) A summary written report shall be submitted by the (7) calendar days of the utility related accident. For go f the commission, shall, upon application in writing, submission of this report.	ood cause s	hown, the ex	ecutive director
Has the Utility had any Accidents, Property Damage, o	or Loss of Se Yes 🗌		N/A
If yes, was the Commission notified by telephone of discovery of a utility related accident that resulted in t	r electronic i	mail within t	wo (2) hours of
Death, shock, or burn requiring medical treatment any accident requiring inpatient overnight hospital	at a hospital	or similar me	edical facility, or
, and the second	Yes 🗌	No 🗌	N/A 🖂
Actual or potential property damage of \$25,000 or i		No 🗌	N/A 🖂
Loss of service for four (4) or more hours to ten (7 customers, whichever is less:	10) percent o	r 500 or mor	e of the utility's
	Yes 🗌	No 🗌	N/A
Was a summary written report submitted by the u calendar days of the utility related accident?	tility to the c	ommission v	within seven (7)
salonadi dayo or the dimity rolated accident:	Yes 🗌	No 🗌	N/A 🖂
Section 28: Deviations from Administrative Regulation	<u>1:</u>		
In special cases, for good cause shown, the commissi administrative regulation.	ion shall perr	mit deviation	s from this
Has the utility been permitted by the commission to de regulations?	eviate from tl Yes ⊠	nese adminis No 🗌	trative N/A
If so, provide the case no. Case No. 2019-00104.			
Bluegrass Water Utility Company, LLC – Great Oaks		Pa	ge 8

**Periodic Compliance Inspection** 

### 807 KAR 5:011 (Tariffs)

Section 12: Posting tariffs, Administrative Regulation	ons, and Sta	atutes	
Does the utility display a suitable placard, in large type			ity's tariff and statutes N/A ⊠
Note: The Company does not maintain a local office, but website. In the Order associated with Docket 2019-operations without a local office. Records are kept el reasonable notice at reasonable hours.	00104, the	Commission	approved Bluegrass'
Does the utility provide a suitable table or desk in its or may view all effective tariffs?	office or plac	ce of busines	ss on which the public
Note: The Company does not maintain a local office, but website. In the Order associated with Docket 2019-operations without a local office. Records are kept el reasonable notice at reasonable hours.	00104, the	Commission	approved Bluegrass'
Section 13: Special Contracts			
Does the utility have any special contracts that establic contained in its tariff?	sh rates, ch	arges, or co <b>No</b> ⊠	nditions of service not
If yes, has the utility filed the special contracts with the	PSC? <b>∕es</b> □	No 🗌	N/A ⊠
807 KAR 5:071 (	Sewage):		
Section 1: General. The purpose of this administrative regulations governing the service Jurisdiction of the Public Service Commission.  Section 4: Information Available to Customers.  (1) System maps or records. Each utility shall maint entire force main and collection systems, with such enable the utility to advise prospective customers, the facilities available for serving any locality.	of sewago ain up-to-da n other info	e utilities on te maps, pl rmation as	operating under the ans, or records of its may be necessary to

(2) Rates, rules, and regulations. A schedule of approved rates for sewage service applicable for each class of customers and the approved rules and regulations of the sewage utility shall be available to any customer or prospective customer upon request.						
Does the Utility have a current map and/or plans for its	system? <b>Yes</b> ⊠	No 🗌	N/A 🗌			
Section 5. Quality of Service.						
(1) General. Each utility shall maintain and operate and properly equipped to collect, transport, and tr degree of purity required by the health laws of th agencies, federal, state, and local, having jurisdicti	eat sewage, e State of K	and dischargentucky, and	e the effluent at the			
(2) Limitations of service. No sewage disposal comor disposal any material except sewage as defregulation. In compliance with the administrative reefforts to eliminate or prevent the entry of surfacindustrial liquid waste into its sanitary sewer system appropriate state, county, or municipal authorities relieve the utility of its responsibilities.	fined by Sec egulation, the e or ground em. A utility	ction 2(7) of e utility shall water, or an may request	this administrative make all reasonable y corrosive or toxic assistance from the			
Is the utility in compliance with the Division of Water?	Yes 🖂	No 🗌	N/A 🗌			
Is the utility making every reasonable effort to eliminate or any corrosive or toxic industrial liquid waste into its <b>Section 6: Continuity of Service.</b>	e or prevent the sanitary sewo	he entry of sur er system? <b>No</b> []	face or ground water,			
(1) Emergency interruptions. Each utility shall makinterruptions of service and when such interruptions service with the shortest possible delay consisten general public.	ns occur sh	all endeavor	to reestablish			
(2) Scheduled interruptions. Whenever any utility finterruption of its service, it shall notify all customethe time and anticipated duration of the interruption interruptions shall be made at such hours as will procustomers.	ers to be aff on. Wheneve	ected by the r possible, so	interruption stating cheduled			
Bluegrass Water Utility Company, LLC – Great Oaks			Page 10			

#### Periodic Compliance Inspection

(3) Record of interruptions. Each utility shall kee system. This record shall show the cause of interraken to prevent recurrence.	•		_		
Is the utility making all reasonable efforts to pre- interruptions occur shall endeavor to reestabli consistent with the safety of its customers and the	sh service v				
If the utility schedules an interruption of service the interruption?	are all custo Yes ⊠	mers notified No 🏻	I that are affected by N/A ☐		
PROVIDE DOCUMENTATION DURING INSPECTIO	ON IF ANY.				
Does the utility make all reasonable efforts to provide least inconvenience to the customers?	schedule inte Yes ⊠	erruptions at No 🗌	t such hours as will N/A		
Does the utility maintain a record of all interrupti	ons of service Yes ⊠	ce regarding	N/A		
Cause of interruption	Yes 🔀	No 🔲	N/A 🔲		
Date	Yes 🕍	No 🔛	N/A		
Time	Yes 🔀	No 🔲	N/A		
Duration	Yes 🔀	No 📙	N/A		
Remedy # Of customers affected	Yes ⊠	No 🗌 No 🗍	N/A		
steps taken to prevent recurrence	Yes ⊠ Yes ⊠	No 🗌	N/A 🗌		
Section 7. Design, Construction, and Operation.					
(1) General. The sewage treatment facilities of the maintained and operated in accordance with acceptar as reasonably possible, continuity of service, and the safety of persons and property.	epted good e	ngineering p	ractice to assure, as		
(2) Design and construction requirements. The design and construction of the sewage utility's collecting sewers, treatment plant and facilities, and all additions thereto and modifications thereof, shall conform to the requirements of the Kentucky Department for Natural Resources					
and Environmental Protection, Bureau of Environ	_	-			
Bluegrass Water Utility Company, LLC – Great Oaks			Page 11		

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#### **Periodic Compliance Inspection**

(3) Adequacy of facilities. The capacity of the sew collection, treatment and disposal of sewage and meet all normal demands for service and provide	d sewa	age effl	uent must	be sufficient	tly sized to
(4) Inspection of facilities. Each sewage utility shall treatment facilities to assure safe and adequate commission rules. These procedures shall be authorized in writing by the commission, the sew sewers and manholes on a scheduled basis at conditions warrant more frequent inspections a equipment daily. The sewage utility shall mainta required, and/or taken, by location and date.	opera filed v age ut interv and sh	tion of with the tility sha vals not nall mal	its facilitie commiss all make in to excee se inspect	s and comp sion. Unless spections of d one (1) ye ions of all r	liance with otherwise f collecting ear, unless nechanical
ls the utility operating and maintaining their facility practice to assure, as far as reasonably possible, cont furnished, and the safety of persons and property?	tinuity (	of service	e with acc e, uniformit <b>No</b> []	epted good e ty in the qualit N/A []	engineering y of service
s the utility adhering to their inspection procedure facilities and compliance with the Commission rules?	es to a	issure s	afe and ac	dequate oper	ation of its
Unless otherwise authorized in writing by the commis their collecting sewers and manholes on a schedule unless conditions warrant more frequent inspections?	ed bas	is at int	e sewage unervals not	tility make ins to exceed or N/A	spections of ne (1) year,
Does the utility inspect all mechanical equipment dail	ly? <b>Yes</b>	$\boxtimes$	No 🗌	N/A 🗌	
Note: This facility has a Mission-Manage SCADA mo	onitorin	ig syste	<u>m.</u>		
Does the utility maintain a record of findings and corr and date?	rective <b>Yes</b>		required, a	and/or taken, <b>N/A</b> []	by location
Bluegrass Water Utility Company, LLC – Great Oaks				Page 12	

Page 1715 of 2110

**Periodic Compliance Inspection** 

#### **Additional Comments**

Midwest Water Operations merged with Clearwater Solutions. Clearwater Solutions is now contracted with Bluegrass Water for operations and maintenance.



**Great Oaks WWTP** 





**Great Oaks WWTP** 



**Aeration Basin** 



**Digester and Wet Weather Storage Basins** 



**Digester and Wet Weather Storage Basins** 

#### **Periodic Compliance Inspection**

Comment: During this periodic regulatory compliance inspection, it was not possible to review/discuss every record relating to all Commission requirements. Therefore, in some instances the results contained in this report are indicative of those items inspected and reviewed on a sample basis.

Report by:

Brian L. Rice Utility Inspector

Bin L. Rin

Kentucky Public Service Commission

Bluegrass Water Utility Company, LLC - Great Oaks

Page 14

Date: April 6, 2023

Andy Beshear Governor

Rebecca W. Goodman 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

Kent A. Chandler Chairman

Angie Hatton Vice Chairman

Mary Pat Regan Commissioner

April 13, 2023

Josiah Cox CEO Central States Water Resources 1630 Des Peres Road, Suite 140 Des Peres, MO 63131

Re:

Periodic Wastewater Inspection

Bluegrass Water Utility Operating Company, LLC - Marshall Ridge Wastewater

System

McCracken County, KY

Dear Mr. Cox:

Public Service Commission staff performed a periodic inspection of the Bluegrass Water Utility Operating Company, LLC – Marshall Ridge wastewater system located in McCracken County, KY on March 8, 2023, reviewing utility operations and management practices pursuant to Commission regulations. The report of this inspection is enclosed with this letter.

Based on the inspector's observations, no deficiencies were identified. This closes out the 2023 inspection. No response is necessary.

Please review the enclosed inspection report in its entirety as you will find further information noted about the inspection. If you have any questions regarding this inspection, feel free to contact me at 502-330-5986 or via email at <a href="mailto:Brian.Rice@ky.gov">Brian.Rice@ky.gov</a>.

Sincerely,
Build L. Rie

Brian L. Rice Utility Inspector

**Public Service Commission** 

Enclosure(s)

Copy: Jon Brown, EHS Compliance Inspector



Utility: Bluegrass Water Utility Operating Company, LLC	C – Marshall Rid	<u>lge</u>	
Utility's Principal office location: 1630 Des Peres Roa	ad, Suite 140 St	Louis, MO 63	<u>3131</u>
Utility representative during inspection: Jon Brown, A	Arthur Faiello		
Counties served: McCracken			
Customers: <u>40</u>			
Investigator: Brian L. Rice			
Date(s) of inspection: March 8, 2023			
Date(s) of last inspection: April 26, 2022			
Deficiencies noted during the last inspection: No def	iciencies noted	during this in	spection
Have deficiencies been corrected since last inspecti	on? Yes □	No 🗌	N/A 🖂
If no, provide a response as to why these deficiencie	s have not be	en addresse	d.
General Questions			
Treatment Facility: Collection System:	Yes ⊠ Yes ⊠	No 🗌 No 🗍	N/A 🗌 N/A 🗍
Utility Information Total number of Employees: 0 Number of Office Employees: 0			
Note: The Company is comprised of contracted operation	ons, billing, and	customer ser	vice.
Does the utility have its own maintenance staff?	Yes 🗌	No 🖂 N/	<b>A</b> 🗌
If not, give the name the person(s) doing the work:			
Operation and Maintenance is contracted out to Clearwa	ater Solutions.		
Bluegrass Water Utility Company TTC – Marshall Ridge		P	age 1

**Periodic Compliance Inspection** 

### 807 KAR 5:006 (General Rules)

<u>Section 2:</u> General Provisions. Reference to standards or codes in 807 KAR Chapter 5 shall not prohibit a utility from continuing or initiating experimental work and installations to improve, decrease the cost of, or increase the safety of its service.

