



## BLUEGRASS WATER

Utility Operating Company

A CSWR Managed Utility

July 29, 2020

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.  
Golden Acres WWTF  
KYPDES Permit No. KY0044164  
Agency Interest No. 2935

### Corrective Action Plan Revision:

I am pleased to submit this update to the Corrective Action Plan for the Golden Acres WWTF approved by EEC/DEP on 2/17/2020. The scope of the original CAP was completed within the projected schedule of the CAP. Triage and repair work has been completed and the main aeration plant is in better shape than it was at acquisition. Many improvements have been made to the Golden Acres system including repairs and replacement to damaged components, removal of accumulated solids from the plant and effluent line, improvements to control systems, etc.

The primary issue this facility continues to face is a poorly designed and improperly sized effluent line leading to regular backups at the plant. The original plant was designed for a 4" effluent line which goes from the plant, makes about a 30° turn and eventually makes another turn of about 120°. These turns in the line cause accumulation of solids in the effluent pipe and backup into the plant during high flow periods, leading to flooding and improper flow through the plant. This improper flow leads to additional wash-through of solids, compounding the problem. At acquisition this had resulted in the effluent pipe being nearly completely blocked with rags, toilet paper and debris, with these items visibly discoloring effluent and the receiving waters. In clearing the pipe and investigating the problem it was discovered that while the design had called for 4" effluent pipe, the pipe actually only started and ended at 4", but in fact had been installed with smaller pipe in the underground sections presumably to save money during installation, further exaggerating the problems caused by the pipe.

Per the original CAP, our evaluation following triage improvements has determined that the facility does require a construction permit to complete improvements. A construction permit has been submitted to replace the effluent chamber and effluent line. The replaced line will move the discharge point a short distance downstream from the original discharge, eliminating the turns in the line. The line will also be upsized to 10". It seems that all the plant's issues result from the backups disrupting proper operation of the plant.

The permit will also facilitate conversion to peroxyacetic acid disinfection with post aeration to replace the current disinfection system. We believe that work will proceed quickly following approval of the permit and expect to complete the improvements at Golden Acres Run by February 18, 2022, assuming the permit is issued in the near future. Following the improvements included in the construction permit the facility should be able to consistently comply with permitted limits

1650 Des Peres Rd., Suite 303, St. Louis, MO 63131  
[www.centralstateswaterresources.com](http://www.centralstateswaterresources.com)

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

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[www.centralstateswaterresources.com](http://www.centralstateswaterresources.com)

# Kentucky Public Service Commission

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## Periodic Compliance Inspection

Attachment D

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Pictures



**Golden Acres WWTF**

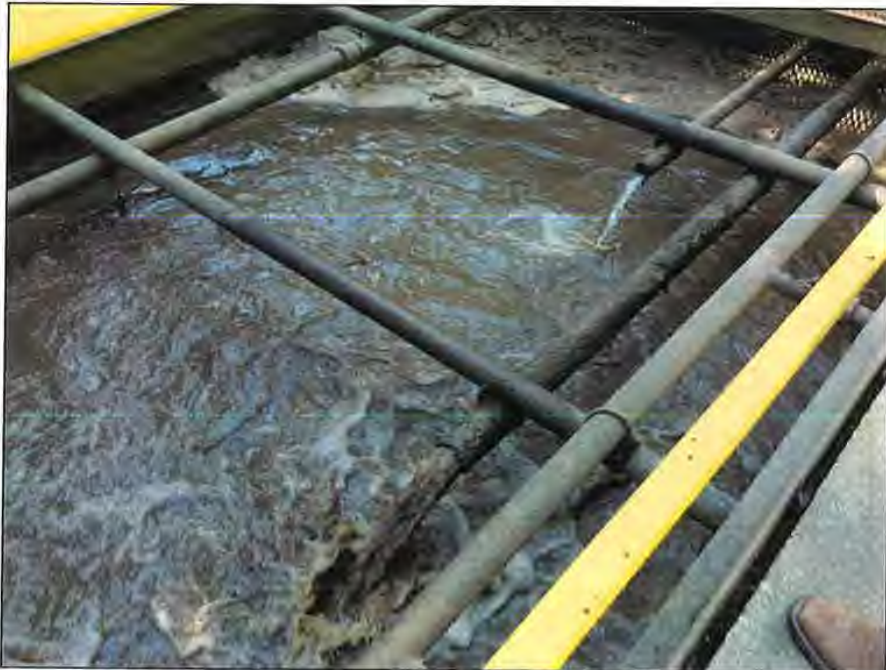


**Flowmeter**





**Clarifier**



**Aeration Basin**





**Lift Station**



**Remote Monitoring System**



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



NOTICE OF VIOLATION

To: Herrington Haven Subd  
Mandy Sappington  
1630 Des Peres Rd Ste 104  
Des Peres, MO 63131

