
Comment: The facility is under the charge of Mr. William McLain, active Class III, license #64427.

Requirement: Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]

Compliance Status: N-Not Applicable

Comment: Not applicable.

Requirement: Does the permittee retain records of all monitoring information including: the date, exact place, and time of sampling or measurements; the name of the individual who performed the sampling or measurements; the dates and times analyses were performed; the name of the individual who performed the analyses; the analytical techniques or methods used; the results of the analyses; all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation; copies of all reports required by this permit; and records of all data used to complete the application for this permit, for the period required by the cabinet and at a minimum of at least three (3) years from the date of the sample, measurement, report, or application? [401 KAR 5:065 Section 2(1)]

Compliance Status: E-Not Evaluated

Comment: Not evaluated.

Requirement: Is the facility required to prepare and implement a groundwater protection plan (GPP) as specified in regulation 401 KAR 5:037? If yes, does the facility have a GPP? [401 KAR 5:037 Section 3]

Compliance Status: E-Not Evaluated

Comment: Not evaluated.

Requirement: Is the permittee reporting monitoring results to the cabinet at the intervals specified in the permit? [401 KAR 5:065 Section 2(1)]

Compliance Status: C-No Violations observed

Comment: A review of the submitted Discharge Monitoring Reports revealed that the monitoring results are being submitted at the intervals specified in the issued KPDES Permit.

Requirement: Are the monitoring results reported to the cabinet on a Discharge Monitoring Report (DMR)? [401 KAR 5:065 Section 2(1)]

Compliance Status: C-No Violations observed

Comment: A review of the submitted Discharge Monitoring Reports revealed that the monitoring results are being submitted to the Division of Water on a Discharge Monitoring Report. The monitoring results are submitted utilizing the Net-DMR system.

Requirement: If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in the permit, are the results of this monitoring included in the calculation and reporting of the data submitted in the DMR? [401 KAR 5:065 Section 2(1)]

Compliance Status: C-No Violations observed

Comment: Permittee is aware of this requirement.

Requirement: Are the calculations for all limitations which require averaging of measurements utilizing an arithmetic mean unless otherwise specified by the Cabinet in the permit? [401 KAR 5:065 Section 2(1)]

Compliance Status: C-No Violations observed

Comment: Permittee is aware of this requirement.

Requirement: Is the permittee in compliance for the reporting of spills, bypasses, and non-compliance according 401 KAR 5:065 Section 2(1)

Compliance Status: C-No Violations observed

Comment: The facility is aware of the requirement to report all spills, accidents, bypasses, releases, etc. to the Cabinet by the most rapid means available. The 24-hour emergency reporting number is: (800) 928-2380.

Requirement: Did the facility notify the Division of Water by the most rapid means available whenever, by reason of emergency or accident, a spill or discharge occurs which results in pollution of the waters of the Commonwealth? [401 KAR 5:015 Section 2]

Compliance Status: C-No Violations observed

Comment: The facility is aware of the requirement to report all spills, accidents, bypasses, releases, etc. to the Cabinet by the most rapid means available. The 24-hour emergency reporting number is: (800) 928-2380.

Requirement: Is the facility being properly operated and maintained as specified in regulation 5:065? This includes: (a) proper operation

and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;

(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;

(c) this provision also requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. [401 KAR 5:065 Section 2(1)]

Compliance Status: C-No Violations observed

Comment: The facility was clean and operational at the time of the inspection. Aeration basin had a good roll and color. minimal odor detected. Clarifier and disinfection area were satisfactory. Effluent was clear and odorless and there was not any visual evidence of pollutants entering the waters of the Commonwealth.

Requirement: Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]

Compliance Status: C-No Violations observed

Comment: In compliance.

Requirement: Does the flow measuring device measure all flow received at the WWTP? For large wastewater facilities (average daily design capacity >50, 000 gpd), is flow measured by an indicating, recording, and totalizing flow measuring device? [401 KAR 5:005 Section 12]

Compliance Status: C-No Violations observed

Comment: Flow is measured by an appropriate method.

Requirement: Is a source of water provided for cleanup? If potable water is used, is a backflow preventor installed to protect the water supply? [401 KAR 5:005 Section 10(6)]

Compliance Status: C-No Violations observed

Comment: In compliance.

Requirement: Has fencing with a lockable gate been installed around the wastewater treatment plant? [401 KAR 5:005 Section 10(7)]

Compliance Status: C-No Violations observed

Comment: The facility is fenced and secure when plant personnel are not on site.

Requirement: Has an all-weather access road been installed to allow access to the wastewater treatment plant? Is the road adequately maintained to allow access to the facility for operation and maintenance activity? [401 KAR 5:005 Section 10(8)]

Compliance Status: C-No Violations observed

Comment: In compliance.

Requirement: Sewage sludge. Did the facility meet the requirements governing the disposal of sewage sludge from publicly owned treatment works, in accordance with 40 CFR Part 503? [401 KAR 5:065 Section 2(4)]

Compliance Status: N-Not Applicable

Comment: Not applicable. Facility is privately owned.

Requirement: Is the effluent in compliance with KPDES permit limitations? Do the Discharge Monitoring Reports indicate KPDES permit violations? [401 KAR 5:065 Section 2(1)]. [401 KAR 5:065 Section 2(1)]

Compliance Status: D-Out of Compliance-Violations Documented

Comment: The Division of Enforcement performs the Discharge Monitoring Report reviews and takes appropriate actions if necessary. Notices of Violations have been issued for parameter exceedences.

Requirement: Are samples taken in compliance with the monitoring requirements and taken at the following location(s): nearest accessible point after final treatment, but prior to actual discharge or mixing with receiving waters? Are the samples representative of plant flow? Are flow proportioned samples obtained when required by the KPDES permit? Are grab samples collected according to the KPDES permit requirements? Are composite samples collected and analyzed according to the KPDES permit conditions? Are samples collected according to KPDES permit requirements? [401 KAR 5:065 Section 2(1)]

Compliance Status: C-No Violations observed

Comment: Samples are obtained at the appropriate point. Flow proportioned sampling is not required. The division is not present when the samples are collected from the outfalls and assumes that the samples are collected using appropriate containers, preservative, refrigeration, that holding times are observed and analyses performed as per permit specifications. The facility utilizes Fouser Environmental Services to collect and analyze samples. The contracted lab maintains the sampling records. The facility is required to perform the following sampling and laboratory analysis: Grab sample once per quarter for pH, Dissolved Oxygen, total residual chlorine, and E.

Coliform. Composite samples once per quarter for Ammonia, Carbonaceous Biochemical Demand, total phosphorus, total nitrogen, and Total Suspended Solids; and flow by instantaneous measurement.

Requirement: Are the facility sample collection procedures adequate? Are the samples collected in proper containers, preserved, and refrigerated properly? Are all samples analyzed within the allowed holding times? [401 KAR 5:065 Section 2(1)]

Compliance Status: C-No Violations observed

Comment: The division is not present when the samples are collected from the outfalls and assumes that the samples are collected using appropriate containers, preservative, refrigeration, that holding times are observed and analyses performed as per permit specifications. The facility utilizes Fouser Environmental Services to collect and analyze samples. The contracted lab maintains the sampling records.

Requirement: Is the facility sampling in accordance with sampling requirements specified for biomonitoring in the KPDES permit conditions? [401 KAR 5:065 Section 2(1)]

Compliance Status: N-Not Applicable

Comment: The facility is not required to perform biomonitoring analysis.

Requirement: Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]

Compliance Status: C-No Violations observed

Comment: The effluent discharge area was observed during the inspection. The effluent was clear and odorless and there was not any visual evidence of pollutants entering the waters of the Commonwealth noted at the time of the inspection.

Requirement: Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]

Compliance Status: C-No Violations observed

Comment: The effluent discharge area was observed during the inspection. The effluent was clear and odorless and there was not any visual evidence of surface water degradation noted at the time of the inspection.

Requirement: Is the permittee in compliance with all permit conditions? [401 KAR 5:065 Section 2]

Compliance Status: C-No Violations observed

Comment: In compliance.

Documentation

- | | |
|--|--|
| <input type="checkbox"/> Photos taken | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility | <input type="checkbox"/> Samples taken by DEP |
| <input type="checkbox"/> Samples taken by outside source | <input type="checkbox"/> Regional office instrument readings taken |
| <input type="checkbox"/> Request for Submission of Documents | <input type="checkbox"/> Other documentation |

Inspector: Deborah Singleton

Deborah E. Singleton

Date: July 8, 2021

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

NOTICE OF VIOLATION

To: Persimmon Ridge Subd & WWTP
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: Persimmon Ridge Subd & WWTP **AI ID:** 3955 **Activity ID:** ENV20210001

County: Shelby

Enforcement Case ID:

Date(s) Violation(s) Observed: 05/10/2021

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

1 Violation Description for Subject Item AIOO0000003955():

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. KY0090956, monitoring point 002-1, for Total Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is concentration monthly avg., less than or equal to 5 mg/L; and concentration daily max., less than or equal to 7.5 mg/L. The facility reported the following: concentration monthly avg. 7.1 mg/L; and concentration daily max. 7.8 mg/L for January 2021.

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 AIOO0000003955():

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. 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. 10.08 lbs/day; and loading max. weekly avg. 11.56 lbs/day; and concentration monthly avg. 15.7 mg/L; and concentration daily max. 18 mg/L for February 2021.

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 AIOO0000003955():

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. 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. 13.26 lbs/day; and loading max. weekly avg. 13.91 lbs/day; and concentration monthly avg. 19.2 mg/L; and concentration daily max. 20.1 mg/L for March 2021.

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: Persimmon Ridge Subd & WWTP -- 3955

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, Assistant Director
Date: July 20, 2021

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

NOTICE OF VIOLATION

To: River Bluffs WWTP
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: River Bluffs WWTP **AI ID:** 3367 **Activity ID:** ENV20210002
County: Oldham
Enforcement Case ID:
Date(s) Violation(s) Observed: 05/10/2021

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 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. KY0043150, 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. 715 MPN/100 mL; and concentration 7-day geometric 715 MPN/100 mL for February 2021.

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 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. KY0043150, 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. 5579 MPN/100 mL; and concentration 7-day geometric 5579 MPN/100 mL for March 2021.