,			
Section 4: Reports			
Has the utility filed its gross annual operating revenu	e report?		
	Yes ∑	No 🗌	N/A
Section 7: Billings, Meter Readings, and Information.			
Is the Billing and Collection handled by the Utility?	Yes [	No ⊠	N/A 🗌
If no, then who? Billing and Collection is handled by Niti	ro Billing Se	ervices.	
Does each bill for utility service issued periodically by	y a utility o	clearly show the	e following?
The date the bill was issued: Class of service: Present and last preceding meter readings: Date of the present reading: Number of units consumed: Net amount for service rendered: All taxes: Adjustments, if applicable: The gross amount of the bill: The date after which a penalty may apply to the gro	Yes [	No	N/A
Is the rate schedule under which the bill is compumaintains a Web site)?	Yes 🛭	No 🗌	N/A
Note: Yes, the tariff (including the rate schedule) is four readings/units/etc. are included due to the nature of the	e flat rates	Company website charged.	e. Additionally, no
Also furnished by one (1) of the following methods, by	y:		
Printing it on the bill:	Yes 🛭	No 🗌	N/A
Bluegrass Water Utility Company TTC - Marshall Ridge			ama 0

Publishing it in a newspaper of general circulation of	once ea	ach yea	ar:		
	Yes		No 🗌	N/A	$\boxtimes$
Mailing it to each customer once each year; or:				1	_
<b>5</b>	Yes		No.□	N/A [	
Provide a place on each bill for a customer to indic					
the applicable rates:	Yes	$\boxtimes$	No 🗌	N/A [	
Note: Due to the nature of the bills, the flat rate found on the service areas. Additionally, the bills have multiple optio billing inquiries including questions regarding the rate sche	ns for c				
Section 8. Deposits.					
Is the utility requiring a minimum cash deposit or oth payment of bills?	er gua Yes		from cus No ⊠	tomers to N/A	
Section 10: Customer Complaints to the Utility					
Upon complaint to a utility by a customer at the utility's the utility make a prompt and complete investigation findings?		lvise th			
Does the utility keep a record of all written complaints	concer Yes		ne utility's No □	service? N/A	
Does the record include the following? The customer's name and address: The date and nature of the complaint: The disposition of the complaint:	Yes Yes Yes		No 🗌 No 🗍	N/A N/A N/A	
Does the utility maintain these records for two (2) ye complaint?	ears fr Yes		e date of No 🏻	resolution N/A	n of the
If a written complaint or a complaint made in person at the utility provide written notice to the customer of his commission?		r_right			with the
Note: The Company does not maintain a local office, but this website. In the Order associated with Docket 2019-0019 operations without a local office.					
Does the utility provide the customer with the mailing a	ddress	, Web s	site addre	ss, and te	lephone
number of the commission?	Yes		No 🗌	N/A	
Bluegrass Water Utility Company, LLC - Marshall Ridge				Page 3	

<b>Note:</b> The Company does not maintain a local office but customer questions and provide the Commissions mailing number and provides this information on the utility's websited	address, well	entative avail	able to and tel	answer ephone
If a telephonic complaint is not resolved, does the ut customer of his or her right to file a complaint with the	ility provide commission? Yes ⊠	at least oral ? No □	notice	to the
Section 14: Utility Customer Relations				
Does the utility post and maintain regular business hour to assist its customers and to respond to inquiries fro complaints?	rs and provid m the comm Yes ⊠	e representa ission regard No []	tives av ling cu: N/A [	ailable stomer
Does the utility designate at least one (1) representati questions, resolve disputes, and negotiate partial paym	ve to be ava	ilable to ans the utility's o	wer cus	stomer
	Yes 🗌	No 🗌	N/A	$\boxtimes$
<b>Note:</b> The Company does not maintain a local office, but customer questions, resolve disputes, and negotiate partial Order associated with Docket 2019-00104, the Commission local office.	payment plan	s thru telepho	ne only.	. In the
If the utility has an annual operating revenue of \$250 designated representative available during the utility's than seven (7) hours per day, five (5) days per week exc	established	working ho	utility   urs not	have a t fewer
	Yes 🛚	No 🗌	N/A	
If the utility has an annual operating revenue of less designated representative available during the utility's than seven (7) hours per day, one (1) day per week?	than \$250,00 established	00, does the working ho	utility urs not	have a fewer
	Yes 🗌	No 🗌	N/A	$\boxtimes$
Does the utility provide the following?				
Maintain a telephone:	Yes ⊠	No 🗌	N/A [	
Publish the telephone number in all service areas:	Yes ⊠	No 🗌	N/A	
Note: The number is available on the website and customer	bills.			
Bluegrass Water Utility Company TTC - Marshall Ridge		Daga	4	

Permit all customers to contact the utility's designated representative without charge:				
	Yes ⊠	No 🗌	N/A	
Does the utility prominently display in each office open shall post on its Web site, if it maintains a Web site) a se commission, of the customer's rights pursuant to administrative regulation?	ummary,	prepared and	I provided by the	
Note: The Company does not maintain a local office, but this website. In the Order associated with Docket 2019-0010-operations without a local office. Records are kept electroreasonable notice at reasonable hours.	4, the Co	ommission app	proved Bluegrass'	
Section 20: Access to Property				
Do employees of the utility (whose duties require him to distinguishing uniform or other insignia, identifying the show a badge or other identification that shall identify the	em as a	n employee o	of the utility, and	
Section 23: System Maps and Records				
Does the utility have on file at its principal office locat request with the commission a map or maps of suitable or holds itself ready to serve?		f the general t		
Note: In the Order associated with Docket 2019-00104 methodology of utilizing the Kentucky Infrastructure Authorithe Company does maintain maps electronically that can be Additionally, the Company utilizes the Kentucky Infrastructurincluding districts. KIA does not have a map for this system,	ity to con e filed up e Author	nply with mapp on request with ity for maps tha	oing requirements.  In the Commission.  In the Commission.  In the Commission.	
Is the map or maps available in electronic format as database?	a PDF f Yes ⊠		igitaI geographic N/A ☐	
Is the following data available on the map or maps?				
Operating districts	Yes	No 🗌	N/A 🖂	
Rate districts: Communities served:  Bluegrass Water Utility Company, LLC – Marshall Ridge	Yes ☐ Yes ⊠	No 🗌	N/A N/A Page 5	

### **Periodic Compliance Inspection**

Section 24: Location of Records.				
All records required by 807 KAR Chapter 5 shall be kep made available to representatives, agents, or staff of that all reasonable hours.	pt in th he con	ne office nmissic	e of the utilit on upon reas	ty and shall be sonable notice
Are all records required by 807 KAR Chapter 5 kept in the available to representatives, agents, or staff of the correasonable hours?		ion upo		
In the Order associated with Docket 2019-00104, the Conwithout a local office. Records are kept electronically and notice at reasonable hours.	mmissi I can b	on app	roved Bluegr available up	ass' operations oon reasonable
Section 25: Safety Program:				
Each utility shall adopt and execute a safety program, operations. At a minimum, the safety program shall:  (1) Establish a safety manual with written guidelines for to be followed by utility employees.  (2) Instruct employees in safe methods of performing the (3) Instruct employees who, in the course of their work shock, asphyxiation, or drowning, in accepted methods.	r safe v neir wo c, are s s of art	working ork. subject ificial r	practices and to the hazanes	nd procedures
Has the utility adopted and executed a safety program operations?	, appr	opriate	to the size a	and type of its
	Yes		No 🗌	N/A
<b>Note:</b> Bluegrass Water contracts with Clearwater Solutions treatment facility. Clearwater Solutions has a safety program	s to op m.	erate a	nd maintain	the wastewater
At a minimum, does the safety program include the following	owing	?		
A safety manual with written guidelines for safe we followed by utility employees:	orking Yes		ces and pro No 🏻	cedures to be N/A ⊠
Note: Bluegrass Water has no employees.				
Instruct employees in safe methods of performing their	work. Yes	П	No 🗆	N/A ⊠
Note: Bluegrass Water has no employees.  Bluegrass Water Utility Company, LLC – Marshall Ridge		1		
oracyruss water ounty company, LLO - warshall Ridge			Page	9 10

Instruct employees who, in the course of their work, are subject to the hazard of electrical shock, asphyxiation, or drowning, in accepted methods of artificial respiration:  Yes ☐ No ☐ N/A ☒
Note: Bluegrass Water has no employees.
Section 26: Inspection of Systems:
<ol> <li>A utility shall adopt inspection procedures to assure safe and adequate operation of the utility's facilities and compliance with KRS Chapter 278 and 807 KAR Chapter 5 and shall file these procedures with the commission for review.</li> <li>Upon receipt of a report of a potentially hazardous condition at a utility facility, the utility shall inspect all portions of the system that are the subject of the report.</li> <li>Appropriate records shall be kept by a utility to identify the inspection made, the date and time of inspection, the person conducting the inspection, deficiencies found, and action taken to correct the deficiencies.</li> </ol>
Has the utility adopted inspection procedures to assure safe and adequate operation of the utility's facilities and compliance with KRS Chapter 278 and 807 KAR Chapter 5?  Yes ☑ No ☐ N/A ☐
Have these inspection procedures been filed with the commission for review?  Yes No No N/A
Upon receipt of a report of a potentially hazardous condition at a utility facility, does the utility inspect all portions of the system that are the subject of the report?  Yes No NA
Are appropriate records kept by a utility to identify the inspection made, the date and time of inspection, the person conducting the inspection, deficiencies found, and action taken to correct the deficiencies?  Yes ☑ No ☐ N/A ☐
Section 27: Reporting of Accidents, Property Damage, or Loss of Service.
(1) Within two (2) hours following discovery each utility, other than a natural gas utility, shall notify the commission by telephone or electronic mail of a utility related accident that results in: <ul> <li>(a) Death or shock or burn requiring medical treatment at a hospital or similar medical facility, or any accident requiring inpatient overnight hospitalization.</li> </ul>
Bluegrass Water Utility Company, LLC – Marshall Ridge Page 7

#### Periodic Compliance Inspection

renodic Compliance i	nspection		
(b) Actual or potential property damage of \$25,000 (c) Loss of service for four (4) or more hours to ten customers, whichever is less.		or 500 or mor	e of the utility's
(2) A summary written report shall be submitted by the (7) calendar days of the utility related accident. For goof the commission, shall, upon application in writing, submission of this report.	ood cause sh	own, the exe	ecutive director
Has the Utility had any Accidents, Property Damage, o	or Loss of Ser Yes ☐		N/A 🗌
f yes, was the Commission notified by telephone o discovery of a utility related accident that resulted in	r electronic n the following:	nail within tv	vo (2) hours of
Death, shock, or burn requiring medical treatment any accident requiring inpatient overnight hospital	at a hospital o lization: Yes [		dical facility, or N/A ⊠
Actual or potential property damage of \$25,000 or	more: Yes 🗌	No 🗌	N/A 🖂
Loss of service for four (4) or more hours to ten ( customers, whichever is less:	10) percent or		_
Was a summary written report submitted by the ucalendar days of the utility related accident?	ıtility to the co		vithin seven (7)
Section 28: Deviations from Administrative Regulation	<u>n:</u>		
n special cases, for good cause shown, the commiss administrative regulation.	ion shall perm	nit deviations	s from this
Has the utility been permitted by the commission to d regulations?	eviate from th Yes 🏻	ese adminis No 🗌	trative N/A
f so, provide the case no. Case No. 2019-00104.			
Bluegrass Water Utility Company, LLC – Marshall Ridge		Pac	ne 8

Page 1731 of 2110

**Periodic Compliance Inspection** 

#### 807 KAR 5:011 (Tariffs)

Section 12: Posting tariffs, Administrative Regulations, and Statutes
Does the utility display a suitable placard, in large type, that states that the utility's tariff and statutes are available for public inspection? Yes $\square$ No $\square$ N/A $\boxtimes$
<b>Note:</b> The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.
Does the utility provide a suitable table or desk in its office or place of business on which the public may view all effective tariffs? Yes $\square$ No $\square$ N/A $\boxtimes$
Note: The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.
Section 13: Special Contracts
Does the utility have any special contracts that establish rates, charges, or conditions of service not contained in its tariff? Yes $\square$ No $\boxtimes$ N/A $\square$
If yes, has the utility filed the special contracts with the PSC?  Yes No No N/A
807 KAR 5:071 (Sewage):
<u>Section 1: General.</u> The purpose of this administrative regulation is to provide standard rules administrative regulations governing the service of sewage utilities operating under the Jurisdiction of the Public Service Commission.

(1) System maps or records. Each utility shall maintain up-to-date maps, plans, or records of its entire force main and collection systems, with such other information as may be necessary to enable the utility to advise prospective customers, and others entitled to the information, as to

Bluegrass Water Utility Company, LLC - Marshall Ridge

Section 4: Information Available to Customers.

the facilities available for serving any locality.