AI Name: Herrington Haven Subd    AI ID: 1469    Activity ID: ENV20220001  
County: Garrard  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 03/21/2022

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. 1.5 mg/L for December 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. 5.25 lbs/day; and loading weekly avg. 5.25 lbs/day for December 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]



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



NOTICE OF VIOLATION

To: Kingswood WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 104  
Des Peres, MO 63131

AI Name: Kingswood WWTP AI ID: 455 Activity ID: ENV20220001  
County: Bullitt  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 03/21/2022

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

- 1 Violation Description for Subject Item AIOO0000000455():  
No person shall, directly or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run or otherwise discharged into such waters any pollutant, or any substance that shall cause or contribute to the pollution of the waters of the Commonwealth in contravention of the standards adopted by the cabinet or in contravention of any of the rules, regulations, permits, or orders of the cabinet or in contravention of any of the provisions of this chapter. [KRS 224.70-110]

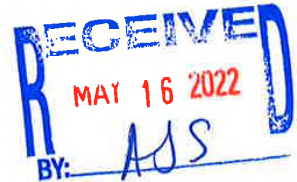
**Description of Non Compliance:**

Failing to comply with 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for E. Coli. The permitted limit for E. Coli is concentration 30-day geometric avg., less than or equal to 130 MPN/100 mL; and concentration 7-day geometric, less than or equal to 240 MPN/100 mL. The facility reported the following: concentration 30-day geometric avg.; and 30-day geometric avg. 2420 MPN/100 mL; and concentration 7-day geometric; and 7-day geometric 2420 MPN/100 mL for December 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]

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



NOTICE OF VIOLATION

To: Kingswood WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 104  
Des Peres, MO 63131

AI Name: Kingswood WWTP AI ID: 455 Activity ID: ENV20220001  
County: Bullitt  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 03/21/2022

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

- 1 Violation Description for Subject Item AIOO0000000455():  
No person shall, directly or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run or otherwise discharged into such waters any pollutant, or any substance that shall cause or contribute to the pollution of the waters of the Commonwealth in contravention of the standards adopted by the cabinet or in contravention of any of the rules, regulations, permits, or orders of the cabinet or in contravention of any of the provisions of this chapter. [KRS 224.70-110]

**Description of Non Compliance:**

Failing to comply with 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for E. Coli. The permitted limit for E. Coli is concentration 30-day geometric avg., less than or equal to 130 MPN/100 mL; and concentration 7-day geometric, less than or equal to 240 MPN/100 mL. The facility reported the following: concentration 30-day geometric avg.; and 30-day geometric avg. 2420 MPN/100 mL; and concentration 7-day geometric; and 7-day geometric 2420 MPN/100 mL for December 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]



Andy Beshear  
Governor

Kent A. Chandler  
Chairman

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

June 1, 2022

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

Re: Periodic Wastewater Inspection  
Bluegrass Water Utility Operating Company, LLC – Carriage Park WWTP  
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 treatment system located in McCracken County, KY on April 26, 2022, reviewing utility operations and management practices pursuant to Commission regulations. The report of this inspection is enclosed with this letter.

Based on the inspector's observations, the following deficiency was identified during the inspection:

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](mailto: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 WWTP

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

**Wastewater Treatment Facility Location:** Paducah, KY

**Utility representative during inspection:** Jake Freeman, PE - Director of Engineering and Arthur Faiello – East Coast Regional Manager

**Counties Served:** McCracken

**Customers:** Approximately 38

**Inspector:** Brian L. Rice

**Date(s) of inspection:** April 26, 2022

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

**Deficiencies noted during the last inspection:** N/A

**Have deficiencies been corrected since last inspection?**

Yes

No

N/A

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

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

Josiah Cox  
Central States Water Resources, CEO  
1630 Des Peres Rd, Suite 140  
Des Peres, MO 63131  
[jcox@cswrgroup.com](mailto:jcox@cswrgroup.com)  
314.736.4672

Terry Merritt  
Midwest Water Operations, VP  
1351 Jefferson Street, Suite 301  
Washington, MO 63090  
[tmerritt@midwestwaterop.com](mailto:tmerritt@midwestwaterop.com)  
636.432.3001

# 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

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

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 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

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

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## 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 daily? 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



**Bluegrass Water Utility Operating Company, Inc**  
**Carriage Park WWTF**





**Andy Beshear**  
Governor

**Rebecca W. Goodman**  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
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Fax: (502) 564-3460  
psc.ky.gov

**Kent A. Chandler**  
Chairman

**Mary Pat Regan**  
Commissioner

August 1, 2022

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

Re: Periodic Wastewater Inspection  
Bluegrass Water Utility Operating Company, LLC – Golden Acres Wastewater System  
Marshall County, KY

Dear Mr. Cox:

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

Based on the inspector's observations, the following deficiency was identified:

1. There's a gap between the ground and the bottom of the entrance gate large enough to allow unauthorized persons or animals to enter the wastewater treatment facility. This is contrary to 807 KAR 5:071, Section 7(1).