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: River Bluffs WWTP -- 3367

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, Assistant Director
Date: July 21, 2021



August 11, 2021

Mr. Roy Gray
Kentucky Public Service Commission
P.O. Box 615
Frankfort, KY 40602

RE: Response to First Periodic Wastewater Inspection
Bluegrass Water UOC – Fox Run Wastewater System (KY0086967)

Dear Mr. Gray,

Bluegrass Water UOC is sending you this letter in response to the report of periodic inspections of the Fox Run Wastewater System dated June 25, 2021.

The periodic inspection identified the following deficiencies:

1. The lift station located at the treatment plant (lift station #1) is a duplex type of lift station. At the time of the inspection, lift station #1 was operating one sump pump. There was no back up pump in place in case the primary pump failed. This is contrary to 807 KAR 5:071, Section 7(1).
2. Lift station #1 has no lid or covering for safety of personnel and protection from the elements. This is contrary to 807 KAR 5:071, Section 7(1).
3. Lift station #1 electrical controls for the sump pump were exposed to the elements. This is contrary to 807 KAR 5:071, Section 7(1).
4. The entrance gate to the treatment plant and some areas of the security fence around the plant need repaired as per 807 KAR 5:071, Section 7(1).

Response:

1. A back up sump pump has been installed at lift station #1.
2. As part of the capital improvement plan for the facility, modifications to the lift station are to be made, which include a new lid. The improvements are set to be completed by November. In the meantime, operations are utilizing a temporary cover to ensure safety of personnel.
3. As part of the capital improvement plan for the facility, modifications to the electrical controls are to be made to ensure protection from the elements. The improvements are set to be completed by November. In the meantime, operations have temporarily covered the controls.
4. As part of the capital improvement plan for the facility, modifications to the fence are to be made to ensure facility is secure and protected from unauthorized access. The improvements are set to be completed by November. In the meantime, operations have made temporary repairs to the fence.

Please let me know if you need any additional information to resolve the above noted deficiencies.

Sincerely,

Michael Dick II
Environmental Compliance Specialist

c: Midwest Water Operations, LLC

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

NOTICE OF VIOLATION

To: Fox Run WWTP
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: Fox Run WWTP **AI ID:** 1388 **Activity ID:** ENV20210002
County: Franklin
Enforcement Case ID:
Date(s) Violation(s) Observed: 09/01/2021

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

- 1 **Violation Description for Subject Item AIOO0000001388():**
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. KY0086967, 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. 50 mg/L; and concentration max. weekly avg. 50 mg/L for May 2021.

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 AIOO0000001388():**
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. KY0086967, 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. 14.4 mg/L; and concentration daily max. 14.4 mg/L for June 2021.

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: Fox Run WWTP -- 1388

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, Assistant Director
Date: September 23, 2021

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

NOTICE OF VIOLATION

To: Golden Acres WWTP
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: Golden Acres WWTP **AI ID:** 2935 **Activity ID:** ENV20210003
County: Marshall
Enforcement Case ID:
Date(s) Violation(s) Observed: 09/01/2021

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

1 Violation Description for Subject Item AIOO0000002935():

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. KY0044164, 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. .49 mg/L; and concentration daily max. .49 mg/L for June 2021.

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 AIOO0000002935():

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. KY0044164, monitoring point 001-2, 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. 5.1 mg/L for June 2021.

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 AIOO0000002935():

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. KY0044164, monitoring point 001-2, 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. 60000 MPN/100 mL; and concentration 7-day geometric 60000 MPN/100 mL for June 2021.

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: Golden Acres WWTP -- 2935

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, Assistant Director
Date: September 23, 2021

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

NOTICE OF VIOLATION

To: Great Oaks WWTP
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: Great Oaks WWTP **AI ID:** 3041 **Activity ID:** ENV20210003

County: McCracken

Enforcement Case ID:

Date(s) Violation(s) Observed: 09/01/2021

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 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 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. .07 mg/L; and concentration daily max. .07 mg/L for May 2021.

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 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. .25 mg/L; and concentration daily max. .25 mg/L for June 2021.

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 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. 980 MPN/100 mL; and concentration 7-day geometric 980 MPN/100 mL for June 2021.

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 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 Total Suspended Solids. The permitted limit for Total Suspended Solids is concentration monthly avg., less than or equal to 30 mg/L. The facility reported the following: concentration monthly avg. 40 mg/L for June 2021.

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 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 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. .16 mg/L; and concentration daily max. .16 mg/L for April 2021.

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, Assistant Director
Date: September 23, 2021

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

NOTICE OF VIOLATION

To: Lake Columbia WWTP
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: Lake Columbia WWTP **AI ID:** 458 **Activity ID:** ENV20210002

County: Bullitt

Enforcement Case ID:

Date(s) Violation(s) Observed: 09/01/2021

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

1 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. The facility reported the following: concentration monthly avg. 43 mg/L for April 2021.

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:

Natalie P. Bruner

Natalie P. Bruner, Environmental Control Manager

Date: September 29, 2021

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

NOTICE OF VIOLATION

To: LH WWTP
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: LH WWTP **AI ID:** 163895 **Activity ID:** ENV20210003
County: Scott
Enforcement Case ID:
Date(s) Violation(s) Observed: 09/01/2021

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

- 1** Violation Description for Subject Item AIOO0000163895():
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. KY0081591, 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. 166 MPN/100 mL for April 2021.

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: LH WWTP -- 163895

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: Natalie P. Bruner
Natalie P. Bruner, Environmental Control Manager
Date: September 29, 2021

* * *

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

NOTICE OF VIOLATION

To: Persimmon Ridge Subd & WWTP
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: Persimmon Ridge Subd & WWTP **AI ID:** 3955 **Activity ID:** ENV20210002
County: Shelby
Enforcement Case ID:
Date(s) Violation(s) Observed: 09/01/2021

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

1 Violation Description for Subject Item AIOO0000003955():

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 2.4 lbs/day; and loading max. weekly avg., less than or equal to 3.6 lbs/day; and concentration monthly avg., less than or equal to 2 mg/L; and concentration daily max., less than or equal to 3 mg/L. The facility reported the following: loading monthly avg. 4.597 lbs/day; and loading max. weekly avg. 7.367 lbs/day; and concentration monthly avg. 7.6 mg/L; and concentration daily max. 12.1 mg/L for June 2021.

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 AIOO0000003955():

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 2.4 lbs/day; and loading max. weekly avg., less than or equal to 3.6 lbs/day; and concentration monthly avg., less than or equal to 2 mg/L; and concentration daily max., less than or equal to 3 mg/L. The facility reported the following: loading monthly avg. 8.852 lbs/day; and loading max. weekly avg. 9.056 lbs/day; and concentration monthly avg. 17.4 mg/L; and concentration daily max. 17.8 mg/L for May 2021.

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 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 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. 6.172 lbs/day; and concentration monthly avg. 14.8 mg/L; and concentration daily max. 17.6 mg/L for April 2021.

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]

Al: Persimmon Ridge Subd & WWTP -- 3955

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, Assistant Director
Date: September 24, 2021

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

NOTICE OF VIOLATION

To: River Bluffs WWTP
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: River Bluffs WWTP **AI ID:** 3367 **Activity ID:** ENV20210003
County: Oldham
Enforcement Case ID:
Date(s) Violation(s) Observed: 09/01/2021

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. 6.6 mg/L; and concentration daily max. 6.6 mg/L for June 2021.

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 Suspended Solids. The permitted limit for Total Suspended Solids is concentration monthly avg., less than or equal to 30 mg/L. The facility reported the following: concentration monthly avg. 41 mg/L for May 2021.

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: River Bluffs WWTP -- 3367

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, Assistant Director
Date: September 22, 2021

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

NOTICE OF VIOLATION

To: Timberland Subdivision WWTP
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: Timberland Subdivision WWTP **AI ID:** 3070 **Activity ID:** ENV20210003
County: McCracken
Enforcement Case ID:
Date(s) Violation(s) Observed: 09/01/2021

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

- 1** Violation Description for Subject Item AIOO0000003070():
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. KY0083755, 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. 2.2 mg/L; and concentration daily max. 2.2 mg/L for April 2021.

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 AIOO0000003070():
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. KY0083755, 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. .13 mg/L; and concentration daily max. .13 mg/L for June 2021.

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 AIOO0000003070():

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. KY0083755, 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. 816 MPN/100 mL; and concentration 7-day geometric 816 MPN/100 mL for May 2021.

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 AIOO0000003070():

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. KY0083755, 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 2 mg/L; and concentration daily max., less than or equal to 3 mg/L. The facility reported the following: concentration monthly avg. 7.5 mg/L; and concentration daily max. 7.5 mg/L for June 2021.

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 AIOO0000003070():

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. KY0083755, 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. .07 mg/L; and concentration daily max. .07 mg/L for May 2021.

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]

6 Violation Description for Subject Item AIOO0000003070():

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. KY0083755, 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 9 mg/L. The facility reported the following: concentration monthly avg. 9.7 mg/L for April 2021.

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]

7 Violation Description for Subject Item AIOO000003070():

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. KY0083755, 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 2 mg/L; and concentration daily max., less than or equal to 3 mg/L. The facility reported the following: concentration monthly avg. 5.4 mg/L; and concentration daily max. 5.4 mg/L for May 2021.

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: Timberland Subdivision WWTP -- 3070

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, Assistant Director
Date: September 16, 2021

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

NOTICE OF VIOLATION

To: Woodland Acres
Michael Dick
1650 Des Peres Rd Ste 303

Des Peres , MO 63131

AI Name: Woodland Acres **AI ID:** 479 **Activity ID:** ENV20210002

County: Bullitt

Enforcement Case ID:

Date(s) Violation(s) Observed: 09/01/2021

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

- 1 Violation Description for Subject Item AIOO0000000479():
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. KY0091600, monitoring point 001-2, for Total Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is loading monthly avg., less than or equal to .83 lbs/day; and loading max. weekly avg., less than or equal to 1.25 lbs/day; and 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: loading monthly avg. 3.999 lbs/day; and loading max. weekly avg. 3.999 lbs/day; and concentration monthly avg. 11.1 mg/L; and concentration daily max. 11.1 mg/L for June 2021.