Page 9

(2) Rates, rules, and regulations. A schedule of approved rates for sewage service applicable for each class of customers and the approved rules and regulations of the sewage utility shall be available to any customer or prospective customer upon request.					
Does the Utility have a current map and/or plans for its	system? <b>Yes</b> 🔀	No 🗌	N/A 🗌		
Section 5. Quality of Service.					
(1) General. Each utility shall maintain and operate and properly equipped to collect, transport, and tr degree of purity required by the health laws of th agencies, federal, state, and local, having jurisdicti	eat sewage, e State of K	and discharg entucky, and	e the effluent at the		
(2) Limitations of service. No sewage disposal comor disposal any material except sewage as def regulation. In compliance with the administrative refforts to eliminate or prevent the entry of surfact industrial liquid waste into its sanitary sewer system appropriate state, county, or municipal authorities relieve the utility of its responsibilities.	ined by Sec egulation, the e or ground em. A utility	ction 2(7) of e utility shall water, or any may request	this administrative make all reasonable y corrosive or toxic assistance from the		
Is the utility in compliance with the Division of Water?	Yes	No 🗌	N/A 🖂		
Note: This system does not fall under the jurisdiction of	of Division of	Water.			
Is the utility making every reasonable effort to eliminate or any corrosive or toxic industrial liquid waste into its			face or ground water,		
Section 6: Continuity of Service.		NO [_]	N/A		
(1) Emergency interruptions. Each utility shall make all reasonable efforts to prevent interruptions of service and when such interruptions occur shall endeavor to reestablish service with the shortest possible delay consistent with the safety of its customers and the general public.					
(2) Scheduled interruptions. Whenever any utility finds it necessary to schedule an interruption of its service, it shall notify all customers to be affected by the interruption stating the time and anticipated duration of the interruption. Whenever possible, scheduled					
Bluegrass Water Utility Company, LLC – Marshall Ridge			Page 10		

interruptions shall be made at such hours as will customers.	provide least	inconvenier	ice to the	
(3) Record of interruptions. Each utility shall kee system. This record shall show the cause of interraken to prevent recurrence.			-	
Is the utility making all reasonable efforts to pre interruptions occur shall endeavor to reestabli consistent with the safety of its customers and th	sh service w ne public?	rith the shor	test possible delay	
	Yes 🖂	No 🗌	N/A 🗌	
If the utility schedules an interruption of service the interruption?	are all custor Yes ⊠	mers notified No 🗌	that are affected by N/A	
PROVIDE DOCUMENTATION DURING INSPECTIO	ON IF ANY.			
Does the utility make all reasonable efforts to provide least inconvenience to the customers?	schedule inte Yes⊠	erruptions at No 🏻	such hours as will N/A $\square$	
Does the utility maintain a record of all interrupti	ons of servic			
Cause of interruption Date Time	Yes ⊠ Yes ⊠ Yes ⊠ Yes ⊠	No   No   No   No   No   No   No   No	N/A	
Duration	Yes 🔀	No 📙	N/A 🔲	
Remedy	Yes 🔀	No 📙	N/A	
# Of customers affected steps taken to prevent recurrence	Yes ⊠ Yes ⊠	No ∐ No ☐	N/A	
Section 7. Design, Construction, and Operation.				
(1) General. The sewage treatment facilities of the sewage utility shall be constructed, installed, maintained and operated in accordance with accepted good engineering practice to assure, as far as reasonably possible, continuity of service, uniformity in the quality of service furnished, and the safety of persons and property.				
(2) Design and construction requirements. The decollecting sewers, treatment plant and facilities,	-			

#### **Periodic Compliance Inspection**

thereof, shall conform to the requirements of the Kentucky Department for Natural Resources and Environmental Protection, Bureau of Environmental Quality, Division of Water Quality.

- (3) Adequacy of facilities. The capacity of the sewage utility's sewage treatment facilities for the collection, treatment and disposal of sewage and sewage effluent must be sufficiently sized to meet all normal demands for service and provide a reasonable reserve for emergencies.
- (4) Inspection of facilities. Each sewage utility shall adopt procedures for inspection of its sewage treatment facilities to assure safe and adequate operation of its facilities and compliance with commission rules. These procedures shall be filed with the commission. Unless otherwise authorized in writing by the commission, the sewage utility shall make inspections of collecting sewers and manholes on a scheduled basis at intervals not to exceed one (1) year, unless conditions warrant more frequent inspections and shall make inspections of all mechanical equipment daily. The sewage utility shall maintain a record of findings and corrective actions required, and/or taken, by location and date.

Is the utility operating and maintaining their facility i practice to assure, as far as reasonably possible, continuous furnished, and the safety of persons and property?	nuity o	of service	e with accept e, uniformity in <b>No</b> []	ed good engineering n the quality of service N/A
Is the utility adhering to their inspection procedures facilities and compliance with the Commission rules?	to a	ssure sa	afe and adec	uate operation of its
Unless otherwise authorized in writing by the commiss their collecting sewers and manholes on a scheduled unless conditions warrant more frequent inspections?	d bas	is at inte	sewage utility ervals not to <b>No</b> []	/ make inspections of exceed one (1) year, N/A
Does the utility inspect all mechanical equipment daily	? Yes	$\boxtimes$	No 🗌	N/A 🗌
Note: This facility has a Mission-Manage SCADA mon	itorin	g syster	<u>n.</u>	
Does the utility maintain a record of findings and corre and date?	ctive <b>Yes</b>		required, and	/or taken, by location N/A ☐
Bluegrass Water Utility Company, LLC – Marshall Ridge				Page 12

**Periodic Compliance Inspection** 

#### **Additional Comments**

Midwest Water Operations merged with Clearwater Solutions. Clearwater Solutions is now contracted with Bluegrass Water for operations and maintenance.



Marshall Ridge WWTF



#### **Periodic Compliance Inspection**

Comment: During this periodic regulatory compliance inspection, it was not possible to review/discuss every record relating to all Commission requirements. Therefore, in some instances the results contained in this report are indicative of those items inspected and reviewed on a sample basis.

Date: April 7, 2023

Report by:

Brian L. Rice

Bin L. Rin

Utility Inspector
Kentucky Public Service Commission

Bluegrass Water Utility Company, LLC - Marshall Ridge

Page 14

Andy Beshear Governor

Rebecca W. Goodman 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

Kent A. Chandler Chairman

Angie Hatton Vice Chairman

Mary Pat Regan Commissioner

April 13, 2023

Josiah Cox CEO Central States Water Resources 1630 Des Peres Road, Suite 140 Des Peres, MO 63131

Re:

Periodic Wastewater Inspection

Bluegrass Water Utility Operating Company, LLC - Golden Acres Wastewater

System

Marshall County, KY

Dear Mr. Cox:

Public Service Commission staff performed a periodic inspection of the Bluegrass Water Utility Operating Company, LLC – Golden Acres wastewater system located in Marshall County, KY on March 7, 2023, reviewing utility operations and management practices pursuant to Commission regulations. The report of this inspection is enclosed with this letter.

Based on the inspector's observations, no deficiencies were identified. This closes out the 2023 inspection. No response is necessary.

Please review the enclosed inspection report in its entirety as you will find further information noted about the inspection. If you have any questions regarding this inspection, feel free to contact me at 502-330-5986 or via email at Brian.Rice@ky.gov.

Sincerely,
Bir J. Rian

Brian L. Rice Utility Inspector

**Public Service Commission** 

Enclosure(s)

Copy: Jon Brown, EHS Compliance Inspector



Utility: Bluegrass Water Utility Operating Company, LLC -	Golden Acr	es	
Utility's Principal office location: 1630 Des Peres Road,	Suite 140 S	St Louis, MO	63131
Utility representative during inspection: Jon Brown, Arth	nur Faiello		
Counties served: McCracken			
Customers: 31			
Investigator: Brian L. Rice			
Date(s) of inspection: March 7, 2023			
Date(s) of last inspection: April 26, 2022			
Deficiencies noted during the last inspection: One defic	ciency was r	noted on the	last inspection.
Have deficiencies been corrected since last inspection	? Yes ⊠	No 🗌	N/A 🗌
If no, provide a response as to why these deficiencies h	have not be	een address	sed.
General Questions			
Treatment Facility: Collection System:	Yes ⊠ Yes ⊠	No 🗌	N/A 🗌 N/A 🔲
Utility Information Total number of Employees: 0 Number of Office Employees: 0			
Note: The Company is comprised of contracted operations	, billing, and	d customer s	ervice.
Does the utility have its own maintenance staff?	Yes 🗌	No 🖂	N/A 🗌
If not, give the name the person(s) doing the work:			
Operation and Maintenance is contracted out to Clearwater	Solutions.		
Bluegrass Water Utility Company, LLC – Golden Acres			Page 1

**Periodic Compliance Inspection** 

#### 807 KAR 5:006 (General Rules)

<u>Section 2:</u> General Provisions. Reference to standards or codes in 807 KAR Chapter 5 shall not prohibit a utility from continuing or initiating experimental work and installations to improve, decrease the cost of, or increase the safety of its service.

Section 4: Reports			
Has the utility filed its gross annual operating revenue	e report?		
	Yes 🗵	No 🗌	N/A 🗌
Section 7: Billings, Meter Readings, and Information.			
Is the Billing and Collection handled by the Utility?	Yes	No ⊠	N/A
If no, then who? Billing and Collection is handled by Niti	ro Billing Se	ervices.	
Does each bill for utility service issued periodically by	y a utility c	learly show th	ne following?
The date the bill was issued:	Yes 🛚	No 🗌	N/A 🗌
Class of service:	Yes 🗵	No	N/A
Present and last preceding meter readings:	Yes	No	N/A 🖂
Date of the present reading:	Yes	No	N/A 🖂
Number of units consumed:	Yes	No 🗆	N/A
Net amount for service rendered:	Yes	No 🗆	N/A
All taxes:	Yes	No	N/A 🖂
Adjustments, if applicable:	Yes	No	N/A
The gross amount of the bill:	Yes 🗵		N/A
The date after which a penalty may apply to the gre			N/A [_]
The date after which a penalty may apply to the gr	Yes		N/A
If the bill is estimated or calculated:	Yes □	No 🗆	N/A 🖂
Is the rate schedule under which the bill is comp			_
			`
maintains a Web site)?	Yes 🕑	No 🗌	N/A
Note: Vos the tariff (including the rate cohodule) is fou	and an tha	`anananiaha	ita Additionally no
Note: Yes, the tariff (including the rate schedule) is fou			ite. Additionally, no
readings/units/etc. are included due to the nature of the	e flat rates	cnarged.	
Also furnished by one (1) of the following methods, b	y:		
Printing it on the bill:	Yes 🛭	No 🗌	N/A

Publishing it in a newspaper of general circulation	once each y	/ear:	
	Yes 🗌	No 🗌	N/A 🔀
Mailing it to each customer once each year; or:			
B 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Yes 📋	No 🗌	N/A ⊠
Provide a place on each bill for a customer to indi			
the applicable rates:	Yes 🛚	No 🗌	N/A 🗌
Note: Due to the nature of the bills, the flat rate found on	the hill is the	e rate schedule	e associated with
the service areas. Additionally, the bills have multiple option			
billing inquiries including questions regarding the rate sche			
Section 8. Deposits.			
Is the utility requiring a minimum cash deposit or otl	her guarant	ee from cust	omers to secure
payment of bills?	Yes	No 🖂	N/A
Section 10: Customer Complaints to the Utility			
Upon complaint to a utility by a customer at the utility	's office, by	telephone or	in writing, does
the utility make a prompt and complete investigation			
findings?	Yes 🛚	No 🗌	N/A
Does the utility keep a record of all written complaints	concorning	the utility's	convice?
boes the utility keep a record of all written complaints	Yes 🖂	No 🗔	N/A
Does the record include the following?	100	ПО [	1071
The customer's name and address:	Yes 🖂	No 🗌	N/A
The date and nature of the complaint:	Yes 🔀	No 🔲	N/A
The disposition of the complaint:	Yes 🖂	No 🗌	N/A
Does the utility maintain these records for two (2)	ears from	the date of r	esolution of the
complaint?	Yes 🖂	No 🗆	N/A
·	<u> </u>		-
If a written complaint or a complaint made in person a			
the utility provide written notice to the customer of hi			
commission?	Yes 🗌	No 🗌	N/A 🖂
Note: The Company does not maintain a local office, but th	is informatio	n is available v	ia the Company's
website. In the Order associated with Docket 2019-001	104, the Cor	mmission app	roved Bluegrass'
operations without a local office.			
Door the utility many data the control of the till	salaluse = 187	h mita e dala -	
Does the utility provide the customer with the mailing a	· · · · · · · · · · · · · · · · · · ·		
number of the commission?	Yes 🛚	No 🗌	N/A
Physican Water Hillity Company LLC Colden Acres			200 2