For the 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 no later than August 30, 2022.

Please review the enclosed inspection report in its entirety as you will find further information noted regarding 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](mailto:Brian.Rice@ky.gov).

Sincerely,

Brian L. Rice  
Utility Inspector  
Public Service Commission

Enclosure(s)

Copy: Aaron Silas/Regulatory Case Manager, 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 – Golden Acres

Utility's Principal office location: 1630 Des Peres Road, Suite 140 St Louis, MO 63131

Utility representative during inspection: Jake Freeman, Arthur Faiello and Aaron Silas

Counties served: Bullitt

Customers: 31

Investigator: Brian L. Rice

Date(s) of inspection: April 26, 2022

Date(s) of last inspection: August 12, 2021

Deficiencies noted during the last inspection: No deficiencies noted during this inspection

Have deficiencies been corrected since last inspection?

Yes

No

N/A

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

### General Questions

Treatment Facility:

Yes

No

N/A

Collection System:

Yes

No

N/A

### Utility Information

Total number of Employees: 0

Number of Office Employees: 0

Note: The Company is comprised of contracted operations, billing, and customer service.

Does the utility have its own maintenance staff?

Yes

No

N/A

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

Operation and Maintenance is contracted out to Midwest Water Operations.

# Kentucky Public Service Commission

## Periodic Compliance Inspection

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   
Yes  No  N/A

**Note:** Due to the nature of the bills, the flat rate found on the bill is the rate schedule associated with the service areas. Additionally, the bills have multiple options for contacting the Utility if they have any billing inquiries including questions regarding the rate schedule.

### 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

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

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:** The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office.

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

# Kentucky Public Service Commission

## Periodic Compliance Inspection

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: The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

### Section 20: Access to Property

Do employees of the utility (whose duties require him to enter the customer's premises) wear a distinguishing uniform or other insignia, identifying them as an employee of the utility, and show a badge or other identification that shall identify them as an employee of the utility?

Yes  No  N/A

### Section 23: System Maps and Records

Does the utility have on file at its principal office 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: In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' methodology of utilizing the Kentucky Infrastructure Authority to comply with mapping requirements. The Company does maintain maps electronically that can be filed upon request with the Commission. Additionally, the Company utilizes the Kentucky Infrastructure Authority for maps that can show layers including districts.

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 type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" 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"/>

# Kentucky Public Service Commission

## Periodic Compliance Inspection

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

### 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



# Kentucky Public Service Commission

## Periodic Compliance Inspection

### 807 KAR 5:011 (Tariffs)

#### Section 12: Posting tariffs, Administrative Regulations, and Statutes

Does the utility display a suitable placard, in large type, that states that the utility's tariff and statutes are available for public inspection? Yes  No  N/A

Note: The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

Does the utility provide a suitable table or desk in its office or place of business on which the public may view all effective tariffs? Yes  No  N/A

Note: The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

#### Section 13: Special Contracts

Does the utility have any special contracts that establish rates, charges, or conditions of service not contained in its tariff? Yes  No  N/A

If yes, has the utility filed the special contracts with the PSC? Yes  No  N/A

### 807 KAR 5:071 (Sewage):

#### Section 1: General.

The purpose of this administrative regulation is to provide standard rules administrative regulations governing the service of sewage utilities operating under the Jurisdiction of the Public Service Commission.

#### Section 4: Information Available to Customers.

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

# Kentucky Public Service Commission

## Periodic Compliance Inspection

(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 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

PROVIDE DOCUMENTATION DURING INSPECTION IF ANY.

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

Does the utility maintain a record of all interruptions of service regarding 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.

# Kentucky Public Service Commission

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## Periodic Compliance Inspection

### Deficiencies

1. There's a gap underneath the entrance gate that is large enough to allow unauthorized persons or animals to enter the wastewater treatment facility. This is contrary to 807 KAR 5:071, Section 7(1).



Gap under entrance gate



# Kentucky Public Service Commission

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## 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:** July 27, 2022



**Brian L. Rice**  
**Utility Inspector**  
**Kentucky Public Service Commission**



# DOWRoutinePhotos042722

AI 1643 – Hardin County

DOW Inspector Sara Stewart

April 27, 2022

L- all blowers well-maintained with good aeration. R – bar screen well-maintained and recently cleaned.





Clarifier had broken bottom arm at the time of the inspection. A pump was being used to circulate effluent, with limited effectiveness as shown.





Evidence of inadequate treatment in dark, cloudy appearance to receiving waters, due to condition of clarifier.



Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 1643      **AI Type:** SANI-Wastewater Treatment & Collection (2213)  
**AI Name:** Airview WWTP  
**AI Address:** 178 W Airview Dr  
**City:** Elizabethtown **State:** Kentucky **Zip:** 42701  
**County:** Hardin **Regional Office:** Louisville Regional Office  
**Latitude:** 37.758333    **Longitude:** -85.892222

**Site Contact:** Kathy Carey  
**Title:** Operator      **Phone #:** (502) 650-5124

**Inspection Type:** Wastewater Routine-Minor Non-municipal  
**Activity #:** CIN20220001  
**Incident IDs:**  
**Inspection Start Date:** April 28, 2022 **Time:** 12:00 PM  
**End Date:** April 28, 2022 **Time:** 01:00 PM  
**Site/Permit ID:** KY0045390

**Lead DEP Investigator:** Sara Stewart  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Kathy Carey; James Smith

**General Comments:** On April 27, 2022 Division of Water (DOW) Inspector Sara Stewart conducted a routine inspection to determine compliance with KPDES permit KY0045390 for domestic wastewater discharges from Airview Subdivision's wastewater treatment plant (WWTP). DOW was accompanied at the time of the inspection by Kathy Carey and James Smith representing Midwest Water Operations, who operate under the permittee, Bluegrass Water Utilities.

The facility has one aeration basin, clarifier, and sludge tank with an average flow of 0.034 million gallons per day (MGD). A lagoon was formerly used for treatment at the plant but has been taken out of service with an ongoing project to utilize the former lagoon as wet weather storage. Flow at the time of the inspection was recorded as 30 gallons per minute (GPM), or approximately 0.04 GPD. At the time of the inspection, the clarifier was not operating properly. Lower arms had broken off due to age, and supply chain shortages resulted in difficulty making repairs. A pump was hooked up in the clarifier for effluent circulation to continue, however the effluent appeared cloudy and dark with some scum observed around the top of the clarifier. Discharge at Outfall 001, to an unnamed tributary (UT) of Mill Creek, also appeared dark and cloudy.

Violations were documented due to visible stream degradation having occurred as a result of the clarifier's operational status. DOW recommends the facility begin keeping spare parts available in order for treatment systems to continue operating despite needing maintenance or repairs.

**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

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**SI: AIOO1643**

**SI Description:**

**Inspector Comment:** Repairs to the clarifier arms reported as completed on 5/5/2022.

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**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** The facility holds KPDES permit KY0045390, which went into effect on May 1, 2020 and will expire on April 31, 2025.

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** The facility is operated under the supervision of the following certified operator:  
Kathy Carey - Treatment II #31228

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**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]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** The collection system is under the responsibility of:  
Kathy Carey - Collection II #31241

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**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)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. At the time of the inspection, the clarifier was not working properly due to broken bottom arms. Although a pump was hooked up within the clarifier to temporarily provide effluent circulation, this was not providing adequate treatment at all times. Effluent within the clarifier was observed to be cloudy, indicating a disturbance of the sludge blanket. Repairs had not been completed by the time of the inspection due to supply chain issues, however DOW recommends that the facility keep spare parts on hand to prevent shortages from impacting treatment processes.

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

**Compliance Status:** C-No Violations observed

**Comment:** The facility uses two stacks of chlorine tablets for disinfection, with adequate contact time before discharging.

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

**Compliance Status:** I-No Violations obs-but impending viol trends obs

**Comment:** Surface waters downstream of the discharge point appeared cloudy and dark, indicating that pollutants could have entered waters of the Commonwealth.

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

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. The facility discharges to a UT of Mill Creek, which appeared cloudy and dark downstream of the outfall at the time of the inspection.

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

**Compliance Status:** I-No Violations obs-but impending viol trends obs

**Comment:** Spills, bypasses, and non-compliance can be reported to DOW by contacting the regional office at (502) 429-7122 or by calling the 24-hour environmental emergency number at (800) 928-2380.

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**Requirement:** Is the permittee in compliance with immediate reporting requirements for emergency or accidental releases to the environment according to 401 KAR 5:065 Section 3(5)? [401 KAR 5:065 Section 3(5)]. [401 KAR 5:065 Section 3(5)]

**Compliance Status:** I-No Violations obs-but impending viol trends obs

**Comment:** Any emergency or accidental release to the environment must immediately be reported to DOW as soon as the facility becomes aware.

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**Documentation**

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

**Inspector:**



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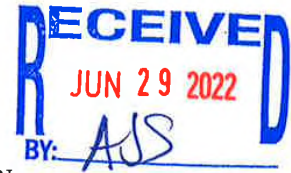
Signed by: Sara Stewart - Local Cert

**Date:** **May 27, 2022**

**Received By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Delivery Method:** **Email**

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



NOTICE OF VIOLATION

To: Golden Acres WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140  
Des Peres, MO 63131

AI Name: Golden Acres WWTP      AI ID: 2935      Activity ID: ENV20220001  
County: Marshall  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 05/09/2022

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 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. 1184 MPN/100 mL; and concentration 7-day geometric 1184 MPN/100 mL for March 2022.