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: Woodland Acres -- 479

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, Assistant Director
Date: September 13, 2021



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

Amy D. Cabbage
Vice Chairman

Marianne Butler
Commissioner

September 14, 2021

Josiah Cox
CEO
Central States Water Resources
1650 Des Peres Road, Suite 303
St. Louis, MO 63131

Re: First Periodic Wastewater Inspection
Bluegrass Water Utility Operating Company, LLC – Timberland Wastewater System
McCracken County, KY

Dear Mr. Cox:

Public Service Commission staff performed a periodic inspection of the Bluegrass Water Utility Operating Company, LLC – Timberland wastewater system located in McCracken County, KY on April 21, 2021 and August 13, 2021, 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,

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

Kentucky Public Service Commission

Periodic Compliance Inspection

Utility: Bluegrass Water Utility Operating Company, LLC. – Timberland WWTF

Utility's Principal office location: 1650 Des Peres Road, Suite 303 St. Louis, MO 63131

Wastewater Treatment Facility Location: Paducah, KY

Utility representative during inspection: Jake Freeman - Engineering and Enrique Chavez – Project Manager

Counties Served: McCracken

Customers: Approximately 68

Inspector: Brian L. Rice

Date(s) of inspection: April 21, 2021 and August 13, 2021

Last Inspection Date: September 9 & 10, 2019

Deficiencies noted during the last Inspection: 1

Have deficiencies been corrected since last inspection?

Yes

No

N/A

Note: The wastewater system owned by **JoAnn Estates Utilities, Inc.** was transferred to Bluegrass Water Utility Operating Company, LLC back in August of 2019 in case number 2019-00360.

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
1650 Des Peres Road, Suite 303
St. Louis, 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

Kentucky Public Service Commission

Periodic Compliance Inspection

General Questions

Treatment Facility: Yes No N/A

Collection System: Yes No N/A

Utility Information

Total number of Employees: Bluegrass Water Utility Operating Company, LLC has no employees. BWUOC contracts with Midwest Water Operations to operate and maintain the wastewater facility.

Does the utility have its own maintenance staff? Yes No N/A

If not, give the name the person(s) doing the work:

807 KAR 5:006 (General Rules)

Section 2: 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 7: Billings, Meter Readings, and Information.

Billing and Collection is done by: Bluegrass Water Utility Operating Company, LLC has contracted with Nitro Billing Services

Does each bill for utility service issued periodically by a utility clearly show the following?

The date the bill was issued:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Class of service:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Present and last preceding meter readings:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Date of the present reading:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Number of units consumed:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Net amount for service rendered:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
All taxes:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Adjustments, if applicable:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
The gross amount of the bill:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

Kentucky Public Service Commission

Periodic Compliance Inspection

The date after which a penalty may apply to the gross amount:

Yes No N/A

If the bill is estimated or calculated:

Yes No N/A

Is the rate schedule under which the bill is computed posted on 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 year:

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 indicate the customer's desire for a copy of the applicable rates:

Yes No N/A

Does the utility maintain the information required by this subsection, and is it available to the commission and any customer requesting this information?

Yes No N/A

Section 8. Deposits:

Is the utility requiring a minimum cash deposit or other guarantee from customers 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 and advise the customer of the utility's findings?

Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer complaints will be made via telephone.

Does the utility keep a record of all written complaints concerning the utility's service?

Yes No N/A

Does the record include the following?

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

Kentucky Public Service Commission

Periodic Compliance Inspection

Does the utility maintain these records for two (2) years from the date of resolution 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 his or her right to file a complaint with the commission? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer complaints will be made via telephone.

Does the utility provide the customer with the mailing address, Web site address, and telephone number of the commission? Yes No N/A

If a telephonic complaint is not resolved, does the utility provide at least oral notice 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 hours and provide representatives available to assist its customers and to respond to inquiries from the commission regarding customer complaints? Yes No N/A

Does the utility designate at least one (1) representative to be available to answer customer questions, resolve disputes, and negotiate partial payment plans at the utility's office? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer questions, disputes, and partial payment plan negotiations will be handle over the telephone.

If the utility has an annual operating revenue of \$250,000 or more, does the utility have a designated representative available during the utility's established working hours not fewer than seven (7) hours per day, five (5) days per week excluding legal holidays? 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

Kentucky Public Service Commission

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:

Yes No N/A

Publish the telephone number in all service areas:

Yes No N/A

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 to the public for customer service (and shall post on its Web site, if it maintains a Web site) a summary, prepared and provided by the commission, of the customer's rights pursuant to this section and Section 16 of this administrative regulation?

Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky but does maintain a website with the necessary information for customers.

Section 20: Access to Property:

Do employees of the utility (whose duties require them 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

Note: Bluegrass Water does not have any employees.

Section 23: System Maps and Records:

Does the utility have on file at its principal office located within the state and shall file upon request with the commission a map or maps of suitable scale of the general territory it serves or holds itself ready to serve?

Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky; however, all Bluegrass Water's system maps are available on Central States Water resources website via a link to the Kentucky Infrastructure Authority.

Kentucky Public Service Commission

Periodic Compliance Inspection

Is the map or maps available in electronic format as a PDF file or as a digital geographic database? Yes No N/A

Is the following data available on the map or maps?

Operating districts	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Rate districts:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Communities served:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

Section 24: Location of Records.

All records required by 807 KAR Chapter 5 shall be 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.

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 N/A

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 N/A

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 No N/A

Note: Contractor Safe Practices Handbook

Kentucky Public Service Commission

Periodic Compliance Inspection

Instruct employees in safe methods of performing their work.

Yes No N/A

Note: Bluegrass Water has no employees

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:

(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 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

Kentucky Public Service Commission

Periodic Compliance Inspection

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;
- (b) Actual or potential property damage of \$25,000 or more; or
- (c) Loss of service for four (4) or more hours to ten (10) percent or 500 or more of the utility's customers, whichever is less.

(2) A summary written report shall be submitted by the utility to the commission within seven (7) calendar days of the utility related accident. For good cause shown, the executive director of the commission, shall, upon application in writing, allow a reasonable extension of time for submission of this report.

Has the Utility had any Accidents, Property Damage, or Loss of Service?

Yes No N/A

If yes, was the Commission notified by telephone or electronic mail within two (2) hours of discovery of a utility related accident that resulted in the following:

Death, shock, or burn requiring medical treatment at a hospital or similar medical facility, or any accident requiring inpatient overnight hospitalization:

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 or 500 or more of the utility's customers, whichever is less:

Yes No N/A

Was a summary written report submitted by the utility to the commission within seven (7) calendar days of the utility related accident?

Yes No N/A

Kentucky Public Service Commission

Periodic Compliance Inspection

Section 28: Deviations from Administrative Regulation:

In special cases, for good cause shown, the commission shall permit deviations from this administrative regulation.

Has the utility been permitted by the commission to deviate from these administrative regulations? Yes No N/A

If so, provide the case no.

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 N/A

Note: Bluegrass Water does not have an office in Kentucky; however, the tariffs and statutes are available on Central States Water Resources website.

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 N/A

Note: Bluegrass Water does not have an office in Kentucky.

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

Kentucky Public Service Commission

Periodic Compliance Inspection

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 system?

Yes

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 aforementioned responsibilities.

Kentucky Public Service Commission

Periodic Compliance Inspection

Is the utility in compliance with the Division of Water? Yes No N/A

Note: See the following attachments:

Attachment A – Agreed Order between Bluegrass Water and Energy and Environment Cabinet.

Attachment B – Bluegrass Water’s Corrective Action Plan (CAP) dated December 13, 2019

Attachment C – EEC Comment & Approval Letter

Attachment D – Bluegrass Water Revision Corrective Action Plan dated July 29, 2020

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 interruptions shall be made at such hours as will provide least inconvenience to the customers.

(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

Kentucky Public Service Commission

Periodic Compliance Inspection

conditions warrant more frequent inspections and shall make inspections of all mechanical equipment on a daily basis. 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 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?

Yes No N/A

Is the utility adhering to their inspection procedures to assure safe and adequate operation of its facilities and compliance with the Commission rules?

Yes No N/A

Unless otherwise authorized in writing by the commission, does the sewage utility make inspections of their collecting sewers and manholes on a scheduled basis at intervals not to exceed one (1) year, unless conditions warrant more frequent inspections?

Yes No N/A

Does the utility inspect all mechanical equipment on a daily basis?

Yes No N/A

Note: Each facility has in place a Mission-Manage SCADA monitoring system.

Does the utility maintain a record of findings and corrective actions required, and/or taken, by location and date?

Yes No N/A

Kentucky Public Service Commission

Periodic Compliance Inspection

Deficiencies

Additional Inspector Comments

This is the first inspection of Bluegrass Water Utility Operating Company, LLC since they became a utility back in September of 2019 in case no. 2019-00104. Timberland wastewater treatment facility was acquired by Bluegrass Water from JoAnn Estates Utilities, Inc., in case 2019-00360.

Bluegrass Water entered an Agreed Order with the Energy and Environment Cabinet back in September of 2019 for the interest of providing corrective actions to the Fox Run wastewater treatment facility. (See attachment A)

During the inspection, the following items were noticeable improvements Bluegrass Water made to the Timberland wastewater treatment facility:

1. Improved access road.
2. New fencing/gates
3. Major improvement to the lagoon system
4. Access road around the lagoon
5. Added a Mission-Manage SCADA Control monitoring system
6. Removed trees and brush around the wastewater treatment plant.
7. Cleaned up the area around the treatment facility.
8. Added a sign with the KPDES number at the discharge point
9. The ladder to the top of the plant was replaced with a safer type stairway.

On August 13, 2021 I conducted a site visit to see if any improvements had been made. The utility has created an access road between Timberland and Carriage Park wastewater facility.

Kentucky Public Service Commission

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:

Date: June 17, 2021



Brian L. Rice
Utility Inspector
Kentucky Public Service Commission

Kentucky Public Service Commission

Periodic Compliance Inspection

Attachments: A – Agreed Order
B – Corrective Action Plan
C – EEC Comment & Approval Letter
D – Revised Corrective Action Plan
E – Pictures

Kentucky Public Service Commission

Periodic Compliance Inspection

Attachment A

Agreed Order

Filed 8/10/2020 OAH

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DIVISION OF ENFORCEMENT
CASE NO. DOW 20-3-0001

IN RE: Joann Estates Utilities, Inc.
Timberland Wastewater Treatment Plant
6500 US Highway 60 W
Paducah, KY 42001
AI No. 3070
Activity ID No. ERF20200001

AGREED ORDER

WHEREAS, the parties to this Agreed Order, the Energy and Environment Cabinet (hereinafter "Cabinet") and Bluegrass Water Utility Operating Company, LLC (hereinafter "BWUOC") state:

STATEMENTS OF FACT

1. The Cabinet is charged with the statutory duty of enforcing KRS Chapter 224 and the regulations promulgated pursuant thereto.
2. BWUOC is an active Kentucky Limited Liability Company in good standing that owns and operates utilities and whose principal address, according to the Kentucky Secretary of State is 1650 Des Peres Road, Suite 303, Saint Louis, Missouri 63131.
3. Timberland Wastewater Treatment Plant (hereinafter "Timberland WWTP" or "facility"), is located on Timberland Drive, Paducah, McCracken County, Kentucky 42086. The facility has a design capacity of 0.025 million gallons per day and discharges to West Fork Massac Creek.
4. Timberland WWTP is currently owned and operated by Joann Estates Utilities, Inc. The facility's discharges are permitted under Kentucky Pollutant Discharge Elimination Systems

(hereinafter “KPDES”) permit number KY0083755, issued by the Cabinet’s Division of Water (hereinafter “DOW”). The facility’s KPDES permit expires on January 31, 2025.