<b>Note:</b> The Company does not maintain a local office but customer questions and provide the Commissions mailing number and provides this information on the utility's website	address, web			
If a telephonic complaint is not resolved, does the uticustomer of his or her right to file a complaint with the complaint with	lity provide commission? Yes ⊠	at least oral	notice to the	
Section 14: Utility Customer Relations				
Does the utility post and maintain regular business hour to assist its customers and to respond to inquiries from complaints?	s and providenthe the commion Yes ⊠	e representat ssion regard No	ives available ing customer N/A	
Does the utility designate at least one (1) representative questions, resolve disputes, and negotiate partial payments.				
	Yes 🗌	No 🗌	N/A 🖂	
Note: The Company does not maintain a local office, but customer questions, resolve disputes, and negotiate partial order associated with Docket 2019-00104, the Commission local office.	payment plans	s thru telephor	ne only. In the	
If the utility has an annual operating revenue of \$250 designated representative available during the utility's than seven (7) hours per day, five (5) days per week exc	established	working hou	utility have a urs not fewer	
	Yes ⊠	No 🗌	N/A	
If the utility has an annual operating revenue of less than \$250,000, does the utility have a designated representative available during the utility's established working hours not fewer than seven (7) hours per day, one (1) day per week?				
the contract of the contract o	Yes 🗌	No 🗌	N/A 🖂	
Does the utility provide the following?				
Maintain a telephone:	Yes ⊠	No 🗌	N/A	
Publish the telephone number in all service areas:	Yes ⊠	No 🗌	N/A	
Note: The number is available on the website and customer	bills.			
Bluegrass Water Utility Company, LLC - Golden Acres		Page	4	

Permit all customers to contact the utility's designated	represent	tative without	charge:
	Yes 🖂	No 🗌	N/A
Does the utility prominently display in each office open shall post on its Web site, if it maintains a Web site) a s commission, of the customer's rights pursuant to administrative regulation?	ummary,	prepared and	provided by the
Note: The Company does not maintain a local office, but this website. In the Order associated with Docket 2019-0010 operations without a local office. Records are kept electroreasonable notice at reasonable hours.	4, the Co	ommission app	proved Bluegrass'
Section 20: Access to Property			
Do employees of the utility (whose duties require him to enter the customer's premises) wear a distinguishing uniform or other insignia, identifying them as an employee of the utility, and show a badge or other identification that shall identify them as an employee of the utility? Yes $\boxtimes$ No $\square$ N/A $\square$			
Section 23: System Maps and Records			
Does the utility have on file at its principal office local request with the commission a map or maps of suitable or holds itself ready to serve?		f the general t	
Note: In the Order associated with Docket 2019-00104 methodology of utilizing the Kentucky Infrastructure Al requirements. The Company does maintain maps electronic Commission. Additionally, the Company utilizes the Kentuck show layers including districts.	uthority( ally that c	KIA) to comp an be filed upo	oly with mapping on request with the
Is the map or maps available in electronic format as database?	a PDF f Yes ⊠	ile or as a di No ☐	igital geographic N/A □
Is the following data available on the map or maps?			
Operating districts	Yes 🗌	No 🗌	N/A 🖂
Rate districts: Communities served:  Bluegrass Water Utility Company, LLC – Golden Acres	Yes ☐ Yes ⊠	No 🗌 No 🗍	N/A N/A Page 5

#### **Periodic Compliance Inspection**

Section 24: Location of Records.		
All records required by 807 KAR Chapter 5 shall be kept in the o made available to representatives, agents, or staff of the commi at all reasonable hours.	office of the ut	ility and shall be easonable notice
Are all records required by 807 KAR Chapter 5 kept in the office of available to representatives, agents, or staff of the commission reasonable hours?  Yes	of the utility a upon reason No []	nd shall be made able notice at all N/A ⊠
In the Order associated with Docket 2019-00104, the Commission without a local office. Records are kept electronically and can be motice at reasonable hours.	approved Blue nade available	egrass' operations upon reasonable
Section 25: Safety Program:		
Each utility shall adopt and execute a safety program, approprisoperations. At a minimum, the safety program shall:  (1) Establish a safety manual with written guidelines for safe work to be followed by utility employees.  (2) Instruct employees in safe methods of performing their work.  (3) Instruct employees who, in the course of their work, are subjected, asphyxiation, or drowning, in accepted methods of artificing the safety program, approprison and safety program shall:  (1) Establish a safety manual with written guidelines for safe work to be followed by utility employees.	king practices	and procedures
Has the utility adopted and executed a safety program, appropri operations?		
Yes ⊠	No 🗌	N/A
<b>Note:</b> Bluegrass Water contracts with Clearwater Solutions to opera treatment facility. Clearwater Solutions has a safety program.	te and mainta	in the wastewater
At a minimum, does the safety program include the following?		
A safety manual with written guidelines for safe working pra- followed by utility employees: Yes	actices and p	rocedures to be N/A ⊠
Note: Bluegrass Water has no employees.		
Instruct employees in safe methods of performing their work.		
Note: Bluegrass Water has no employees.  Bluegrass Water Utility Company, LLC – Golden Acres	No _	N/A 🔀

Instruct employees who, in the course of their work, are subject to the hazard of electrical shock, asphyxiation, or drowning, in accepted methods of artificial respiration:  Yes \( \subseteq \text{No} \subseteq \text{N/A} \text{ \subseteq}
Note: Bluegrass Water has no employees.
Section 26: Inspection of Systems:
<ol> <li>A utility shall adopt inspection procedures to assure safe and adequate operation of the utility's facilities and compliance with KRS Chapter 278 and 807 KAR Chapter 5 and shall file these procedures with the commission for review.</li> <li>Upon receipt of a report of a potentially hazardous condition at a utility facility, the utility shall inspect all portions of the system that are the subject of the report.</li> <li>Appropriate records shall be kept by a utility to identify the inspection made, the date and time of inspection, the person conducting the inspection, deficiencies found, and action taken to correct the deficiencies.</li> </ol>
Has the utility adopted inspection procedures to assure safe and adequate operation of the utility's facilities and compliance with KRS Chapter 278 and 807 KAR Chapter 5?  Yes ☑ No ☐ N/A ☐
Have these inspection procedures been filed with the commission for review?  Yes ⊠ No □ N/A □
Upon receipt of a report of a potentially hazardous condition at a utility facility, does the utility inspect all portions of the system that are the subject of the report?  Yes No No N/A
Are appropriate records kept by a utility to identify the inspection made, the date and time of inspection, the person conducting the inspection, deficiencies found, and action taken to correct the deficiencies? Yes $\boxtimes$ No $\square$ N/A $\square$
Section 27: Reporting of Accidents, Property Damage, or Loss of Service.
<ul> <li>(1) Within two (2) hours following discovery each utility, other than a natural gas utility, shall notify the commission by telephone or electronic mail of a utility related accident that results in:</li> <li>(a) Death or shock or burn requiring medical treatment at a hospital or similar medical facility, or any accident requiring inpatient overnight hospitalization.</li> </ul>
Bluegrass Water Utility Company, LLC – Golden Acres Page 7

·	•		
(b) Actual or potential property damage of \$25,000 (c) Loss of service for four (4) or more hours to ter customers, whichever is less.		or 500 or mo	re of the utility's
<ol> <li>A summary written report shall be submitted by t</li> <li>calendar days of the utility related accident. For e</li> <li>the commission, shall, upon application in writing submission of this report.</li> </ol>	good cause sl	nown, the ex	ecutive director
las the Utility had any Accidents, Property Damage,	or Loss of Se Yes □	rvice? No ⊠	N/A
f yes, was the Commission notified by telephone of discovery of a utility related accident that resulted in			wo (2) hours of
Death, shock, or burn requiring medical treatment		or similar me	edical facility, or
any accident requiring inpatient overnight hospita	llization: Yes ☐	No 🗌	N/A 🖂
Actual or potential property damage of \$25,000 or	more: Yes 🗌	No 🗌	N/A 🖂
Loss of service for four (4) or more hours to ten	(10) percent o	r 500 or mor	e of the utility's
customers, whichever is less:	Yes 🗌	No 🗌	N/A 🖂
Was a summary written report submitted by the calendar days of the utility related accident?	utility to the c	ommission	within seven (7)
calendar days of the utility related accident?	Yes 🗌	No 🗌	N/A 🖂
Section 28: Deviations from Administrative Regulatio	<u>n:</u>		
n special cases, for good cause shown, the commiss administrative regulation.	sion shall perr	nit deviation	s from this
las the utility been permitted by the commission to cegulations?	deviate from the Yes ⊠	nese adminis No 🗌	strative N/A
f so, provide the case no. Case No. 2019-00104.			
luegrass Water Utility Company, LLC – Golden Acres		Pa	age 8

**Periodic Compliance Inspection** 

#### 807 KAR 5:011 (Tariffs)

Section 12: Posting tariffs, Administrative Regulations, and Statutes
Does the utility display a suitable placard, in large type, that states that the utility's tariff and statutes are available for public inspection? Yes $\square$ No $\square$ N/A $\boxtimes$
<b>Note:</b> The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.
Does the utility provide a suitable table or desk in its office or place of business on which the public may view all effective tariffs?  Yes No No N/A
Note: The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.
Section 13: Special Contracts
Does the utility have any special contracts that establish rates, charges, or conditions of service not contained in its tariff? Yes $\square$ No $\boxtimes$ N/A $\square$
If yes, has the utility filed the special contracts with the PSC?  Yes □ No □ N/A ⊠
807 KAR 5:071 (Sewage):
<u>Section 1: General.</u> The purpose of this administrative regulation is to provide standard rules administrative regulations governing the service of sewage utilities operating under the Jurisdiction of the Public Service Commission. <u>Section 4: Information Available to Customers.</u>
(1) System maps or records. Each utility shall maintain up-to-date maps, plans, or records of its entire force main and collection systems, with such other information as may be necessary to enable the utility to advise prospective customers, and others entitled to the information, as to

the facilities available for serving any locality.

(2) Rates, rules, and regulations. A schedule of appeach class of customers and the approved rules available to any customer or prospective customer	and regulatio	ons of the sev	ervice applicable for wage utility shall be
Does the Utility have a current map and/or plans for its	system? <b>Yes</b> 🖂	No 🗌	N/A 🗌
Section 5. Quality of Service.			
(1) General. Each utility shall maintain and operate and properly equipped to collect, transport, and tr degree of purity required by the health laws of th agencies, federal, state, and local, having jurisdicti	reat sewage, le State of Ke	and discharg entucky, and	e the effluent at the
(2) Limitations of service. No sewage disposal comor disposal any material except sewage as defined regulation. In compliance with the administrative refforts to eliminate or prevent the entry of surfact industrial liquid waste into its sanitary sewer system appropriate state, county, or municipal authorities relieve the utility of its responsibilities.	fined by Sec egulation, the e or ground em. A utility i	ction 2(7) of e utility shall water, or an may request	this administrative make all reasonable y corrosive or toxic assistance from the
Is the utility in compliance with the Division of Water?	Yes ⊠	No 🗌	N/A 🗌
Is the utility making every reasonable effort to eliminate or any corrosive or toxic industrial liquid waste into its	e or prevent the sanitary sewe	ne entry of sur er system? <b>No</b> □	face or ground water,
Section 6: Continuity of Service.			
(1) Emergency interruptions. Each utility shall mal interruptions of service and when such interruption service with the shortest possible delay consistent general public.	ons occur sha	all endeavor	to reestablish
(2) Scheduled interruptions. Whenever any utility interruption of its service, it shall notify all custom the time and anticipated duration of the interruption interruptions shall be made at such hours as will procustomers.	ners to be aff on. Wheneve	ected by the r possible, so	interruption stating cheduled
Bluegrass Water Utility Company, LLC - Golden Acres			Page 10

(3) Record of interruptions. Each utility shall keep a complete record of all interruptions on its system. This record shall show the cause of interruption, date, time, duration, remedy, and steps taken to prevent recurrence.				
Is the utility making all reasonable efforts to pre interruptions occur shall endeavor to reestablis consistent with the safety of its customers and th	sh service w			
If the utility schedules an interruption of service a the interruption?	are all custor Yes ⊠	ners notified No 🗌	that are affected by N/A	
PROVIDE DOCUMENTATION DURING INSPECTIO	N IF ANY.			
Does the utility make all reasonable efforts to sprovide least inconvenience to the customers?		erruptions at No 🗌	such hours as will N/A	
Does the utility maintain a record of all interruption	ons of servic Yes ⊠	e regarding t No	he following items?	
Cause of interruption Date Time Duration Remedy # Of customers affected steps taken to prevent recurrence	Yes X	No   No   No   No   No   No   No   No	N/A	
Section 7. Design, Construction, and Operation.				
(1) General. The sewage treatment facilities of the sewage utility shall be constructed, installed, maintained and operated in accordance with accepted good engineering practice to assure, as far as reasonably possible, continuity of service, uniformity in the quality of service furnished, and the safety of persons and property.				
(2) Design and construction requirements. The design and construction of the sewage utility's collecting sewers, treatment plant and facilities, and all additions thereto and modifications thereof, shall conform to the requirements of the Kentucky Department for Natural Resources and Environmental Protection, Bureau of Environmental Quality, Division of Water Quality.				
Bluegrass Water Utility Company, LLC - Golden Acres			Page 11	