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

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

AI: Golden Acres WWTP -- 2935

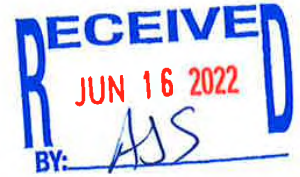
Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance 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: Natalie P. Bruner  
Natalie P. Bruner, Director  
Date: June 17, 2022

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:** ENV20220001  
**County:** Shelby  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 05/09/2022

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 CBOD. The permitted limit for CBOD is loading monthly avg., less than or equal to 11.8 lbs/day; and loading max. weekly avg., less than or equal to 17.8 lbs/day; and concentration monthly avg., less than or equal to 10 mg/L; and concentration max. weekly avg., less than or equal to 15 mg/L. The facility reported the following: loading monthly avg. 25.126 lbs/day; and loading max. weekly avg. 31.857 lbs/day; and concentration monthly avg. 56 mg/L; and concentration max. weekly avg. 71 mg/L for March 2022.

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

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



AI: 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: Natalie P. Bruner  
Natalie P. Bruner, Director  
Date: June 13, 2022

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:** ENV20220002  
**County:** Oldham  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 05/09/2022

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 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. 1414 MPN/100 mL; and concentration 7-day geometric 1414 MPN/100 mL for February 2022.

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

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

**2** Violation Description for Subject Item AIOO0000003367():

No person shall, directly or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run or otherwise discharged into such waters any pollutant, or any substance that shall cause or contribute to the pollution of the waters of the Commonwealth in contravention of the standards adopted by the cabinet or in contravention of any of the rules, regulations, permits, or orders of the cabinet or in contravention of any of the provisions of this chapter. [KRS 224.70-110]

**Description of Non Compliance:**

Failing to comply with 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0043150, monitoring point 001-1, for 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. 2420 MPN/100 mL; and concentration 7-day geometric 2420 MPN/100 mL for January 2022.

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

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

AI: 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: Natalie P. Bruner  
Natalie P. Bruner, Director  
Date: June 13, 2022

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



NOTICE OF VIOLATION

To: Woodland Acres  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

AI Name: Woodland Acres AI ID: 479 Activity ID: ENV20220002  
County: Bullitt  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 08/11/2022

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 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. 1.09 mg/L; and concentration daily max. 1.09 mg/L for June 2022.

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

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

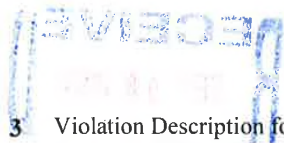
- 2 Violation Description for Subject Item AIOO0000000479():  
No person shall, directly or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run or otherwise discharged into such waters any pollutant, or 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 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. 27.6 mg/L; and concentration daily max. 27.6 mg/L for June 2022.

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

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



3 Violation Description for Subject Item AIOO000000479():

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 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. 34.4 mg/L for June 2022.

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

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

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

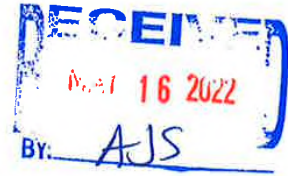
Department for Environmental Protection  
Division of Enforcement  
300 Sower Blvd  
Frankfort, KY 40601  
502-782-6859 (8:00 AM – 4:30 PM)

Issued By: Marlon A. Bascombe  
Marlon Bascombe, Environmental Control Manager  
Date: September 2, 2022





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



NOTICE OF VIOLATION

To: River Bluffs WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140  
Des Peres, MO 63131

AI Name: River Bluffs WWTP      AI ID: 3367      Activity ID: ENV20220001  
County: Oldham  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 03/21/2022

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 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. 248 MPN/100 mL; and concentration 7-day geometric 248 MPN/100 mL for November 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 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. 6.84 mg/L; and concentration daily max. 6.84 mg/L for October 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 AIOO0000003367():

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:

Natalie P. Bruner

Natalie P. Bruner, Director

Date: May 6, 2022

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:** ENV20220001  
**County:** McCracken  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 03/21/2022

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]

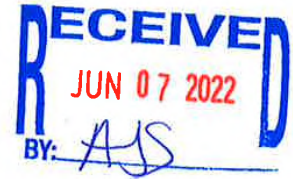
**Description of Non Compliance:**

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 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. 32 mg/L for December 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]

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



NOTICE OF VIOLATION

To: Brocklyn Utilities LLC WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140  
Saint Louis, MO 63131

**AI Name:** Brocklyn Utilities LLC WWTP    **AI ID:** 2809    **Activity ID:** ENV20220002  
**County:** Madison  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 05/09/2022

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

1 Violation Description for Subject Item AIOO0000002809():

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. KY0081299, monitoring point 001-1, for CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 10 mg/L; and concentration max. weekly avg., less than or equal to 15 mg/L. The facility reported the following: concentration monthly avg. 22 mg/L; and concentration max. weekly avg. 22 mg/L for February 2022.