5. Joann Estates Utilities, Inc. is an active for-profit Kentucky corporation in good standing, according to the Kentucky Secretary of State.

6. BWUOC has indicated to the Cabinet that it plans to acquire Timberland WWTP, provided it receives from the Kentucky Public Service Commission (“Commission”) all approvals required to make the acquisition. If the Commission approves the acquisition, BWUOC plans to assume ownership and operation of Timberland WWTP on or around March 31, 2020.

7. BWUOC has contracted with a third-party firm to produce an engineering memorandum detailing the status of and repairs needed at Timberland WWTP (Exhibit A). This report was submitted to the Cabinet on or about January 2, 2020.

8. If it receives all required Commission approvals, BWUOC has indicated to the Cabinet that it plans to make substantial repairs and/or upgrades to the facility to address the deficiencies noted in Exhibit A.

NOW THEREFORE, in the interest of providing corrective actions to Timberland WWTP, the parties hereby consent to the entry of this Agreed Order and agree as follows:

REMEDIAL MEASURES

9. BWUOC shall notify the Cabinet in writing that it has assumed ownership and operation of Timberland WWTP within fifteen (15) days of acquiring the facility.

10. Within fifteen (15) days of assuming ownership and operation of the facility, BWUOC shall submit a “Change in Ownership Certification” to the Cabinet.

11. At all times, commencing with assuming ownership of the facility, BWUOC shall provide for proper operation and maintenance of the facility in accordance with 401 KAR 5:065

Section 2(1).

12. Following the initial ninety (90) days of its operation of the facility, BWUOC shall submit to the Cabinet for review and acceptance, a written Corrective Action Plan (hereinafter "CAP") to bring the facility into compliance with its KPDES permit and correct the deficiencies noted in Exhibit A. The CAP shall include, but not be limited to, an identification of actions BWUOC shall implement to ensure compliance that includes; proper operation and maintenance to its sewage treatment system, collection system, and disinfection unit. The CAP shall also include a list of all actions necessary to ensure the completion of upgrades to its facility including a list of completion dates for each action. Include in the CAP a final compliance date for completion of all remedial measures listed;

- A. Upon review of the CAP, the Cabinet may, in whole or in part, (1) accept or (2) decline and provide comments to BWUOC identifying the deficiencies. Upon receipt of Cabinet comments, BWUOC shall have ninety (90) days to revise and resubmit the CAP for review and acceptance. Upon resubmittal, the Cabinet may, in whole or in part, (1) accept or (2) disapprove and provide comments to BWUOC identifying the deficiencies. Upon such resubmittal, if the CAP is disapproved, the Cabinet may deem BWUOC to be out of compliance with this Agreed Order for failure to timely submit the CAP. The parties to this Agreed Order may also agree in writing to further extend the period in which BWUOC and the Cabinet accept a revised and resubmitted CAP.
- B. BWUOC may request an amendment of the accepted CAP by writing the Director of the Division of Enforcement at 300 Sower Blvd., Frankfort,

Kentucky 40601 and stating the reasons for the request. If granted, the amended CAP shall not affect any provision of this Agreed Order unless expressly provided in the amended CAP. This does not require an amendment request pursuant to paragraph 20 of this Agreed Order.

C. Upon Cabinet acceptance of all or any part of the CAP, the amended CAP or any accepted part thereof (provided that the accepted part is not dependent upon implementation of any part not yet accepted), shall be deemed incorporated into this Agreed Order as an enforceable requirement of this Agreed Order. This does not require an amendment request pursuant to paragraph 20 of this Agreed Order.

13. So long as BWUOC is in compliance with the terms and conditions of this Agreed Order, the Cabinet's Division of Enforcement agrees to hold any formal enforcement action for numeric permit parameter violations for the KPDES permit described in paragraph 4, in abeyance. Should BWUOC fail to comply with the terms and conditions of this Agreed Order, the Cabinet may seek formal enforcement action that would have otherwise been held in abeyance.

14. By the final compliance date in the accepted CAP, BWUOC shall be in full compliance with its KPDES permit.

15. All submittals required by the terms of this Agreed Order shall be submitted to: Division of Enforcement, Attention: Director, 300 Sower Blvd., Frankfort, Kentucky, 40601.

MISCELLANEOUS PROVISIONS

16. This Agreed Order shall be of no force and effect unless BWUOC assumes ownership and operations of Timberland WWTP.

17. This Agreed Order addresses only the items described above. Other than the matters agreed to by entry of this Agreed Order, nothing contained herein shall be construed to waive or to limit any remedy or cause of action by the Cabinet based on statutes or regulations under its jurisdiction and BWUOC reserves its defenses thereto. The Cabinet expressly reserves its right at any time to issue administrative orders and to take any other action it deems necessary that is not inconsistent with this Agreed Order, including the right to order all necessary remedial measures, assess penalties for violations, or recover all response costs incurred, and BWUOC reserves its defenses thereto.

18. This Agreed Order shall not prevent the Cabinet from issuing, reissuing, renewing, modifying, revoking, suspending, denying, terminating, or reopening any permit to BWUOC. BWUOC reserves its defenses thereto, except that BWUOC shall not use this Agreed Order as a defense.

19. BWUOC waives its right to any hearing on the matters admitted herein. However, failure by BWUOC to comply strictly with any or all of the terms of this Agreed Order shall be grounds for the Cabinet to seek enforcement of this Agreed Order in Franklin Circuit Court and to pursue any other appropriate administrative or judicial action under KRS Chapter 224 and the regulations promulgated pursuant thereto.

20. The Agreed Order may not be amended except by a written order of the Cabinet's Secretary or a designee thereof. BWUOC may request an amendment by writing the Director of the Division of Enforcement at 300 Sower Blvd., Frankfort, Kentucky 40601, and stating the reasons for the request. If granted, the amended Agreed Order shall not affect any provision of this Agreed Order unless expressly provided in the amended Agreed Order.

21. The Cabinet does not, by its consent to the entry of this Agreed Order, warrant or aver in any manner that BWUOC's complete compliance with this Agreed Order will result in compliance with the provisions of KRS Chapter 224 and the regulations promulgated pursuant thereto. Notwithstanding the Cabinet's review and approval of any plans formulated pursuant to this Agreed Order, BWUOC shall remain solely responsible for compliance with the terms of KRS Chapter 224 and the regulations promulgated thereto, this Agreed Order, and any permit and compliance schedule requirements.

22. BWUOC shall give notice of this Agreed Order to any purchaser, lessee or successor in interest prior to the transfer of ownership and/or operation of any part of the facility occurring prior to termination of this Agreed Order, shall notify the Cabinet that such notice has been given, and shall follow all statutory requirements for a transfer.

23. This Agreed Order applies specifically and exclusively to the unique facilities referenced herein and is inapplicable to any other facility.

24. Compliance with this Agreed Order is not conditional on the receipt of any federal, state, or local funds.

25. This Agreed Order shall be of no force and effect unless and until it is entered by the Secretary or a designee thereof as evidenced by his or her signature thereon. If this Agreed Order contains any date by which BWUOC is to take any action or cease any activity, and the Secretary enters the Agreed Order after that date, then BWUOC is nonetheless obligated to have taken the action or ceased the activity by the date contained in this Agreed Order.

TERMINATION

26. This Agreed Order shall terminate upon BWUOC's completion of all requirements described in this Agreed Order. BWUOC may submit written notice to the Cabinet when it believes

all requirements have been performed. The Cabinet shall notify BWUOC in writing whether it concurs that all requirements of this Agreed Order have been completed. The Cabinet reserves its right to enforce this Agreed Order, and BWUOC reserves its right to file a petition for hearing pursuant to KRS 224.10-420(2) contesting the Cabinet's determination.

CASE NO. DOW 20-3-0001

AGREED TO BY:



Josiah Cox, President
Bluegrass Water Utility Operating Company, LLC

3-26-2020
Date


CASE NO. DOW 20-3-0001

APPROVAL RECOMMENDED BY:



Michael B. Kroeger, Director ~~Asst. Dir.~~
Division of Enforcement

4/1/2020
Date



Elizabeth U. Natter, Executive Director
Office of General Counsel

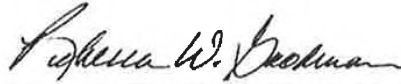
August 10, 2020
Date

CASE NO. DOW 20-3-0001

ORDER

Wherefore, the foregoing Agreed Order is entered as the final Order of the Energy and Environment Cabinet this 10 day of August, 2020.

ENERGY AND ENVIRONMENT CABINET



REBECCA W. GOODMAN, SECRETARY of the
ENERGY AND ENVIRONMENT CABINET

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing **AGREED ORDER** was mailed, postage prepaid, to the following this 10 day of August, 2020.

Bluegrass Water Utility Operating Company, LLC
Attn: Jacob Freeman
1650 Des Peres Road, Suite 303
St. Louis, MO 63131

And ~~mailed, messenger to~~: Electronically mailed to:

Michael B. Kroeger, Director
Division of Enforcement
300 Sower Blvd.
Frankfort, Kentucky 40601

Elizabeth U. Natter, Executive Director
Office of General Counsel
Energy and Environment Cabinet
300 Sower Blvd.
Frankfort, Kentucky 40601



DOCKET COORDINATOR

Distribution:
DOW
FBT
S&H
BGD

Exhibit A

Civil Engineering
Surveying & Mapping
Potable Water
Wastewater Treatment



Civil Site Design
Construction Support
Transportation
Wastewater Collection

Timberland (Wastewater) – KY0083755

Joann Estates, Inc.