(3) Adequacy of facilities. The capacity of the sew collection, treatment and disposal of sewage and meet all normal demands for service and provide a	sewa	ge efflu	ent must be	sufficiently sized to
(4) Inspection of facilities. Each sewage utility shall treatment facilities to assure safe and adequate commission rules. These procedures shall be fauthorized in writing by the commission, the sewasewers and manholes on a scheduled basis at conditions warrant more frequent inspections arequipment daily. The sewage utility shall maintain required, and/or taken, by location and date.	operat filed w age uti interva nd sha	ion of i vith the ility sha als not all mak	ts facilities a commission Ill make insp to exceed of e inspection	and compliance with n. Unless otherwise ections of collecting one (1) year, unless s of all mechanical
Is the utility operating and maintaining their facility practice to assure, as far as reasonably possible, contifurnished, and the safety of persons and property?	inuity c	of service	e with accept e, uniformity ir <b>No</b>	ed good engineering n the quality of service N/A
Is the utility adhering to their inspection procedures facilities and compliance with the Commission rules?	s to as <b>Yes</b>	ssure sa	afe and adeq	uate operation of its
Unless otherwise authorized in writing by the commis their collecting sewers and manholes on a schedule unless conditions warrant more frequent inspections?	ed basi	is at inte	sewage utility ervals not to <b>No</b>	y make inspections of exceed one (1) year, N/A
Does the utility inspect all mechanical equipment dail	y? <b>Yes</b>		No 🗌	N/A 🗌
Note: This facility has a Mission-Manage SCADA mo	nitorin	g syster	<u>m.</u>	
Does the utility maintain a record of findings and corr and date?	ective <b>Yes</b>		required, and No □	l/or taken, by location N/A ☐
Disament Meter Hillian Communication (College Access				B 10

**Periodic Compliance Inspection** 

#### **Additional Comments**

Midwest Water Operations merged with Clearwater Solutions. Clearwater Solutions is now contracted with Bluegrass Water for operations and maintenance.



**Golden Acres WWTP** 



#### **Periodic Compliance Inspection**

Comment: During this periodic regulatory compliance inspection, it was not possible to review/discuss every record relating to all Commission requirements. Therefore, in some instances the results contained in this report are indicative of those items inspected and reviewed on a sample basis.

Report by:

Brian L. Rice Utility Inspector

Bin J. Rie

**Kentucky Public Service Commission** 

Bluegrass Water Utility Company, LLC - Golden Acres

Date: April 6, 2023



Andy Beshear GOVERNOR

### **ENERGY AND ENVIRONMENT CABINET**

**DEPARTMENT FOR ENVIRONMENTAL PROTECTION** 

300 Sower Boulevard Frankfort, Kentucky 40601 Phone: (502) 564-2150 Fax: 502-564-4245

April 26, 2023

Rebecca W. Goodman SECRETARY

Anthony R. Hatton
COMMISSIONER

Mandy Sappington, Compliance Manager Herrington Haven Subd 1630 Des Peres Rd, Ste 140 Des Peres, MO

Re: KPDES Application Notice of Deficiency

KPDES No.: KY0053431

AI ID: 1469

Garrard County, Kentucky

Dear Ms. Sappinton:

Your Kentucky Pollutant Discharge Elimination System (KPDES) permit application for the above-referenced facility was received by the Division of Water on February 9, 2023. A completeness review of your permit application has been conducted and your application has been determined to be incomplete. Please complete the deficiencies listed below and return to me at the following address within fifteen (15) days of the date of this letter.

Division of Water, Surface Water Permits Branch ATTN: Krystal Harrod 300 Sower Blvd Frankfort, Kentucky 40601

1. Please complete Form SC

Failure to respond within fifteen (15) days may result in the Cabinet returning your application to you and retaining fees paid, as per 401 KAR 5:075, Section 15(5). If you have any questions concerning this matter, please contact 502-782-6968 or by email at Krystal.Harrod@ky.gov.

Sincerely,

Krystal Harrod

Krystal Harrod Surface Water Permits Branch Division of Water





Andy Beshear GOVERNOR

# ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

300 Sower Boulevard Frankfort, Kentucky 40601 Phone: (502) 564-2150 Fax: 502-564-4245

April 26, 2023

Mandy Sappington, Compliance Manager Herrington Haven Subd 1630 Des Peres Rd, Ste 140 Des Peres, MO Anthony R. Hatton
COMMISSIONER

Rebecca W. Goodman

Re: K

KPDES Application Notice of Deficiency

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Sincerely,

Kupstel Hand

Krystal Harrod Surface Water Permits Branch Division of Water



MATTHEW G. BEVIN
GOVERNOR



CHARLES G. SNAVELY
SECRETARY

# AARON B. KEATLEY COMMISSIONER

# ENERGY AND ENVIRONMENT CABINET DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF WATER 9116 LEESGATE ROAD LOUISVILLE KY 40222-5004

August 3, 2017

Certified No. 7015 0640 0002 9091 3403

Return Receipt Requested

Gail Williams 9101 Lena Lane Louisville, KY 40299

Re: Notice of Violation

AI ID: 455

AI Name: Kingswood Development Subd

Activity ID: ENV20170001 Permit No. KY0101419 Bullitt County, KY

#### Dear Gail Williams:

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 502-429-7122.

Sincerely,

E-Signed by Sarah Goodin
VERIFY authenticity with e-Sign

Sarah Goodin, Environmental Inspector III Division of Water

SMG Enclosure



#### COMMONWEALTH OF KENTUCKY

# ENERGY AND ENVIRONMENT CABINET DEPARTMENT FOR ENVIRONMENTAL PROTECTION

**Division of Water** 

#### NOTICE OF VIOLATION

**To:** Gail Williams 9101 Lena Lane Louisville, KY 40299

AI Name: Kingswood Development Subd AI ID: 455 Activity ID: ENV20170001

**Discovery ID:** CIN20170001 County: Bullitt

**Enforcement Case ID:** 

Date(s) Violation(s) Observed: 07/13/2017

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

#### 1 Violation Description for Subject Item AIOO0000000455():

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.

The system utilizes UV for disinfection purposes. Monitoring Reports revealed the facility to be in out of compliance for e. coli for the following Monitoring Periods: 6/30/2017, 3/31/2017(=2437), 1/31/2017(=60000), 11/30/2016, 10/31/2016, 7/31/2016, 4/30/2016, 1/31/2016

#### 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]

#### 2 Violation Description for Subject Item AIOO0000000455():

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. [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.

A review of Submitted NetDMR results from 7/1/2015 to 6/30/2017 showed 16 violations: Monitoring Period ending:

6/30/2017 - TSS Monthly Average and E. coli 30 Day GEO

3/31/2017 - High E.coli (2437)

1/31/2017 - High E.coli (60000) and High BOD
12/31/2016 - High TSS and Nitrogen, ammonia total [as N]
11/30/2016 - High Nitrogen, ammonia total [as N] and E.coli 30 Day GEO
10/31/2016 - High E.coli 30 Day GEO
7/31/2016 - High E.coli
4/30/2016 - High TSS, E.coli and BOD
1/31/2016 - High E. coli (1733)
11/30/2015- High TSS for Monthly Average

#### 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)]

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) Sarah Goodin, Environmental Inspector III

Issued By:

Sarah Goodin, Environmental Inspector III

E-Signed by Sarah Goodin VERIFY authenticity with e-Sign

Date: August 3, 2017

Issued By:

Mr. Charlie Roth, Supervisor

Date: August 3, 2017

How Delivered: Certified Mail Certified/Registered # 7015 0640 0002 9091 3403

# P.O. Box 91588 Louisville, KY 40291 502-241-4809

September 18, 2017

Division of Water Louisville Regional Office 9116 Leesgate Road Louisville, KY 40222-5004 Attn: Sarah Goodin

Re: Notice of Violation

AI ID: 455

Al Name: Kingswood Dev. Subd. WWTP

Activity ID: ENV20170001 Permit No. KY0101419 Bullitt County, KY

#### Dear Ms Goodin:

On behalf of the plant owner and as the service company, Covered Bridge Utilities, Inc., I am responding to the NOV issued by you with cover letter dated August 3, 2017.

- 1) The first item refers to ecoli violations reported on several NETDMRs. Please note that the UV disinfection system has been repaired on several occasions not only by service personnel with Covered Bridge Utilities but most recently by a technician from River City Controls. The system is working fine now. The ecoli result in July was 35 and the result for August, which hasn't been submitted on the NETDMR yet, was 8. Every effort will be made by CBU to insure that this remains in compliance.
- 2) This item refers to various other exceedances that occurred over a period of almost 2 years. Work has been done at the plant to help eliminate future violations. Such as, a new main air header was fabricated and installed. All diffuser drops were pulled, cleaned, and diffusers either cleaned or replaced. In addition several loads of sludge have been removed from the digester so the operator could waste sludge from the plant.

The lab results for July and August show that there haven't been any violations for these months. And again, every effort will be made by CBU to insure that this remains in compilance.

Page 1764 of 2110

I trust that you will find this response satisfactory.

If you have questions or need additional information please let me know.

Sincerely

wrence W. Smither

MATTHEW G. BEVIN



CHARLES G. SNAVELY
SECRETARY

#### **ENERGY AND ENVIRONMENT CABINET**

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF WATER 9116 LEESGATE ROAD LOUISVILLE KY 40222-5004

September 19, 2017

AARON B. KEATLEY

COMMISSIONER

Gail Williams 9201 Lena Lane Louisville, KY 40299

Re: Notice of Violation

AI ID: 455

AI Name: Kingswood Development Subd

Activity ID: ENV20170001 Permit No. KY0101419 Bullitt County, KY

#### Dear Gail Williams;

On August 7, 2017, the Division of Water issued Kingswood Development Subd a Notice of Violation (NOV). The Louisville Regional Office appreciates Kingswood Development Subd's efforts to address the compliance issues raised by the NOV. The actions taken by Kingswood Development Subd in response to the NOV are considered sufficient at this time with regard to the violations listed in the NOV. The Cabinet reserves its rights under KRS Chapter 224 and its administrative regulations to undertake such enforcement action hereafter as it deems appropriate, which may include consideration of the compliance issues addressed by the NOV. If you have any questions, please feel free to contact me at (502) 429-7122.