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

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

2 Violation Description for Subject Item AIOO0000002809():

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]

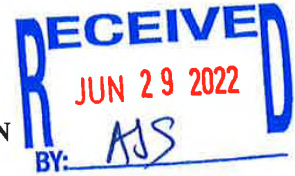
**Description of Non Compliance:**

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. KY0081299, 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. .04 mg/L; and concentration daily max. .04 mg/L for March 2022.

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

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

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



NOTICE OF VIOLATION

To: Fox Run WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140  
Des Peres, MO 63131

AI Name: Fox Run WWTP    AI ID: 1388    Activity ID: ENV20220002  
County: Franklin  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 05/09/2022

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 Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is concentration monthly avg., less than or equal to 10 mg/L; and concentration daily max., less than or equal to 15 mg/L. The facility reported the following: concentration monthly avg. 21.6 mg/L; and concentration daily max. 21.6 mg/L for February 2022.

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

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



AI: 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:

Natalie P. Bruner

Natalie P. Bruner, Director

Date: June 16, 2022

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



NOTICE OF VIOLATION

To: Kingswood WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140  
Des Peres, MO 63131

AI Name: Kingswood WWTP AI ID: 455 Activity ID: ENV20220002  
County: Bullitt  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 05/09/2022

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

- 1 Violation Description for Subject Item AIOO0000000455():  
No person shall, directly or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run or otherwise discharged into such waters any pollutant, or any substance that shall cause or contribute to the pollution of the waters of the Commonwealth in contravention of the standards adopted by the cabinet or in contravention of any of the rules, regulations, permits, or orders of the cabinet or in contravention of any of the provisions of this chapter. [KRS 224.70-110]

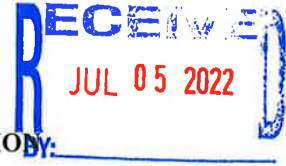
**Description of Non Compliance:**

Failing to comply with 401 KAR 5:065, Section 2(1), which cites to 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0101419, monitoring point 001-1, for Total Ammonia Nitrogen (as N). The permitted limit for Total Ammonia Nitrogen (as N) is concentration monthly avg., less than or equal to 10 mg/L. The facility reported the following: concentration monthly avg. 11.7 mg/L for January 2022.

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

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

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



NOTICE OF VIOLATION

To: Lake Columbia WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140  
Des Peres, MO 63131

AI Name: Lake Columbia WWTP    AI ID: 458    Activity ID: ENV20220001  
County: Bullitt  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 05/09/2022

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. 31 mg/L for January 2022.

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

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



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

Mary Pat Regan  
Commissioner

August 1, 2022

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

Re: Periodic Wastewater Inspection  
Bluegrass Water Utility Operating Company, LLC – Airview Utilities Wastewater  
System  
Hardin County, KY

Dear Mr. Cox:

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

Based on the inspector's observations, no deficiencies were noted during this inspection.

Please review the enclosed inspection report in its entirety as you will find further information noted regarding 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](mailto:Brian.Rice@ky.gov).

Sincerely,

Brian L. Rice  
Utility Inspector  
Public Service Commission

Enclosure(s)

Copy: Aaron Silas, Regulatory Case Manager  
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 – Airview Utilities

**Utility's Principal office location:** 1630 Des Peres Road, Suite 140 St Louis, MO 63131

**Utility representative during inspection:** Jake Freeman, Arthur Faiello and Aaron Silas

**Counties served:** Bullitt

**Customers:** 210

**Investigator:** Brian L. Rice

**Date(s) of inspection:** April 26, 2022

**Date(s) of last inspection:** April 20, 2021

**Deficiencies noted during the last inspection:** No deficiencies noted during this inspection

**Have deficiencies been corrected since last inspection?**

Yes  No  N/A

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

### General Questions

**Treatment Facility:**

Yes  No  N/A

**Collection System:**

Yes  No  N/A

### Utility Information

**Total number of Employees:** 0

**Number of Office Employees:** 0

**Note:** The Company is comprised of contracted operations, billing, and customer service.

**Does the utility have its own maintenance staff?**

Yes  No  N/A

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

Operation and Maintenance is contracted out to Midwest Water Operations.

# Kentucky Public Service Commission

## Periodic Compliance Inspection

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   
Yes  No  N/A

**Note:** Due to the nature of the bills, the flat rate found on the bill is the rate schedule associated with the service areas. Additionally, the bills have multiple options for contacting the Utility if they have any billing inquiries including questions regarding the rate schedule.

### 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

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

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:** The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office.

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



# Kentucky Public Service Commission

## Periodic Compliance Inspection

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: The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

### Section 20: Access to Property

Do employees of the utility (whose duties require him to enter the customer's premises) wear a distinguishing uniform or other insignia, identifying them as an employee of the utility, and show a badge or other identification that shall identify them as an employee of the utility?