Engineering Memorandum

Date: September 23, 2019

Wastewater Treatment Facility Understanding

The Timberland wastewater treatment facility is located in Heath, KY approximately 10 miles west of Paducah. The plant services about 70 customers which is approximately 210 people. During our visit to the plant, various site components were showing signs of failure and aging. The plant has been placed on significant noncompliance status for each of the last twelve quarters.

The plant consists of an extended aeration activated sludge system and an aerated lagoon. All blowers in the system will need to be inspected and either replaced or repaired, as well as all influent pumps in the lift station on site. There is a good chance that any working pumps could possibly be reaching the end of their useful life, so an inspection of each pump should be done to ensure it is operating on the performance curve in order to handle the demand required by the system. Any broken pumps will need to be either repaired if possible or replaced entirely. The return, skimmer, influent, and effluent lines are currently PVC and need to be replaced with steel to ensure longevity and reliability of the system. PVC has low durability and is prone to cracking when exposed to sunlight for extended periods of time. Consideration should be given to pumping excess flow to the southwestern lagoon if it has adequate flow capacity.

Structurally, the existing steel wastewater facility is severely rusted and will need a thorough inspection, painted and potentially patched if the tank remains in service. Additionally, the chlorine contact chamber was constructed out cinder blocks, has limited walls to maximize contact time, and is degrading.

The aeration volume provided by this system is about 16,288 gallons and the clarifier provides a volume of 2,672 gallons. According to design treatment calculations, all minimum standards for activated sludge treatment are met except for aeration volume and clarifier detention time for maximum permitted flow. The permitted flow at this facility is 25,000 gallons, but we estimate average daily flow at about 14,000 gallons based on 70 customers. This customer count was taken from the current service area map. The system also has a polishing lagoon after the treatment facility which has a volume of approximately 400,000 gallons, assuming a depth of three feet. The lagoon has some minimal aeration at best which also extends to the chlorine contact chamber, which has some aeration that is attempting to increase the dissolved oxygen prior to discharging.

As a part of this acquisition, Carriage Park will also be purchased under this ownership. Carriage Park is a no discharge lagoon system that is directly adjacent, and to the south of this facility. If Carriage Park

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Washington, MO 63090

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Potable Water
Wastewater Treatment



Civil Site Design
Construction Support
Transportation
Wastewater Collection

has capacity for additional flow, consideration should be given to pumping the Timberland flow to the Carriage Park and avoiding future maintenance and system upgrades.

It is evident that operations are struggling to maintain the plant, and currently no remote monitoring is in place at the site which makes it difficult for the operators to know when the facility is failing. We recommend remote monitoring by Mission which will give information such as pump failure, blower failure, and high-level alarms. A generator quick connect should also be added to the plant to provide electricity during power outages which would ensure the plant can run 24/7.

A review was performed of EPA's ECHO compliance website which lists prior violations issued to the system. According to the ECHO report, it has been placed on significant non-compliance status each of the past twelve quarters.

This facility is utilizing chlorine disinfection after the lagoon, which will work better than ultraviolet disinfection due to level of turbidity currently in the system. However, once the system is running properly, consideration should be given to installing ultraviolet disinfection which would lower operational cost and be more consistent on disinfection.

In the future, after operational control is taken by Central States Water Resources, I recommend pulling the aeration and diffusers for an inspection. If an annual inspection program is put in place, diffuser replacement can be drastically reduced and overall system performance improved. Due to the low quality of preventative maintenance performed on the site equipment, it is estimated that many of the air diffusers will be needing a replacement.

Improvements: If Carriage Park has capacity to receive this facility's flow, we recommend shutting down the treatment system and overhauling the existing influent lift station to pump water to the Carriage Park facility. If Carriage Park doesn't have the excess capacity, I recommend the improvements be staged. The first phase of improvements should include the inspection and replacement of blowers/service filters as needed, lift station pump inspection and repair/replacement, installation of Mission monitoring/generator quick connect/flow meter, inspection and replacement/repair of control panels, replacement of all PVC, and inspection and replacement of diffusers that have failed. After a period of operation and facilities evaluations regarding capacity and permit limits, a second phase will be put into action to either expand or replace the current treatment facility in its entirety.

Wastewater Collection System Understanding

No mapping was provided for this collection system. While minimum flow equalization was observed at the facility, further evaluation of the collection will be necessary to minimize the amount of I and I entering the system. If this is minimally controlled, it will be difficult for the wastewater systems to meet limits.

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Since no flow monitoring is installed, flow monitoring should be considered using a magnetic flow meter to evaluate whether I and I is currently a problem.

With no current utility mapping available, the system should be evaluated to create mapping and develop a GIS site for future maintenance. System mapping at the fingertips of the operators will enhance the level of service and timing of responses to emergency and customer issues.

Improvements Required: Perform smoke testing, evaluate system and create GIS mapping for future maintenance needs.

APPENDIX



Chlorination Contact Chamber not up to code

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PVC lines need to be replaced



Activated Sludge - Extended Aeration tank beginning to rust/fail

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Periodic Compliance Inspection

Attachment B

Corrective Action Plan



BLUEGRASS WATER

Utility Operating Company

A CSWR Managed Utility

July 29, 2020

Wes Dement
Kentucky Department for Environmental Protection
Division of Enforcement
300 Sower Blvd., 3rd Floor
Frankfort, KY 40601

Bluegrass Water Utility Operating Company, Inc.
Timberland Subdivision WWTF
KYPDES Permit No. KY0083755
Agency Interest No. 3070

Corrective Action Plan:

In light of the Timberland Subdivision WWTF's failure to meet permitted limits we submit the following corrective action plan.

BWUOC has recently purchased this treatment plant. With the change of ownership, operational modifications have been implemented and are ongoing. Due to the poor maintenance of the facility by previous ownership, the current plant is not capable of consistently meeting limits.

1. Causes of the Effluent Violations

- Ammonia
- Carbonaceous Biological Oxygen Demand (CBOD)
- Total Suspended Solids (TSS)
- E. Coli
- Total Residual Chlorine (TRC)
- Dissolved Oxygen (DO)

A review was performed of EPA's Echo compliance website which lists violations. The Timberland WWTF has been in "Significant noncompliance" for all of the last 12 quarters with numerous effluent exceedances as well as notices for improper maintenance and operations of the facility. The package plant portion of the facility has not been maintained by the previous ownership and is severely rusted with several locations that appear to have leaked at some point in the plant's recent history. Piping for the plant is constructed of PVC which can degrade in sunlight and the blowers and pumps at the facility appear to be struggling to operate the plant, implying they are either undersized or reaching the end of their useful lives. Additionally, the contact chamber at the back of the lagoon is poorly constructed, undersized, and deteriorating. This would reduce the contact time with chlorine in the treatment process and not produce effective disinfection, leading to both E.Coli exceedances, and exceedances of Total Residual Chlorine. These point to the poor maintenance practices of the previous ownership. In light of the poor maintenance of these portions of the plant, it is also probable that the diffusers in the aeration plant are in poor condition and not properly aerating the wastewater being treated. This compromises the treatment process and can result in exceedances in any of the above limits.

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www.centralstateswaterresources.com

Previous ownership allowed the plant to fall into such a state of disrepair that it is realistic to expect that the package plant would need to be totally replaced to consistently meet limits using the current process. This is especially evident in the condition of the tankage itself that would require either massive patching or replacement.

2. System Evaluation and Corrective Actions

Due to the poor maintenance of the facility by previous ownership, the current plant is not capable of consistently meeting limits. The cost to totally retrofit the facility or replace the package plant has caused us to consider the alternative of modifying the treatment process for more reliable performance than the package plant could offer. As a result, improvements will be staged with some initial repairs followed improvements that will be completed under a construction permit.

The initial phase of improvements should include clearing the berms of the lagoon of vegetation and making repairs where needed, inspection and repair of blowers/service filters as needed, lift station pump inspection and repair/replacement, installation of Mission monitoring/generator quick connect/flow meter, inspection and repair of control panels, inspection and repairs of aeration piping system components, evaluation of the disinfection system, and potential patching of the steel tank structure.

Installation of Mission Remote Monitoring and the flow meter, as well as repair of the control panels at the facility will allow for greater operational control, as well as real time information on the flow through the facility. This provides invaluable data for accurately evaluating the facilities performance, and the potential need for further improvements. The flow data will also allow for accurate evaluation of the level of Inflow and Infiltration in the system during rain events. I&I can significantly compromise treatment process, and measure of the increased flow will help to determine if collection system repairs are needed.

The initial repairs will temporarily improve the function of the facility, while improvements implemented under a construction permit are approved and then built out. Currently, the plans for the construction permit are to add an MBBR to the plant. Any tankage that can be salvaged from the existing package plant will be converted to sludge holding/digester for sludge breakdown. Additionally, given the history of TRC and E. Coli violations, conversion to peracetic acid disinfection is being considered which would include installation of a tank for contact time at the outfall. We anticipate the construction permit for this facility will be submitted by the end of August.

3. Project Milestones

- Continue monitoring the facility for performance (10/31/20)
- Implement initial improvements detailed above (10/31/20)
- Submit status report detailing process improvements included in the Major Mod Construction Permit application submitted (9/30/20)

Sincerely,

JON MEANY
Utility Engineer

 (314) 380-8537 Ext. 215
 (314) 482-0342
 (314) 736-4759
 jmeany@cswigroup.com
 1650 Des Peres Rd., Suite 303,
Des Peres. MO 63131

1650 Des Peres Rd., Suite 303, St. Louis, MO 63131
www.centralstateswaterresources.com

Kentucky Public Service Commission

Periodic Compliance Inspection

Attachment C

Correction Action Plan Approval Letter

Rice, Brian L (PSC)

From: Dement, Wesley T (EEC)
Sent: Monday, July 12, 2021 8:43 AM
To: Rice, Brian L (PSC)
Subject: RE: Timberland WWTF
Attachments: Timberland CAP Revision March 2021.pdf

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Brian,

See attached. We did not issue an acceptance letter but we got no objections from DOW on the revision so it is considered accepted.