Sincerely,

VERIFY authenticity with e-sign
Sarah Goodin

E-Signed by Sarah Goodin

Environmental Inspector Louisville Regional Office Division of Water

SMG

Enclosure



Kingswood WWTP Josiah Cox 500 Northwest Plaza Dr Ste 500 Saint Ann, MO 63074

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

#### NOTICE OF VIOLATION

**To:** Kingswood WWTP Josiah Cox 500 Northwest Plaza Dr Ste 500

Saint Ann, MO 63074

AI Name: Kingswood WWTP AI ID: 455 Activity ID: ENV20190001

**County:** Bullitt

**Enforcement Case ID:** 

Date(s) Violation(s) Observed: 09/27/2019

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

1 Violation Description for Subject Item AIOO0000000455():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for CBOD. The permitted limit for CBOD is loading monthly avg., less than or equal to 2.67 lbs/day. The facility reported the following: loading monthly avg. 3.279 lbs/day for December 2018.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

2 Violation Description for Subject Item AIOO0000000455():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for Total Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is loading monthly avg., less than or equal to 1.33 lbs/day; and loading max. weekly avg., less than or equal to 2 lbs/day; and concentration monthly avg., less than or equal to 10 mg/L. The facility reported the following: loading monthly avg. 5.389 lbs/day; and loading max. weekly avg. 5.389 lbs/day; and concentration monthly avg. 10.4 mg/L for February 2019.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

3 Violation Description for Subject Item AIOO0000000455():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for CBOD. The permitted limit for CBOD is loading monthly avg., less than or equal to 2.67 lbs/day; and loading max. weekly avg., less than or equal to 4 lbs/day. The facility reported the following: loading monthly avg. 6.736 lbs/day; and loading max. weekly avg. 6.736 lbs/day for February 2019.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

4 Violation Description for Subject Item AIOO0000000455():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for Total Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is loading monthly avg., less than or equal to .67 lbs/day; and concentration monthly avg., less than or equal to 4 mg/L. The facility reported the following: loading monthly avg. .954 lbs/day; and concentration monthly avg. 4.8 mg/L for July 2019.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

5 Violation Description for Subject Item AIOO0000000455():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for CBOD. The permitted limit for CBOD is loading monthly avg., less than or equal to 2.67 lbs/day. The facility reported the following: loading monthly avg. 3.576 lbs/day for March 2019.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

#### AI: Kingswood WWTP -- 455

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 Sower Blvd Frankfort, KY 40601 502-782-6859 (8:00 AM – 4:30 PM)

Issued By:

Michael B. Kroeger, Director Date: December 19, 2019

#### AI: Kingswood WWTP -- 455

Kingswood WWTP Josiah Cox 500 Northwest Plaza Dr Ste 500 Saint Ann, MO 63074

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

#### NOTICE OF VIOLATION

**To:** Kingswood WWTP Josiah Cox 500 Northwest Plaza Dr Ste 500

Saint Ann, MO 63074

AI Name: Kingswood WWTP AI ID: 455 Activity ID: ENV20190002

County: Bullitt

**Enforcement Case ID:** 

**Date(s) Violation(s) Observed:** 12/04/2019

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

1 Violation Description for Subject Item AIOO0000000455():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for E. Coli. The permitted limit for E. Coli is concentration 30-day geometric avg., less than or equal to 130 MPN/100 mL. The facility reported the following: concentration 30-day geometric avg. 135 MPN/100 mL for August 2019.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

2 Violation Description for Subject Item AIOO0000000455():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for Total Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is loading monthly avg., less than or equal to .67 lbs/day. The facility reported the following: loading monthly avg. .895 lbs/day for August 2019.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

3 Violation Description for Subject Item AIOO0000000455():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for Total Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is concentration monthly avg., less than or equal to 4 mg/L. The facility reported the following: concentration monthly avg. 4.1 mg/L for September 2019.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

4 Violation Description for Subject Item AIOO0000000455():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for E. Coli. The permitted limit for E. Coli is concentration 30-day geometric avg., less than or equal to 130 MPN/100 mL. The facility reported the following: concentration 30-day geometric avg. 148 MPN/100 mL for October 2019.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [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:

1 Market Troop

Department for Environmental Protection
Division of Enforcement
300 Sower Blvd
Frankfort, KY 40601
502-782-6859 (8:00 AM – 4:30 PM)

Issued By:

Michael B. Kroeger, Director Date: December 19, 2019

Great Oaks WWTP Josiah Cox 500 Northwest Plaza Dr Ste 500

Saint Ann, MO 63074

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

#### NOTICE OF VIOLATION

**To:** Great Oaks WWTP Josiah Cox 500 Northwest Plaza Dr Ste 500

Saint Ann, MO 63074

AI Name: Great Oaks WWTP AI ID: 3041 Activity ID: ENV20190007

**County:** McCracken **Enforcement Case ID:** 

**Date(s) Violation(s) Observed:** 12/04/2019

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

1 Violation Description for Subject Item AIOO0000003041():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0080845, monitoring point 001-1, for Total Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is loading 30-day avg., less than or equal to 2.34 lbs/day; and loading weekly avg., less than or equal to 3.5 lbs/day; and concentration 30-day avg., less than or equal to 4 mg/L; and concentration weekly avg., less than or equal to 6 mg/L. The facility reported the following: loading 30-day avg. 6.61; and loading weekly avg. 6.61; and concentration 30-day avg. 26.5; and concentration weekly avg. 26.5 for August 2019.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

2 Violation Description for Subject Item AIOO0000003041():

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, Section 2(1), by failing to comply with the terms and conditions of KPDES Permit No. KY0080845, monitoring point 001-1, for Dissolved Oxygen. The permitted limit for Dissolved Oxygen is concentration instantaneous min., greater than or equal to 7 mg/L. The facility reported the following: concentration instantaneous min. 6.6 for August 2019.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

#### **3** Violation Description for Subject Item AIOO0000003041():

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), which cites to 401 KAR 5:065, Section 2(1), by failing to comply with the monitoring and reporting requirements specified in KPDES Permit No. KY0080845, during the July 2019 monitoring period, for the following monitoring point(s): 001-1.

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

The permittee shall comply with the terms and conditions of the KPDES Permit. [KRS 224.70-110]

#### AI: Great Oaks WWTP -- 3041

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 Sower Blvd Frankfort, KY 40601 502-782-6859 (8:00 AM – 4:30 PM)

Issued By:

Michael B. Kroeger, Director Date: December 19, 2019

#### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the	Matter	of:
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ELECTRONIC JOINT APPLICATION OF	)	
BLUEGRASS WATER UTILITY OPERATING	)	
COMPANY, LLC AND THE ELECTRIC PLANT	)	
BOARD OF MAYFIELD, KENTUCKY FOR	)	CASE NO.
APPROVAL OF ACQUISITION AND TRANSFER	)	2022-00218
OF OWNERSHIP AND CONTROL OF	)	
WASTEWATER FACILITIES SERVING	)	
RANDVIEW ESTATES SUBDIVISION IN GRAVES	)	
COUNTY, KENTUCKY	)	

#### ORDER

On February 15, 2023, a joint application to transfer the ownership and control of the Randview wastewater system (Randview System) from current owner Bluegrass Water Utility Operating Company, LLC (Bluegrass Water) to the Electric Plant Board of Mayfield d/b/a Mayfield Electric and Water Systems (Mayfield) (jointly, Joint Applicants) was deemed filed.<sup>1</sup>

There are no intervenors in this proceeding. Mayfield responded to one round of data requests. No data requests were issued to Bluegrass Water. On April 13, 2023, Joint Applicants filed a request that this case be submitted for a decision on the written record. This matter now stands submitted for a decision based upon the written record.

Page 1777 of 2110

<sup>&</sup>lt;sup>1</sup> Joint Applicants tendered an application on February 14, 2023, which was rejected for filing due to filing deficiencies. Joint Applicants subsequently cured the filing deficiencies, and the application was deemed filed on February 15, 2023.

#### **LEGAL STANDARD**

The application was filed pursuant to KRS 278.020(6), KRS 278.020(7), and KRS 278.020(10).

KRS 278.020(6) requires Commission approval prior to the acquisition of a utility subject to the Commission's jurisdiction. KRS 278.020(6) provides that the Commission shall approve an acquisition if the person acquiring the utility has the financial, technical, and managerial abilities to provide reasonable service.

KRS 278.020(7) requires Commission approval prior to an acquirer obtaining direct or indirect control of a utility subject to the Commission's jurisdiction. KRS 278.020(7) provides that the Commission shall approve the acquisition if the transaction is made in accordance with law, for a proper purpose, and is consistent with the public interest. KRS 278.020(7) also provides that the Commission must adjudicate an application for approval of an acquisition within 60 days of the date that the application was filed. KRS 278.020(7) further provides that the Commission can continue its review of the application for longer than 60 days upon a showing of good cause.

KRS 278.020(10) provides that the acquisition of a wastewater system cannot be approved unless, in addition to the findings in KRS 278.020(6) and KRS 278.020(7), the Commission finds that the entity acquiring the jurisdictional utility provided evidence of financial integrity to ensure the continuity of sewage service if the acquirer cannot continue to provide service.

#### **PARTIES**

Bluegrass Water, a limited liability company, is a utility subject to the Commission's jurisdiction. Bluegrass Water provides water and wastewater service to approximately

3,573 customers located in Bullitt, Franklin, Garrard, Graves, Hardin, Jessamine, Campbell, Madison, Marshall, McCracken, Oldham, Scott, and Shelby counties, Kentucky, as well as a water utility in Calloway County. The Randview System is located in Graves County, Kentucky. Because it was designed to serve a residential neighborhood, all of its customers are residential customers.<sup>2</sup> Bluegrass Water acquired the Randview System from Randview Septic Corporation in 2020.<sup>3</sup> Bluegrass Water's parent entity shareholder approved the acquisition proposed in this proceeding on January 19, 2023.<sup>4</sup>

Mayfield is a municipal electric, water, and wastewater system that serves customers in Graves County, Kentucky. Relevant here, Mayfield has provided wastewater collection and treatment service since 1953. Currently, Mayfield serves approximately 4,600 wastewater system customers and owns three package treatment plants and collection systems, and one independent system that serves a limited area. Mayfield's wastewater system is located adjacent to the Randview System. Aside from the authority over this transaction under KRS 278.020(6), (7), and (10), the Commission's jurisdiction over Mayfield is limited to the regulation of rates and service arising out of a

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<sup>&</sup>lt;sup>2</sup> Case No. 2022-00432, *Electronic Application of Bluegrass Water Utility Operating Company, LLC for an Adjustment of Sewage Rates* (filed Feb. 27, 2023), Application, Exhibit 11 (Direct Testimony of Timothy L. Lyons), Exhibit 4,

<sup>&</sup>lt;sup>3</sup> Case No. 2020-00028, Electronic Proposed Acquisition by Bluegrass Water Utility Operating Company, LLC of Wastewater System Facilities and Subsequent Tariffed Service to Users Presently Served by Those Facilities (Ky. PSC June 19, 2020), Order at 22.

<sup>&</sup>lt;sup>4</sup> Application, Exhibit D, Consent Action of the Shareholder of Bluegrass Water Utility Holding Company, LLC.

<sup>&</sup>lt;sup>5</sup> Application, Exhibit F, 2021 Financial Audit (2021 Audit) at 4 of 52.

contract, franchise, or agreement between a jurisdictional utility and a city.<sup>6</sup> Mayfield's board approved the proposed transaction on November 23, 2022. Six of Mayfield's 44 employees operate and maintain Mayfield's wastewater system.

#### TRANSACTION OVERVIEW

As background, Mayfield maintained that Randview System customers approached Mayfield requesting that Mayfield purchase the Randview System from Bluegrass Water.8

Joint Applicants proposed to sell all assets and control of the Randview System to Mayfield for \$100,000.9 The Randview System is a lagoon system with two lift stations and was designed to serve a residential neighborhood.<sup>10</sup> Currently, the Randview System does not interconnect with any other Bluegrass Water system or with Mayfield. 11 Mayfield stated that it will integrate Randview System customers into the Mayfield wastewater system and close the lagoon system. Mayfield explained that the lagoon system would be closed once Mayfield raised the capital to integrate Randview System customers into

-4-

<sup>6</sup> Pursuant to KRS 278.200, the Commission has authority over rates and service fixed by contract, franchise, or agreement between a jurisdictional utility and any city. Because Mayfield is a municipal wastewater system, if approved, the Commission will not have authority to regulate Mayfield wastewater rates once the transaction closes.

<sup>&</sup>lt;sup>7</sup> Application, Exhibit E, Resolution N1232022A, Resolution of the Mayfield Electric Plant Board, City of Mayfield, Kentucky Authorizing the Purchase of the Randview Subdivision Sewer System from Bluegrass Water Utility Operating Company, LLC (Mayfield Resolution).

<sup>8</sup> Mayfield's Response to Commission Staff's First Request for Information (Staff's First Request) (filed Mar. 28, 2023), Item 2.

<sup>&</sup>lt;sup>9</sup> Mayfield Resolution at 1 of 2.

<sup>&</sup>lt;sup>10</sup> Application, Exhibit C, Randview Map. Lagoon wastewater systems are lined ponds or basis that receive, hold, and treat wastewater.

<sup>&</sup>lt;sup>11</sup> Application at 13.

Mayfield's system. 12 Mayfield asserted that, until the lagoon system is closed, Randview System customers will continue to receive wastewater service from the current facilities.

Joint Applicants asserted that Mayfield would provide wastewater service at a

lower rate than Randview System customers are paying under Bluegrass Water.

Bluegrass Water provides wastewater service to Randview System customers at a flat

rate of \$85.97 per month per connection. Mayfield stated that it would provide wastewater

service for a flat rate of \$55 per month per connection. Mayfield further stated that \$20

of the \$55 flat monthly rate would be placed into a separate account to be used for

construction of improvements to the Randview System. Mayfield explained that it

contracted with a consultant to conduct a rate study to determine if a rate increase was

necessary for all sewer customers, emphasizing that, if found to be necessary, a rate

increase would not be the direct result of the acquisition of the Randview System.<sup>14</sup>

Mayfield maintained that, because of its staffing level, Mayfield will not need to hire

additional employees to operate the Randview System as a result of the proposed

transaction. 15 Joint Applicants asserted that there would not be any changes to

customers' bills other than the name of the service provider. 16

Mayfield explained that the Graves County Fiscal Court provided Mayfield with

\$75,000 to conduct a thorough test of the Randview System, map the Randview System,

-5-

<sup>12</sup> Mayfield's Response to Staff's First Request, Item 2.