Yes  No  N/A

### Section 23: System Maps and Records

Does the utility have on file at its principal office 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: In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' methodology of utilizing the Kentucky Infrastructure Authority to comply with mapping requirements. The Company does maintain maps electronically that can be filed upon request with the Commission. Additionally, the Company utilizes the Kentucky Infrastructure Authority for maps that can show layers including districts.

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 type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" 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"/>

# Kentucky Public Service Commission

## Periodic Compliance Inspection

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

### 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

# Kentucky Public Service Commission

## Periodic Compliance Inspection

### 807 KAR 5:011 (Tariffs)

#### Section 12: Posting tariffs, Administrative Regulations, and Statutes

Does the utility display a suitable placard, in large type, that states that the utility's tariff and statutes are available for public inspection? Yes  No  N/A

**Note:** The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

Does the utility provide a suitable table or desk in its office or place of business on which the public may view all effective tariffs? Yes  No  N/A

**Note:** The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

#### Section 13: Special Contracts

Does the utility have any special contracts that establish rates, charges, or conditions of service not contained in its tariff? Yes  No  N/A

If yes, has the utility filed the special contracts with the PSC? Yes  No  N/A

### 807 KAR 5:071 (Sewage):

#### Section 1: General.

**The purpose of this administrative regulation is to provide standard rules administrative regulations governing the service of sewage utilities operating under the Jurisdiction of the Public Service Commission.**

#### Section 4: Information Available to Customers.

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

# Kentucky Public Service Commission

## Periodic Compliance Inspection

(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 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

PROVIDE DOCUMENTATION DURING INSPECTION IF ANY.

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

Does the utility maintain a record of all interruptions of service regarding 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.



Airview WWTP





# Kentucky Public Service Commission

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## 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: July 27, 2022**



**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

Mary Pat Regan  
Commissioner

July 29, 2022

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

Re: Periodic Wastewater Inspection  
Bluegrass Water Utility Operating Company, LLC – Kingswood Wastewater  
System  
Bullitt County, KY

Dear Mr. Cox:

Public Service Commission staff performed a periodic inspection of the Bluegrass Water Utility Operating Company, LLC – Kingswood wastewater system located in Bullitt County, KY on April 27, 2022, reviewing utility operations and management practices pursuant to Commission regulations. The report of this inspection is enclosed with this letter.

Based on the inspector's observations, no deficiencies were noted during this inspection.

Please review the enclosed inspection report in its entirety as you will find further information noted regarding 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](mailto:Brian.Rice@ky.gov).

Sincerely,

Brian L. Rice  
Utility Inspector  
Public Service Commission

Enclosure(s)

Copy: Aaron Silas, Regulatory Case Manager  
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 – Kingswood

**Utility's Principal office location:** 1630 Des Peres Road, Suite 140 St Louis, MO 63131

**Utility representative during inspection:** Jake Freeman, Arthur Faiello and Aaron Silas

**Counties served:** Bullitt

**Customers:** 131

**Investigator:** Brian L. Rice

**Date(s) of inspection:** April 27, 2022

**Date(s) of last inspection:** April 20, 2021

**Deficiencies noted during the last inspection:** No deficiencies noted during this inspection

**Have deficiencies been corrected since last inspection?**

Yes  No  N/A

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

### General Questions

**Treatment Facility:**

Yes  No  N/A

**Collection System:**

Yes  No  N/A

### Utility Information

**Total number of Employees:** 0

**Number of Office Employees:** 0

**Note:** The Company is comprised of contracted operations, billing, and customer service.

**Does the utility have its own maintenance staff?**

Yes  No  N/A

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

Operation and Maintenance is contracted out to Midwest Water Operations.

# Kentucky Public Service Commission

## Periodic Compliance Inspection

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   
Yes  No  N/A

**Note:** Due to the nature of the bills, the flat rate found on the bill is the rate schedule associated with the service areas. Additionally, the bills have multiple options for contacting the Utility if they have any billing inquiries including questions regarding the rate schedule.

### 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

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

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:** The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office.

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

# Kentucky Public Service Commission

## Periodic Compliance Inspection

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: The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

### Section 20: Access to Property

Do employees of the utility (whose duties require him to enter the customer's premises) wear a distinguishing uniform or other insignia, identifying them as an employee of the utility, and show a badge or other identification that shall identify them as an employee of the utility?

Yes  No  N/A

### Section 23: System Maps and Records

Does the utility have on file at its principal office 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: In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' methodology of utilizing the Kentucky Infrastructure Authority to comply with mapping requirements. The Company does maintain maps electronically that can be filed upon request with the Commission. Additionally, the Company utilizes the Kentucky Infrastructure Authority for maps that can show layers including districts.