Cheers,

Wes Dement

Environmental Enforcement Specialist II
Division of Enforcement
Department for Environmental Protection
Energy and Environment Cabinet
300 Sower Blvd 3rd floor
Frankfort, KY 40601
wesley.dement@ky.gov
502-782-8638

From: Rice, Brian L (PSC) <Brian.Rice@ky.gov>
Sent: Friday, July 9, 2021 5:36 PM
To: Dement, Wesley T (EEC) <wesley.dement@ky.gov>
Subject: Timberland WWTF

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Hey Wes, hope your doing well. Can you send me a copy of the following on Bluegrass Water's Timberland WWTF if there is any:

CAP revision if there is one
Your all's approval letter

I already have the AO and BW's CAP and attached them to this email but like the other systems you and I discussed they also had a Revision CAP and your all's approval letter. If you think there is anything else along those lines that may be of interest please send those also, such as an updated AO or CAP or Approval letter.

As also, I appreciate it. Thank you so much.

Brian Rice
502-330-5986

Kentucky Public Service Commission

Periodic Compliance Inspection

Attachment D

Corrective Action Plan Revision



BLUEGRASS WATER
Utility Operating Company
A CSWR Managed Utility

March 11, 2021

Michael Kroeger (CC. Wesley Dement)
Kentucky Department for Environmental Protection
Division of Enforcement
300 Sower Blvd., 3rd Floor
Frankfort, KY 40601

Bluegrass Water Utility Operating Company, Inc.
Timberland Subdivision WWTP
KYPDES Permit No. KY0083755
Agency Interest No. 3070



Corrective Action Plan Revision:

I am pleased to submit this update to the Corrective Action Plan for the Timberland Subdivision WWTF dated 7/29/2020. The scope of the original CAP was completed within the projected schedule of the CAP. Triage and repair work has been completed, including repairs to the lagoon berms, repairs to the influent lift station, rerouting of yard piping, repairs to the aeration tankage, repairs to the aeration piping and other aeration components, and regrading around the lift station and plant. Plant performance has improved significantly and DMR data shows reduced pollutant loading since acquisition, especially regarding CBOD5 and Ammonia levels. However, the facility is still struggling with some permit limits.

As described in the original CAP, a construction permit was submitted with plans to convert the existing lagoon into wet weather storage, and to convert the disinfection system to peroxyacetic acid disinfection with post aeration. Originally, we had intended to add a single stage MBBR to the facility as well, however with the triage repairs it became apparent that the facility was capable of meeting ammonia limits without the additional process. We are still awaiting the final approval of the construction permit; however, work should proceed quickly following receipt of the permit. We expect that all improvements will be completed at the Timberland facility and the facility should be in consistent compliance with permit limits by March 30, 2022.

Sincerely,

JON MEANY
Utility Engineer

 (314) 380-8537 Ext. 215
 (314) 482-0342
 (314) 736-4759
 jmeany@cswrgroup.com
 1650 Des Peres Rd., Suite 303,
Des Peres, MO 63131

1650 Des Peres Rd., Suite 303, St. Louis, MO 63131
www.centralstateswaterresources.com

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Periodic Compliance Inspection

Attachment E

Pictures



Timberland WWTF





Timberland WWTF



Lagoon



Timberland WWTF



Wastewater Treatment Plant – Aeration Basin



Access Road between Timberland and Carriage Park WWTF



Timberland Wastewater Treatment Plant



Access Road between Timberland and Carriage Park WWTF



Access Road from Timberland WWTF to Carriage Park WWTF

Kentucky Public Service Commission

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:

Date: September 13, 2021



Brian L. Rice
Utility Inspector
Kentucky Public Service Commission



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

Amy D. Cabbage
Vice Chairman

Marianne Butler
Commissioner

September 16, 2021

Josiah Cox
CEO
Central States Water Resources
1650 Des Peres Road, Suite 303
St. Louis, MO 63131

Re: First Periodic Wastewater Inspection
Bluegrass Water Utility Operating Company, LLC – Arcadia 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 wastewater system located in McCracken County, KY on April 21, 2021 and August 13, 2021 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,

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

Kentucky Public Service Commission

Periodic Compliance Inspection

Utility: Bluegrass Water Utility Operating Company, LLC. – Arcadia

Utility's Principal office location: 1650 Des Peres Road, Suite303 St. Louis, MO 63131

Wastewater Treatment Facility Location: Paducah, KY

Utility representative during inspection: Jake Freeman and Enrique Chavez

Counties Served: McCracken

Customers: Approximately 25

Inspector: Brian L. Rice

Date(s) of inspection: April 21, 2021 and August 13, 2021

Last Inspection Date: First inspection

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
1650 Des Peres Road, Suite303
St. Louis, 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

Kentucky Public Service Commission

Periodic Compliance Inspection

General Questions

Treatment Facility: Yes No N/A
Collection System: Yes No N/A

Utility Information

Total number of Employees: Bluegrass Water Utility Operating Company, LLC has no employees. BWUOC contracts with Midwest Water Operations to operate and maintain the wastewater facility.

Does the utility have its own maintenance staff? Yes No N/A

If not, give the name the person(s) doing the work:

807 KAR 5:006 (General Rules)

Section 2: 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 7: Billings, Meter Readings, and Information.

Billing and Collection is done by: Bluegrass Water Utility Operating Company, LLC has contracted with Nitro Billing Services

Does each bill for utility service issued periodically by a utility clearly show the following?

The date the bill was issued:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Class of service:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Present and last preceding meter readings:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Date of the present reading:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Number of units consumed:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Net amount for service rendered:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
All taxes:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Adjustments, if applicable:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
The gross amount of the bill:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
The date after which a penalty may apply to the gross amount:			

Kentucky Public Service Commission

Periodic Compliance Inspection

If the bill is estimated or calculated: Yes No N/A
Yes No N/A
Is the rate schedule under which the bill is computed posted on 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 year: 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 indicate the customer's desire for a copy of the applicable rates: Yes No N/A

Does the utility maintain the information required by this subsection, and is it available to the commission and any customer requesting this information?

Yes No N/A

Section 8. Deposits:

Is the utility requiring a minimum cash deposit or other guarantee from customers 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 and advise the customer of the utility's findings? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer complaints will be made via telephone.

Does the utility keep a record of all written complaints concerning the utility's service?

Yes No N/A

Does the record include the following?

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

Kentucky Public Service Commission

Periodic Compliance Inspection

Does the utility maintain these records for two (2) years from the date of resolution 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 his or her right to file a complaint with the commission? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer complaints will be made via telephone.

Does the utility provide the customer with the mailing address, Web site address, and telephone number of the commission? Yes No N/A

If a telephonic complaint is not resolved, does the utility provide at least oral notice 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 hours and provide representatives available to assist its customers and to respond to inquiries from the commission regarding customer complaints? Yes No N/A

Does the utility designate at least one (1) representative to be available to answer customer questions, resolve disputes, and negotiate partial payment plans at the utility's office? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer questions, disputes, and partial payment plan negotiations will be handled over the telephone.

If the utility has an annual operating revenue of \$250,000 or more, does the utility have a designated representative available during the utility's established working hours not fewer than seven (7) hours per day, five (5) days per week excluding legal holidays? 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

Kentucky Public Service Commission

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:

Yes No N/A

Publish the telephone number in all service areas:

Yes No N/A

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 to the public for customer service (and shall post on its Web site, if it maintains a Web site) a summary, prepared and provided by the commission, of the customer's rights pursuant to this section and Section 16 of this administrative regulation?

Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky but does maintain a website with the necessary information for customers.

Section 20: Access to Property:

Do employees of the utility (whose duties require them 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

Note: Bluegrass Water does not have any employees.

Section 23: System Maps and Records:

Does the utility have on file at its principal office located within the state and shall file upon request with the commission a map or maps of suitable scale of the general territory it serves or holds itself ready to serve?

Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky; however, all Bluegrass Water's system maps are available on Central States Water resources website via a link to the Kentucky Infrastructure Authority.

Kentucky Public Service Commission

Periodic Compliance Inspection

Is the map or maps available in electronic format as a PDF file or as a digital geographic database? Yes No N/A

Is the following data available on the map or maps?

Operating districts Yes No N/A

Rate districts: Yes No N/A

Communities served: Yes No N/A

Section 24: Location of Records.

All records required by 807 KAR Chapter 5 shall be 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.

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 N/A

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 N/A

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 No N/A

Note: Contractor Safe Practices Handbook

Kentucky Public Service Commission

Periodic Compliance Inspection

Instruct employees in safe methods of performing their work.

Yes No N/A

Note: Bluegrass Water has no employees

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:

(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 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

Kentucky Public Service Commission

Periodic Compliance Inspection

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;
- (b) Actual or potential property damage of \$25,000 or more; or
- (c) Loss of service for four (4) or more hours to ten (10) percent or 500 or more of the utility's customers, whichever is less.

(2) A summary written report shall be submitted by the utility to the commission within seven (7) calendar days of the utility related accident. For good cause shown, the executive director of the commission, shall, upon application in writing, allow a reasonable extension of time for submission of this report.

Has the Utility had any Accidents, Property Damage, or Loss of Service?

Yes No N/A

If yes, was the Commission notified by telephone or electronic mail within two (2) hours of discovery of a utility related accident that resulted in the following:

Death, shock, or burn requiring medical treatment at a hospital or similar medical facility, or any accident requiring inpatient overnight hospitalization:

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 or 500 or more of the utility's customers, whichever is less:

Yes No N/A

Was a summary written report submitted by the utility to the commission within seven (7) calendar days of the utility related accident?

Yes No N/A

Kentucky Public Service Commission

Periodic Compliance Inspection

Section 28: Deviations from Administrative Regulation:

In special cases, for good cause shown, the commission shall permit deviations from this administrative regulation.

Has the utility been permitted by the commission to deviate from these administrative regulations? Yes No N/A

If so, provide the case no.

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 N/A

Note: Bluegrass Water does not have an office in Kentucky; however, the tariffs and statutes are available on Central States Water Resources website.

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 N/A

Note: Bluegrass Water does not have an office in Kentucky.

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

Kentucky Public Service Commission

Periodic Compliance Inspection

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 system?

Yes

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 aforementioned responsibilities.

Kentucky Public Service Commission

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 jurisdiction 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 interruptions shall be made at such hours as will provide least inconvenience to the customers.

(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 customers notified that are affected by the interruption?

Yes No N/A

Does the utility make all reasonable efforts to schedule interruptions at such hours as will provide least inconvenience to the customers?

Kentucky Public Service Commission

Periodic Compliance Inspection

	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Does the utility maintain a record of all interruptions of service with regard to the following items?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Cause of interruption	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Date	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Time	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Duration	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Remedy	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
# of customers affected	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Steps taken to prevent recurrence	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

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.