<sup>13</sup> Mayfield's Response to Staff's First Request, Item 2.

<sup>14</sup> Mayfield's Response to Staff's First Request, Item 2.

<sup>15</sup> Mayfield's Response to Staff's First Request, Item 3.

<sup>16</sup> Application at 11.

Case No. 2022-00218

and, if any repairs were necessary, to make repairs to the Randview System. 17 The \$75,000 is in addition to the \$20 portion of the flat monthly rate that is earmarked for infrastructure improvement.<sup>18</sup> Mayfield explained that it will install a supervisory control and data acquisition (SCADA) system to monitor the Randview System lift station and lagoon 24 hours per day, seven days per week.<sup>19</sup> Mayfield further explained that the SCADA system protects wastewater system pumps and prevents sewer backups.<sup>20</sup> Mayfield stated that a SCADA system is in place at all its pump stations.<sup>21</sup> Mayfield asserted that the Randview System is not subject to any regulatory agency corrective action plan or agreed order.<sup>22</sup>

Approval of the proposed transaction by the Commission and Kentucky Pollutant Discharge Elimination System (KPDES) is one of the conditions precedent for closing the Mayfield explained that, because the Randview System is a nontransaction.<sup>23</sup> discharging system, it is not regulated by the Kentucky Division of Water (DOW).<sup>24</sup>

Joint Applicants argued that Mayfield has the financial, technical, and managerial ability to provide reasonable service if the transaction is approved. Joint Applicants submitted Mayfield's most recent financial audit (2021 Audit) as evidence of Mayfield's

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<sup>&</sup>lt;sup>17</sup> Mayfield's Response to Staff's First Request, Item 2.

<sup>&</sup>lt;sup>18</sup> Mayfield's Response to Staff's First Request, Item 2.

<sup>&</sup>lt;sup>19</sup> Mayfield's Response to Staff's First Request, Item 3.

<sup>&</sup>lt;sup>20</sup> Mayfield's Response to Staff's First Request, Item 3.

<sup>&</sup>lt;sup>21</sup> Mayfield's Response to Staff's First Request, Item 3.

<sup>&</sup>lt;sup>22</sup> Mayfield's Response to Staff's First Request, Item 2.

<sup>&</sup>lt;sup>23</sup> Application, Exhibit A at 3 of 17.

<sup>&</sup>lt;sup>24</sup> Mayfield Response to Staff's First Request, Item 2.

financial ability to provide reasonable service. Mayfield had \$2,290,481 total operating revenue and \$2,299,302 in operating expenses for the year ended June 30, 2021, reflecting a net loss of (\$16,624).<sup>25</sup> This compares to a net loss of (\$113,505) for the year ended June 30, 2020.<sup>26</sup> As the auditor noted, the COVID pandemic could have had an adverse impact on Mayfield's financial position.<sup>27</sup> Mayfield's total net position for the sewer system was \$4,741,040 for the year ended June 30, 2021.<sup>28</sup> Mayfield maintained that recent capital improvement projects allow more waste to be treated at one facility, which is expected to increase Mayfield's revenue.<sup>29</sup> Mayfield has \$7,981,453 net plant in service and \$7,500,000 net accumulated depreciation. <sup>30</sup> Mayfield's only long-term debt is a 20-year loan from Kentucky Infrastructure Authority that, as of June 30, 2021, had a balance of \$212,480, with an interest rate of 0.25 percent, due semi-annually.31

Regarding Mayfield's technical ability to provide reasonable service, Joint Applicants pointed to Mayfield's experience owning and operating three package treatment plant and collection systems, and one independent system that serves a limited Mayfield noted that six employees operate the system, which serves area.32 approximately 4,600 wastewater system customers. Mayfield explained that it has a

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<sup>25</sup> Application, Exhibit F, 2021 Audit at 6 of 52.

<sup>&</sup>lt;sup>26</sup> Application, Exhibit F, 2021 Audit at 6 of 52.

<sup>&</sup>lt;sup>27</sup> Application, Exhibit F, 2021 Audit at 33 of 52.

<sup>&</sup>lt;sup>28</sup> Application, Exhibit F, 2021 Audit at 12 of 52.

<sup>&</sup>lt;sup>29</sup> Application, Exhibit F, 2021 Audit at 6 of 52.

<sup>&</sup>lt;sup>30</sup> Application, Exhibit F, 2021 Audit at 13 of 52.

<sup>&</sup>lt;sup>31</sup> Application, Exhibit F, 2021 Audit at 21 of 52.

<sup>&</sup>lt;sup>32</sup> Application, Exhibit F, 2021 Audit at 6 of 52.

corrective action plan with DOW, but that the issues arose as a result of damage to the system resulting primarily from a tornado in December 2021.<sup>33</sup> Mayfield explained that the majority of the violations addressed in the corrective action plan have been resolved.<sup>34</sup> As noted above, Mayfield recently completed capital improvement projects that included

Regarding Mayfield's managerial ability to provide reasonable service, Joint Applicants pointed to Mayfield's 70 years of providing wastewater service. In addition to the reasons set forth above to support Mayfield's technical ability, Joint Applicants asserted that Mayfield's workforce is qualified to provide wastewater service.

Joint Applicants further argued that the proposed transaction is in accordance with law, for a proper purpose, and consistent with the public interest. Joint Applicants asserted that the transaction is in accordance with law because the transaction will not occur without prior approval from the Commission and the proposed transaction has been approved by Bluegrass Water's sole member and Mayfield's governing board. Joint Applicants maintained that the transaction is for a proper purpose because Mayfield can provide reasonable, effective and efficient wastewater service to existing and future customers at lower operational costs, as supported by the rate decrease that would occur as a result of the transaction. Joint Applicants contended that the transaction is in the public interest because Randview System customers will receive the same or improved

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<sup>33</sup> Mayfield's Response to Staff's First Request, Item 4.

installation of new aeration.<sup>35</sup>

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<sup>&</sup>lt;sup>34</sup> Mayfield's Response to Staff's First Request, Item 4.

<sup>&</sup>lt;sup>35</sup> Application, Exhibit F, 2021 Audit at 6 of 52.

<sup>&</sup>lt;sup>36</sup> Application at 33–34. See also Application, Exhibits D and E.

<sup>&</sup>lt;sup>37</sup> Application at 36–37.

service by an entity with 70 years of experience owning and operating a wastewater system, and that the service would be provided at a lower cost to customers.<sup>38</sup> Further, Randview System customers requested that Mayfield acquire the Randview System.

Finally, Joint Applicants argued that, pursuant to KRS 278.020(10), Mayfield has the financial integrity to ensure continuity of wastewater service for the reasons set forth above.

#### DISCUSSION AND FINDINGS

Based upon the case record and being otherwise sufficiently advised, the Commission finds that, for reasons set forth below, Joint Applicants provided evidence that Mayfield has the financial, technical, and managerial ability to provide reasonable service; that the proposed transaction is in accordance with law, for a proper purpose, and in the public interest; and Mayfield has the financial integrity to ensure continuity of wastewater service to Randview System customer. Based upon the determination that the standards set forth in KRS 278.020(6), (7), and (10) are met, the Commission finds that the acquisition of the Randview System by Mayfield from Bluegrass Water should be approved.

A finding of financial ability to provide reasonable service rests on evidence of financial strength, which can be demonstrated in by several measures. Here, Joint Applicants provided sufficient evidence that Mayfield has the financial ability to provide reasonable service. Although Mayfield operated at a net loss according to its most recent audit, there was a significant decrease from the net loss that occurred in the calendar year ended June 30, 2020, which reflects an improved financial position. Further, as the

<sup>38</sup> Application at 36–38.

auditor noted, there was an adverse financial impact that resulted from the COVID pandemic. Mayfield's financial position is such that rates will decrease for Randview

System customers and the acquisition will not directly result in higher rates for existing

Mayfield customers. Graves County Fiscal Court provided \$75,000 for the express

purpose of reviewing and, if necessary, repairing the Randview System. Additionally,

Mayfield is planning for and funding future infrastructure improvements by earmarking

\$20 of the \$55 flat monthly rate.

Joint Applicants also provided evidence of Mayfield's technical ability to provide reasonable service. Mayfield has provided wastewater service for 70 years and owns and operates wastewater treatment and collection systems. Those systems are operated and maintained by six employees directly responsible for the wastewater system. While the agreed order with DOW is concerning, that concern is balanced by the fact that the violations arose of a tornado that caused extensive damage to utilities throughout

Joint Applicants provided evidence of Mayfield's managerial ability to provide reasonable service. Not only has Mayfield owned and operated a wastewater system for 70 years, but Mayfield's wastewater system is also significantly larger and more complex. Mayfield serves a larger number of customers than the Randview System, which serves a residential neighborhood. Joint Applicants provided evidence that customers will benefit from the proposed transaction with lower rates and infrastructure improvements.

Western Kentucky, and by the fact that the majority of the violations have been resolved.

Joint Applicants provided evidence that the proposed transaction is in accordance with law because both parties have executed the required approvals from Bluegrass Water's sole member and Mayfield's governing board, and the proposed transaction is

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contractually conditioned upon Commission approval. Joint Applicants also provided

evidence that the proposed transaction is for a proper purpose of providing adequate,

efficient and reasonable, consistent with KRS 278.030, and customers will ultimately be

provided improved service considering the proposed improvements, such as the SCADA

installation, at lower rates. For similar reasons, Joint Applicants provided evidence that

the proposed transaction is in the public interest given the customer benefit of lower rates

and improved service, especially once the lagoon system is closed. The transaction also

furthers the Commonwealth's public policy that "it is necessary to encourage

regionalization, consolidation, and partnerships among governmental agencies, and

private parties when appropriate, with the goal of making potable water and wastewater

treatment available to all Kentuckians through the maximization of financial resources and

the conservation of natural resources of the Commonwealth."<sup>39</sup>

Finally, Joint Applicants provided sufficient evidence that Mayfield has financial

integrity to ensure the continuity of sewer service if it cannot continue to provide service,

for the reasons set forth above.

IT IS THEREFORE ORDERED that:

Joint Applicants' request for approval of the transfer as set forth in the joint 1.

application is granted.

2. Within ten days of the completion of the approved transfer, Joint Applicants

shall file written notice setting forth the date that the acquisition was completed.

Any document filed pursuant to ordering paragraph 2 shall reference this 3.

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case number and shall be filed in the post-case correspondence file.

<sup>39</sup> KRS 224A.300(1).

Case No. 2022-00218

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This case is closed and removed from the Commission's docket.

4.

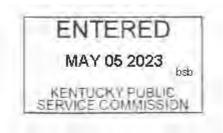
Page 1788 of 2110

PUBLIC SERVICE COMMISSION

Chairman

Vice Charman

Commissioner



ATTEST:

Executive Director

\*Alexander D. Blackwell Denton Law Firm, PLLC 555 Jefferson Street, Suite 301 P.O. Box 0969 Paducah, KENTUCKY 42002 \*Russ Mitten Central States Water Resources 1650 Des Peres Road Suite 303 St. Louis, MISSOURI 63131

\*Aaron Silas Central States Water Resources 1650 Des Peres Road Suite 303 St. Louis, MISSOURI 63131 \*Edward T Depp Dinsmore & Shohl, LLP 101 South Fifth Street Suite 2500 Louisville, KENTUCKY 40202

\*David Giesel Dinsmore & Shohl, LLP 101 South Fifth Street Suite 2500 Louisville, KENTUCKY 40202

\*Dave Woodsmall Central States Water Resources 1650 Des Peres Road Suite 303 St. Louis, MISSOURI 63131

\*Honorable John E Selent Attorney at Law Dinsmore & Shohl, LLP 101 South Fifth Street Suite 2500 Louisville, KENTUCKY 40202

\*Honorable Kerry E Ingle Attorney at Law Dinsmore & Shohl, LLP 1400 PNC Plaza 500 West Jefferson Street Louisville, KENTUCKY 40202

\*Bluegrass Water Utility Operating Company, LLC 1630 Des Peres Road, Suite 140 St. Louis, MO 63131 Andy Beshear Governor

Rebecca W. Goodman Secretary Energy and Environment Cabinet



Kent A. Chandler Chairman

Commonwealth of Kentucky

Public Service Commission
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P.O. Box 615

Frankfort, Kentucky 40602-0615

Telephone: (502) 564-3940
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psc.ky.gov

June 1, 2022

Josiah Cox CEO Central States Water Resources 1630 Des Peres Road, Suite 140 Des Peres, MO 63131

Re: Periodic Wastewater Inspection

Bluegrass Water Utility Operating Company, LLC - Arcadia Pines Wastewater System

McCracken County, KY

Dear Mr. Cox:

Public Service Commission staff performed a periodic inspection of the Bluegrass Water Utility Operating Company, LLC – Arcadia Pines wastewater system located in McCracken County, KY on April 26, 2022, reviewing utility operations and management practices pursuant to Commission regulations. The report of this inspection is enclosed with this letter.