(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 on a daily basis. The sewage utility shall maintain a record of findings and corrective actions required, and/or taken, by location and date.

Kentucky Public Service Commission

Periodic Compliance Inspection

Is the utility operating and maintaining their facility 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?

Yes No N/A

Is the utility adhering to their inspection procedures to assure safe and adequate operation of its facilities and compliance with the Commission rules?

Yes No N/A

Unless otherwise authorized in writing by the commission, does the sewage utility make inspections of their collecting sewers and manholes on a scheduled basis at intervals not to exceed one (1) year, unless conditions warrant more frequent inspections?

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 corrective actions required, and/or taken, by location and date?

Yes No N/A

Kentucky Public Service Commission

Periodic Compliance Inspection

Deficiencies

Additional Inspector Comments

The following is part of the utility's plans to improve this wastewater treatment facility:

1. Repair chain link fence
2. Repair leaking Berm/Drain Field
3. Repair Varmint Damage
4. New Access Road

On August 13, 2021, a site visit was conducted to see if any improvements have been made. There were no visible signs of any improvement at that time.



Arcadia WWTF



Lagoon System



Arcadia WWTF



Lagoon System



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

Amy D. Cabbage
Vice Chairman

Marianne Butler
Commissioner

September 23, 2021

Josiah Cox
CEO
Central States Water Resources
1650 Des Peres Road, Suite 303
St. Louis, MO 63131

Re: First 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 April 21, 2021 and August 13, 2021, 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, the following deficiency was identified:

1. The entrance gate to the lagoon has a large gap between the two swinging gates. This causes concerns for unauthorized persons and animals to enter the lagoon area. This is contrary to 807 KAR 5:071, Section 7(1).

For the one deficiency listed above, an explanation of how and when this deficiency we be remedied. A letter addressing the organization's actions regarding the deficiency shall be submitted within 30 days from the date of this letter.

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,

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

Kentucky Public Service Commission

Periodic Compliance Inspection

Utility: Bluegrass Water Utility Operating Company, LLC. – Carriage Park

Utility's Principal office location: 1650 Des Peres Road, Suite303 St. Louis, MO 63131

Wastewater Treatment Facility Location: Paducah, KY

Utility representative during inspection: Jake Freeman and Enrique Chavez

Counties Served: McCracken

Customers: Approximately 38

Inspector: Brian L. Rice

Date(s) of inspection: April 21, 2021 and August 13, 2021

Last Inspection Date: First inspection

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
1650 Des Peres Road, Suite303
St. Louis, 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

Kentucky Public Service Commission

Periodic Compliance Inspection

General Questions

Treatment Facility: Yes No N/A

Collection System: Yes No N/A

Utility Information

Total number of Employees: Bluegrass Water Utility Operating Company, LLC has no employees. BWUOC contracts with Midwest Water Operations to operate and maintain the wastewater facility.

Does the utility have its own maintenance staff? Yes No N/A

If not, give the name the person(s) doing the work:

807 KAR 5:006 (General Rules)

Section 2: 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 7: Billings, Meter Readings, and Information.

Billing and Collection is done by: Bluegrass Water Utility Operating Company, LLC has contracted with Nitro Billing Services

Does each bill for utility service issued periodically by a utility clearly show the following?

The date the bill was issued:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Class of service:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Present and last preceding meter readings:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Date of the present reading:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Number of units consumed:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Net amount for service rendered:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
All taxes:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Adjustments, if applicable:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
The gross amount of the bill:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
The date after which a penalty may apply to the gross amount:			

Kentucky Public Service Commission

Periodic Compliance Inspection

If the bill is estimated or calculated: Yes No N/A
Is the rate schedule under which the bill is computed posted on 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 year: 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 indicate the customer's desire for a copy of the applicable rates: Yes No N/A

Does the utility maintain the information required by this subsection, and is it available to the commission and any customer requesting this information?
Yes No N/A

Section 8. Deposits:

Is the utility requiring a minimum cash deposit or other guarantee from customers 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 and advise the customer of the utility's findings? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer complaints will be made via telephone.

Does the utility keep a record of all written complaints concerning the utility's service? Yes No N/A

Does the record include the following?
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

Kentucky Public Service Commission

Periodic Compliance Inspection

Does the utility maintain these records for two (2) years from the date of resolution 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 his or her right to file a complaint with the commission? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer complaints will be made via telephone.

Does the utility provide the customer with the mailing address, Web site address, and telephone number of the commission? Yes No N/A

If a telephonic complaint is not resolved, does the utility provide at least oral notice 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 hours and provide representatives available to assist its customers and to respond to inquiries from the commission regarding customer complaints? Yes No N/A

Does the utility designate at least one (1) representative to be available to answer customer questions, resolve disputes, and negotiate partial payment plans at the utility's office? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer questions, disputes, and partial payment plan negotiations will be handled over the telephone.

If the utility has an annual operating revenue of \$250,000 or more, does the utility have a designated representative available during the utility's established working hours not fewer than seven (7) hours per day, five (5) days per week excluding legal holidays? 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

Kentucky Public Service Commission

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:

Yes No N/A

Publish the telephone number in all service areas:

Yes No N/A

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 to the public for customer service (and shall post on its Web site, if it maintains a Web site) a summary, prepared and provided by the commission, of the customer's rights pursuant to this section and Section 16 of this administrative regulation?

Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky but does maintain a website with the necessary information for customers.

Section 20: Access to Property:

Do employees of the utility (whose duties require them 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

Note: Bluegrass Water does not have any employees.

Section 23: System Maps and Records:

Does the utility have on file at its principal office located within the state and shall file upon request with the commission a map or maps of suitable scale of the general territory it serves or holds itself ready to serve?

Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky; however, all Bluegrass Water's system maps are available on Central States Water resources website via a link to the Kentucky Infrastructure Authority.

Kentucky Public Service Commission

Periodic Compliance Inspection

Is the map or maps available in electronic format as a PDF file or as a digital geographic database? Yes No N/A

Is the following data available on the map or maps?

Operating districts Yes No N/A

Rate districts: Yes No N/A

Communities served: Yes No N/A

Section 24: Location of Records.

All records required by 807 KAR Chapter 5 shall be 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.

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 N/A

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 N/A

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 No N/A

Note: Contractor Safe Practices Handbook

Kentucky Public Service Commission

Periodic Compliance Inspection

Instruct employees in safe methods of performing their work.

Yes No N/A

Note: Bluegrass Water has no employees

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:

(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 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

Kentucky Public Service Commission

Periodic Compliance Inspection

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;
- (b) Actual or potential property damage of \$25,000 or more; or
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(2) A summary written report shall be submitted by the utility to the commission within seven (7) calendar days of the utility related accident. For good cause shown, the executive director of the commission, shall, upon application in writing, allow a reasonable extension of time for submission of this report.

Has the Utility had any Accidents, Property Damage, or Loss of Service?

Yes No N/A

If yes, was the Commission notified by telephone or electronic mail within two (2) hours of discovery of a utility related accident that resulted in the following:

Death, shock, or burn requiring medical treatment at a hospital or similar medical facility, or any accident requiring inpatient overnight hospitalization:

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 or 500 or more of the utility's customers, whichever is less:

Yes No N/A

Was a summary written report submitted by the utility to the commission within seven (7) calendar days of the utility related accident?

Yes No N/A

Kentucky Public Service Commission

Periodic Compliance Inspection

Section 28: Deviations from Administrative Regulation:

In special cases, for good cause shown, the commission shall permit deviations from this administrative regulation.

Has the utility been permitted by the commission to deviate from these administrative regulations? Yes No N/A

If so, provide the case no.

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 N/A

Note: Bluegrass Water does not have an office in Kentucky; however, the tariffs and statutes are available on Central States Water Resources website.

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 N/A

Note: Bluegrass Water does not have an office in Kentucky.

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

Kentucky Public Service Commission

Periodic Compliance Inspection

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 system?

Yes

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 aforementioned responsibilities.

Kentucky Public Service Commission

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 jurisdiction 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 interruptions shall be made at such hours as will provide least inconvenience to the customers.

(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 customers notified that are affected by the interruption?

Yes No N/A

Does the utility make all reasonable efforts to schedule interruptions at such hours as will provide least inconvenience to the customers?

Kentucky Public Service Commission

Periodic Compliance Inspection

	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Does the utility maintain a record of all interruptions of service with regard to the following items?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Cause of interruption	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Date	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Time	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Duration	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Remedy	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
# of customers affected	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Steps taken to prevent recurrence	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

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.

(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 on a daily basis. The sewage utility shall maintain a record of findings and corrective actions required, and/or taken, by location and date.

Kentucky Public Service Commission

Periodic Compliance Inspection

Is the utility operating and maintaining their facility 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?

Yes No N/A

Is the utility adhering to their inspection procedures to assure safe and adequate operation of its facilities and compliance with the Commission rules?

Yes No N/A

Unless otherwise authorized in writing by the commission, does the sewage utility make inspections of their collecting sewers and manholes on a scheduled basis at intervals not to exceed one (1) year, unless conditions warrant more frequent inspections?

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 corrective actions required, and/or taken, by location and date?

Yes No N/A

Kentucky Public Service Commission

Periodic Compliance Inspection

Deficiencies

1. The entrance gate to the lagoon has a large gap between the two swinging gates. This causes concerns for unauthorized persons and animals to enter the lagoon area. This is contrary to 807 KAR 5:071, Section 7(1).

Additional Inspector Comments

The following is part of the utility's plans to improve this wastewater treatment facility:

1. Repair the chain link Fence
2. Repair Leaking Berm/Drain Field
3. Repair Varmint Damage
4. Add a new access road

On August 13, 2021, a site visit was conducted to see if any improvements had been made to the Carriage Park wastewater treatment facility. During this visit the utility had begun construction of the new access road between the Carriage Park wastewater treatment facility and the Timberland wastewater treatment facility. (See pictures)



Carriage Park WWTF





Carriage Park WWTF





Large Gap between the two gates





Before Construction of Access Road to Timberland WWTF



Construction of Access Road between Carriage Park WWTF and Timberland WWTF

Kentucky Public Service Commission

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:

Date: September 16, 2021



Brian L. Rice
Utility Inspector
Kentucky Public Service Commission

Herrington Haven Subd
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

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

NOTICE OF VIOLATION

To: Herrington Haven Subd
Alica Alexander
1650 Des Peres Rd Ste 303

Saint Louis, MO 63131

AI Name: Herrington Haven Subd **AI ID:** 1469 **Activity ID:** ENV20210003
County: Garrard
Enforcement Case ID:
Date(s) Violation(s) Observed: 09/01/2021

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 001-1, for Total Phosphorus (as P). The permitted limit for Total Phosphorus (as P) is concentration 30-day avg., less than or equal to 1 mg/L. The facility reported the following: concentration 30-day avg. 6.2 mg/L for June 2021.

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 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 001-1, for Total Suspended Solids. The permitted limit for Total Suspended Solids is loading 30-day avg., less than or equal to 2.45 lbs/day; and loading weekly avg., less than or equal to 3.68 lbs/day. The facility reported the following: loading 30-day avg. 52.88 lbs/day; and loading weekly avg. 52.88 lbs/day for June 2021.

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 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 001-1, 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 1.63 lbs/day; and loading weekly avg., less than or equal to 2.45 lbs/day. The facility reported the following: loading 30-day avg. 88.21 lbs/day; and loading weekly avg. 88.21 lbs/day for June 2021.

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: Herrington Haven Subd -- 1469

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: Natalie P. Bruner
Natalie P. Bruner, Environmental Control Manager
Date: October 1, 2021



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

Amy D. Cabbage
Vice Chairman

Marianne Butler
Commissioner

October 11, 2021

Josiah Cox
CEO
Central States Water Resources
1650 Des Peres Road, Suite 303
St. Louis, MO 63131

Re: First Periodic Wastewater Inspection
Bluegrass Water Utility Operating Company, LLC – Herrington Haven
Garrard County, KY

Dear Mr. Cox:

Public Service Commission staff performed a periodic inspection of the Bluegrass Water Utility Operating Company, LLC – Herrington Haven wastewater system located in Lancaster, KY on August 11, 2021, 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,

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

Kentucky Public Service Commission

Periodic Compliance Inspection

Utility: Bluegrass Water Utility Operating Company, LLC. – Herrington Haven WWTF

Utility's Principal office location: 1650 Des Peres Road, Suite 303 St. Louis, MO 63131.

Wastewater Treatment Facility Location: Lancaster, KY

Utility representative during inspection: Jake Freeman – Director of Engineering

Counties Served: Garrard

Customers: Approximately 20

Inspector: Brian L. Rice

Date(s) of inspection: August 11, 2021

Last Inspection Date: December 18, 2019

Deficiencies noted during the last Inspection: No deficiencies noted

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
1650 Des Peres Road, Suite 303
St. Louis, MO 63131
jcox@cswrqgroup.com
314.736.4672

Terry Merritt
Midwest Water Operations, VP
1351 Jefferson Street, Suite 301
Washington, MO 63090
tmerritt@midwestwaterop.com
636.432.3001

Kentucky Public Service Commission

Periodic Compliance Inspection

General Questions

Treatment Facility: Yes No N/A

Collection System: Yes No N/A

Utility Information

Total number of Employees: Bluegrass Water Utility Operating Company, LLC has no employees. BWUOC contracts with Midwest Water Operations to operate and maintain the wastewater facility.

Does the utility have its own maintenance staff? Yes No N/A

If not, give the name the person(s) doing the work:

807 KAR 5:006 (General Rules)

Section 2: 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 7: Billings, Meter Readings, and Information.

Billing and Collection is done by: Bluegrass Water Utility Operating Company, LLC has contracted with Nitro Billing Services

Does each bill for utility service issued periodically by a utility clearly show the 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 No N/A

The date after which a penalty may apply to the gross amount:

Kentucky Public Service Commission

Periodic Compliance Inspection

If the bill is estimated or calculated: Yes No N/A
Is the rate schedule under which the bill is computed posted on 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 year: 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 indicate the customer's desire for a copy of the applicable rates: Yes No N/A

Does the utility maintain the information required by this subsection, and is it available to the commission and any customer requesting this information?
Yes No N/A

Section 8. Deposits:

Is the utility requiring a minimum cash deposit or other guarantee from customers 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 and advise the customer of the utility's findings? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer complaints will be made via telephone.

Does the utility keep a record of all written complaints concerning the utility's service? Yes No N/A

Does the record include the following?

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

Kentucky Public Service Commission

Periodic Compliance Inspection

Does the utility maintain these records for two (2) years from the date of resolution 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 his or her right to file a complaint with the commission? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer complaints will be made via telephone.

Does the utility provide the customer with the mailing address, Web site address, and telephone number of the commission? Yes No N/A

If a telephonic complaint is not resolved, does the utility provide at least oral notice 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 hours and provide representatives available to assist its customers and to respond to inquiries from the commission regarding customer complaints? Yes No N/A

Does the utility designate at least one (1) representative to be available to answer customer questions, resolve disputes, and negotiate partial payment plans at the utility's office? Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky. All customer questions, disputes, and partial payment plan negotiations will be handle over the telephone.

If the utility has an annual operating revenue of \$250,000 or more, does the utility have a designated representative available during the utility's established working hours not fewer than seven (7) hours per day, five (5) days per week excluding legal holidays? 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

Kentucky Public Service Commission

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:

Yes No N/A

Publish the telephone number in all service areas:

Yes No N/A

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 to the public for customer service (and shall post on its Web site, if it maintains a Web site) a summary, prepared and provided by the commission, of the customer's rights pursuant to this section and Section 16 of this administrative regulation?

Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky but does maintain a website with the necessary information for customers.

Section 20: Access to Property:

Do employees of the utility (whose duties require them 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

Note: Bluegrass Water does not have any employees.

Section 23: System Maps and Records:

Does the utility have on file at its principal office located within the state and shall file upon request with the commission a map or maps of suitable scale of the general territory it serves or holds itself ready to serve?

Yes No N/A

Note: Bluegrass Water does not have an office located in Kentucky; however, all Bluegrass Water's system maps are available on Central States Water resources website via a link to the Kentucky Infrastructure Authority.

Kentucky Public Service Commission

Periodic Compliance Inspection

Is the map or maps available in electronic format as a PDF file or as a digital geographic database? Yes No N/A

Is the following data available on the map or maps?

Operating districts	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Rate districts:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Communities served:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

Section 24: Location of Records.

All records required by 807 KAR Chapter 5 shall be 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.

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 N/A

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 N/A

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 No N/A

Note: Contractor Safe Practices Handbook

Kentucky Public Service Commission

Periodic Compliance Inspection

Instruct employees in safe methods of performing their work.

Yes No N/A

Note: Bluegrass Water has no employees

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:

(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 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

Kentucky Public Service Commission

Periodic Compliance Inspection

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;
- (b) Actual or potential property damage of \$25,000 or more; or
- (c) Loss of service for four (4) or more hours to ten (10) percent or 500 or more of the utility's customers, whichever is less.

(2) A summary written report shall be submitted by the utility to the commission within seven (7) calendar days of the utility related accident. For good cause shown, the executive director of the commission, shall, upon application in writing, allow a reasonable extension of time for submission of this report.

Has the Utility had any Accidents, Property Damage, or Loss of Service?

Yes No N/A

If yes, was the Commission notified by telephone or electronic mail within two (2) hours of discovery of a utility related accident that resulted in the following:

Death, shock, or burn requiring medical treatment at a hospital or similar medical facility, or any accident requiring inpatient overnight hospitalization:

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 or 500 or more of the utility's customers, whichever is less:

Yes No N/A

Was a summary written report submitted by the utility to the commission within seven (7) calendar days of the utility related accident?

Yes No N/A

Kentucky Public Service Commission

Periodic Compliance Inspection

Section 28: Deviations from Administrative Regulation:

In special cases, for good cause shown, the commission shall permit deviations from this administrative regulation.

Has the utility been permitted by the commission to deviate from these administrative regulations? Yes No N/A

If so, provide the case no.

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 N/A

Note: Bluegrass Water does not have an office in Kentucky; however, the tariffs and statutes are available on Central States Water Resources website.

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 N/A

Note: Bluegrass Water does not have an office in Kentucky.

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

Kentucky Public Service Commission

Periodic Compliance Inspection

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 system?

Yes

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 aforementioned responsibilities.

Kentucky Public Service Commission

Periodic Compliance Inspection

Is the utility in compliance with the Division of Water? Yes No N/A

Note: Attachment A – Agreed Order between Bluegrass Water and Energy and Environment Cabinet.

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 interruptions shall be made at such hours as will provide least inconvenience to the customers.

(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 customers notified that are affected by the interruption?

Yes No N/A

Does the utility make all reasonable efforts to schedule interruptions at such hours as will provide least inconvenience to the customers?

Yes No N/A

Kentucky Public Service Commission

Periodic Compliance Inspection

Does the utility maintain a record of all interruptions of service with regard to the following items?

	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Cause of interruption	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Date	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Time	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Duration	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Remedy	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
# of customers affected	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Steps taken to prevent recurrence	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

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.

(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 on a daily basis. The sewage utility shall maintain a record of findings and corrective actions required, and/or taken, by location and date.

Kentucky Public Service Commission

Periodic Compliance Inspection

Is the utility operating and maintaining their facility 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?

Yes No N/A

Is the utility adhering to their inspection procedures to assure safe and adequate operation of its facilities and compliance with the Commission rules?

Yes No N/A

Unless otherwise authorized in writing by the commission, does the sewage utility make inspections of their collecting sewers and manholes on a scheduled basis at intervals not to exceed one (1) year, unless conditions warrant more frequent inspections?

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 corrective actions required, and/or taken, by location and date?

Yes No N/A

Kentucky Public Service Commission

Periodic Compliance Inspection

Deficiencies

Additional Inspector Comments

This is the first inspection of Bluegrass Water Utility Operating Company, LLC since they became a utility back in September of 2019 in case no. 2019-00104 therefore this visit was considered introductory in nature.

This is the first inspection of Herrington Haven wwt facility since the approved transfer in case no. 2020-00297.

Bluegrass Water entered an Agreed Order with the Energy and Environment Cabinet on September 24, 2021 for the interest of providing corrective actions to the Herrington Haven wastewater treatment facility. (See attachment A)

Kentucky Public Service Commission

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:

Date: October 4, 2021



Brian L. Rice
Utility Inspector
Kentucky Public Service Commission

Kentucky Public Service Commission

Periodic Compliance Inspection

Attachments: A – Agreed Order
B – Pictures