Based on the inspector's observations, no deficiencies were identified.

Please review the enclosed inspection report in its entirety as you will find further information noted about the inspection. If you have any questions regarding this inspection, feel free to contact me at 502-330-5986 or via email at <a href="mailto:Brian.Rice@ky.gov">Brian.Rice@ky.gov</a>.

Sincerely,

Bin J. Rich

Brian L. Rice Utility Inspector

**Public Service Commission** 

Enclosure(s)

Copy: Jake Freeman, Director of Engineering, Central States Water Resources

Terry Merritt, VP of Midwest Water Operations

1351 Jefferson Street, Suite 301

Washington, MO 63090



#### **Periodic Compliance Inspection**

Utility: Bluegrass Water Utility Operating Company, LLC. - Arcadia Pines WWTP

Utility's Principal office location: 1630 Des Peres Rd, Suite 140 Des Peres MO 63131

Wastewater Treatment Facility Location: Paducah, KY

Utility representative during inspection: Jake Freeman, PE - Director of Engineering and Arthur

Faiello - East Coast Regional Manager

Counties Served: McCracken

**Customers:** Approximately 25

Inspector: Brian L. Rice

Date(s) of inspection: April 26, 2022

Last Inspection Date: April 21, 2021 and August 13, 2021

Deficiencies noted during the last Inspection: N/A

Have deficiencies been corrected since last inspection?

Yes ☐ No ☐ N/A ☒

If no, provide a response as to why these deficiencies have not been addressed.

#### Person(s) who should receive this inspection report:

Josiah Cox Central States Water Resources, CEO 1630 Des Peres Road, Suite 140 Des Peres, MO 63131 jcox@cswrgroup.com 314.736.4672 Terry Merritt
Midwest Water Operations, VP
1351 Jefferson Street, Suite 301
Washington, MO 63090
tmerritt@midwestwaterop.com
636.432.3001

#### **Periodic Compliance Inspection**

The date after which a penalty may apply to the gro			
	Yes 🛚	No 🗌	N/A 🔙
If the bill is estimated or calculated:	Yes 🔀	No 🗌	N/A 🗌
Is the rate schedule under which the bill is compu	ited posted o	n the utility	's Web site (if it
maintains a Web site)?	Yes 🛚	No 🗌	N/A 🗌
Also furnished by one (1) of the following methods	, by:		
Printing it on the bill:	Yes	No 🖂	N/A
Publishing it in a newspaper of general circulation	once each ye	ar:	<del></del>
	Yes 🗍	No 🖂	N/A
Mailing it to each customer once each year; or:			_
	Yes 🗀	No 🖂	N/A 🗌
Provide a place on each bill for a customer to indi			_
the applicable rates:	Yes 🖂	No 🗆	N/A
the applicable rates.			
Does the utility maintain the information required by	thic cubeactic	n and ic it	available to the
commission and any customer requesting this information		ni, and is it	available to the
commission and any customer requesting this informa	Yes 🖂	No 🗆	N/A 🗀
Saction 9 Dancoitos	res 🖂	ИО	N/A 🔛
Section 8. Deposits:			
Is the utility requiring a minimum cash deposit or oth	her guarantee	from custo	omers to secure
payment of bills?	Yes $\square$	No 🏻	N/A 🗍
paymont of one.	.00		1071
Section 10: Customer Complaints to the Utility			
Upon complaint to a utility by a customer at the utility	's office, by te	elephone or	in writing, does
the utility make a prompt and complete investigation	and advise t	he custome	er of the utility's
findings?	Yes 🖂	No 🗌	N/A
<u> </u>			
Note: Bluegrass Water does not have an office located in	n Kentucky. A	ll customer d	complaints will be
made via telephone.			
Does the utility keep a record of all written complaints	concerning t	ho utility's s	sanvica?
boes the utility keep a record of all written complaints	Yes 🖂	No 🗌	N/A 🔲
Does the record include the following?	169	МО	
The customer's name and address:	Yes 🏻	No 🗆	N/A
	_		
The date and nature of the complaint:	Yes ⊠	No 🗌	N/A
The disposition of the complaint:	Yes 🛚	No 🗌	N/A

#### **Periodic Compliance Inspection**

than seven (7) hours per day, one (1) days per week?	Yes ⊠	No 🗌	N/A 🗌
Does the utility provide the following?  Maintain a telephone:  Publish the telephone number in all service areas:	Yes ⊠	No 🗌	N/A 🗌
•	Yes ⊠	No 🗌	N/A
Permit all customers to contact the utility's designa	Yes 🖂	No 🗌	narge: N/A □
Does the utility prominently display in each office open shall post on its Web site, if it maintains a Web site) as commission, of the customer's rights pursuant to administrative regulation?	summary, pre	pared and pr	ovided by the
<b>Note:</b> Bluegrass Water does not have an office located in the necessary information for customers.	Kentucky but o	loes maintain	a website with
Section 20: Access to Property:			
Do employees of the utility (whose duties require them a distinguishing uniform or other insignia, identifying show a badge or other identification that shall identify to Note: Bluegrass Water does not have any employees.	them as an e	mployee of t	he utility, and
Section 23: System Maps and Records:			
Does the utility have on file at its principal office local request with the commission a map or maps of suitable or holds itself ready to serve?			•
<b>Note:</b> Bluegrass Water does not have an office located in system maps are available on Central States Water resolutional resolution of the contract of the co	•	· ·	•
Bluegrass Water Utility Operating Company, LLC – Arcadia Pines WWTP		Page	5

#### **Periodic Compliance Inspection**

Instruct employees in safe methods of performing	their wo		No 🗌	N/A ⊠
Note: Bluegrass Water has no employees Instruct employees who, in the course of their wor shock, asphyxiation, or drowning, in accepted met	•	_		
Note: Bluegrass Water has no employees				
Section 26: Inspection of Systems:				
(1) A utility shall adopt inspection procedures to assutility's facilities and compliance with KRS Chapter 2 these procedures with the commission for review.				
(2) Upon receipt of a report of a potentially hazardou shall inspect all portions of the system that are the su			-	ity, the utility
(3) Appropriate records shall be kept by a utility to id time of inspection, the person conducting the inspect to correct the deficiencies.	-	-		
Has the utility adopted inspection procedures to assutility's facilities and compliance with KRS Chapter 27				eration of the
	Yes	$\boxtimes$	No 🗌	N/A 🗌
Have these inspection procedures been filed with the	commis	ssion fo	r review?	
	Yes	$\boxtimes$	No 🗌	N/A 🗌
Upon receipt of a report of a potentially hazardous condition at a utility facility, does the utility inspect all portions of the system that are the subject of the report?				
	Yes	$\boxtimes$	No 🗌	N/A
Are appropriate records kept by a utility to identify the inspection, the person conducting the inspection, correct the deficiencies?	-			

Bluegrass Water Utility Operating Company, LLC - Arcadia Pines WWTP

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**Periodic Compliance Inspection** 

Section 28: Deviations from Administrative Regulation:			
In special cases, for good cause shown, the commission administrative regulation.	n shall permi	t deviations	from this
Has the utility been permitted by the commission to devergulations?	viate from the Yes 🗌	se administr No ⊠	ative N/A □
If so, provide the case no.			
807 KAR 5:011 (Tarif	ifs)		
Section 12: Posting tariffs, Administrative Regulations,	and Statutes		
Does the utility display a suitable placard, in large typestatutes are available for public inspection?	e, that states Yes ⊡	that the utili	ity's tariff and N/A
<b>Note:</b> Bluegrass Water does not have an office in Kentuavailable on Central States Water Resources website.	cky; however,	the tariffs ar	nd statutes are
Does the utility provide a suitable table or desk in its opublic may view all effective tariffs?	office or place Yes 🏻	of business	on which the N/A
Note: Bluegrass Water does not have an office in Kentucky	<b>'</b> .		
Section 13: Special Contracts			
Does the utility have any special contracts that establish not contained in its tariff?	ո rates, charg	es, or conditi	ons of service
	Yes 🗌	No 🖂	N/A
If yes, has the utility filed the special contracts with the	PSC? Yes □	No 🗌	N/A ⊠

Periodic Compliance Inspection				
Is the utility in compliance with the Division of Water?	Yes	No 🗌	N/A ⊠	
Note: No discharge permit. This system is not under the jur	risdiction of Di	vision of Wate	er,	
Is the utility making every reasonable effort to elimin ground water, or any corrosive or toxic industrial liquid	-	_		
	Yes 🖂	No 🗌	N/A 🗌	
Section 6: Continuity of Service.				
(1) Emergency interruptions. Each utility shall make all reasonable efforts to prevent interruptions of service and when such interruptions occur shall endeavor to reestablish service with the shortest possible delay consistent with the safety of its customers and the general public.				
(2) Scheduled interruptions. Whenever any utility finds i of its service, it shall notify all customers to be affected anticipated duration of the interruption. Whenever posmade at such hours as will provide least inconvenience	by the interr sible, sched	uption statin uled interrup	g the time and	
(3) Record of interruptions. Each utility shall keep a complete record of all interruptions on its system. This record shall show the cause of interruption, date, time, duration, remedy, and steps taken to prevent recurrence.				
Is the utility making all reasonable efforts to prevent interruptions of service and when such interruptions occur shall endeavor to reestablish service with the shortest possible delay consistent with the safety of its customers and the general public?				
	Yes ⊠	No 🗌	N/A	
If the utility schedules an interruption of service are all the interruption?  Does the utility make all reasonable efforts to schedule provide least inconvenience to the customers?	Yes 🛚	No 🗌	N/A 🗌	

#### Periodic Compliance Inspection

Is the utility operating and maintaining their facilit engineering practice to assure, as far as reasonably po in the quality of service furnished, and the safety of per	ssible, cont	inuity of ser	
	Yes 🖂	No 🗌	N/A 🗌
Is the utility adhering to their inspection procedures to its facilities and compliance with the Commission rules		and adequa	ate operation of
	Yes 🛚	No 🗌	N/A 🗌
Unless otherwise authorized in writing by the comminspections of their collecting sewers and manholes of exceed one (1) year, unless conditions warrant more from	n a schedul	ed basis at	
	Yes 🛚	No 🗌	N/A 🗌
Does the utility inspect all mechanical equipment on a	daily basis?		
	Yes 🛚	No 🗌	N/A 🗌
Does the utility maintain a record of findings and correlocation and date?	ective action Yes 🖂	s required, a No ⊡	and/or taken, by N/A ⊡
Bluegrass Water Utility Operating Company, LLC – Arcadia Pines WWTP		Pac	ne 13

#### **Periodic Compliance Inspection**

Comment: During this periodic regulatory compliance inspection, it was not possible to review/discuss every record relating to all Commission requirements. Therefore, in some instances the results contained in this report are indicative of those items inspected and reviewed on a sample basis.

**Date:** May 25, 2022

Report by:

Brian L. Rice Utility Inspector

Bin J. Rin

**Kentucky Public Service Commission** 

Andy Beshear Governor

Rebecca W. Goodman Secretary Energy and Environment Cabinet



Commonwealth of Kentucky

Public Service Commission
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Frankfort, Kentucky 40602-0615

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Kent A. Chandler Chairman

Mary Pat Regan Commissioner

August 2, 2022

Josiah Cox CEO Central States Water Resources 1630 Des Peres Road, Suite 140 Des Peres, MO 63131

Re: Periodic Wastewater Inspection

Bluegrass Water Utility Operating Company, LLC - Brocklyn Wastewater System

Madison County, KY

Dear Mr. Cox:

Public Service Commission staff performed a periodic inspection of the Bluegrass Water Utility Operating Company, LLC – Brocklyn wastewater system located in Madison County, KY on April 28, 2022, reviewing utility operations and management practices pursuant to Commission regulations. The report of this inspection is enclosed with this letter.

Based on the inspector's observations, no deficiencies were identified.

Please review the enclosed inspection report in its entirety as you will find further information noted about the inspection. If you have any questions regarding this inspection, feel free to contact me at 502-330-5986 or via email at Brian.Rice@ky.gov.

Sincerely, Bin J. Rian

Brian L. Rice Utility Inspector

**Public Service Commission** 

Enclosure(s)

Copy: Aaron Silas, Regulatory Case Manager, Central States Water Resources Jake Freeman, Director of Engineering, Central States Water Resources

Terry Merritt, VP of Midwest Water Operations

1351 Jefferson Street, Suite 301

Washington, MO 63090