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



# Kentucky Public Service Commission

## Periodic Compliance Inspection

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

### 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.

# Kentucky Public Service Commission

## Periodic Compliance Inspection

### 807 KAR 5:011 (Tariffs)

#### Section 12: Posting tariffs, Administrative Regulations, and Statutes

Does the utility display a suitable placard, in large type, that states that the utility's tariff and statutes are available for public inspection? Yes  No  N/A

**Note:** The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

Does the utility provide a suitable table or desk in its office or place of business on which the public may view all effective tariffs? Yes  No  N/A

**Note:** The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

#### Section 13: Special Contracts

Does the utility have any special contracts that establish rates, charges, or conditions of service not contained in its tariff? Yes  No  N/A

If yes, has the utility filed the special contracts with the PSC?

Yes  No  N/A

### 807 KAR 5:071 (Sewage):

**Section 1: General.** The purpose of this administrative regulation is to provide standard rules administrative regulations governing the service of sewage utilities operating under the Jurisdiction of the Public Service Commission.

**Section 4: Information Available to Customers.**

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

# Kentucky Public Service Commission

## Periodic Compliance Inspection

(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 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

PROVIDE DOCUMENTATION DURING INSPECTION IF ANY.

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

Does the utility maintain a record of all interruptions of service regarding 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.



**Kingswood WWTP**



# Kentucky Public Service Commission

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## 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:** July 26, 2022



**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

**Mary Pat Regan**  
Commissioner

July 29, 2022

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

Re: Periodic Wastewater Inspection  
Bluegrass Water Utility Operating Company, LLC – Great Oaks  
McCracken County, KY

Dear Mr. Cox:

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

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

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

Sincerely,

Brian L. Rice  
Utility Inspector  
Public Service Commission

Enclosure(s)

Copy: Aaron Silas, Regulatory Case Manager  
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 – Great Oaks

**Utility's Principal office location:** 1630 Des Peres Road, Suite 140 St Louis, MO 63131

**Utility representative during inspection:** Jake Freeman, Arthur Faiello and Aaron Silas

**Counties served:** McCracken

**Customers:** 164

**Investigator:** Brian L. Rice

**Date(s) of inspection:** April 26, 2022

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

**Deficiencies noted during the last inspection:** No deficiencies noted during this inspection

**Have deficiencies been corrected since last inspection?**

Yes

No

N/A

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

### General Questions

**Treatment Facility:**

Yes

No

N/A

**Collection System:**

Yes

No

N/A

### Utility Information

**Total number of Employees:** 0

**Number of Office Employees:** 0

**Note:** The Company is comprised of contracted operations, billing, and customer service.

**Does the utility have its own maintenance staff?**

Yes

No

N/A

**If not, give the name the person(s) doing the work:** Operation and Maintenance is contracted out to Midwest Water Operations.

# Kentucky Public Service Commission

## Periodic Compliance Inspection

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   
Yes  No  N/A

**Note:** Due to the nature of the bills, the flat rate found on the bill is the rate schedule associated with the service areas. Additionally, the bills have multiple options for contacting the Utility if they have any billing inquiries including questions regarding the rate schedule.

### 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

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

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:** The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office.

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

# Kentucky Public Service Commission

## Periodic Compliance Inspection

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: The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

### Section 20: Access to Property

Do employees of the utility (whose duties require him to enter the customer's premises) wear a distinguishing uniform or other insignia, identifying them as an employee of the utility, and show a badge or other identification that shall identify them as an employee of the utility?

Yes  No  N/A

### Section 23: System Maps and Records

Does the utility have on file at its principal office 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: In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' methodology of utilizing the Kentucky Infrastructure Authority to comply with mapping requirements. The Company does maintain maps electronically that can be filed upon request with the Commission. Additionally, the Company utilizes the Kentucky Infrastructure Authority for maps that can show layers including districts.

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

# Kentucky Public Service Commission

## Periodic Compliance Inspection

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

### 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.



# Kentucky Public Service Commission

## Periodic Compliance Inspection

### 807 KAR 5:011 (Tariffs)

#### Section 12: Posting tariffs, Administrative Regulations, and Statutes

Does the utility display a suitable placard, in large type, that states that the utility's tariff and statutes are available for public inspection?      Yes       No       N/A

**Note:** The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

Does the utility provide a suitable table or desk in its office or place of business on which the public may view all effective tariffs?      Yes       No       N/A

**Note:** The Company does not maintain a local office, but this information is available via the Company's website. In the Order associated with Docket 2019-00104, the Commission approved Bluegrass' operations without a local office. Records are kept electronically and can be made available upon reasonable notice at reasonable hours.

#### Section 13: Special Contracts

Does the utility have any special contracts that establish rates, charges, or conditions of service not contained in its tariff?      Yes       No       N/A

If yes, has the utility filed the special contracts with the PSC?

Yes       No       N/A

### 807 KAR 5:071 (Sewage):

**Section 1: General.** The purpose of this administrative regulation is to provide standard rules administrative regulations governing the service of sewage utilities operating under the Jurisdiction of the Public Service Commission.

#### **Section 4: Information Available to Customers.**

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

# Kentucky Public Service Commission

## Periodic Compliance Inspection

(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 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

PROVIDE DOCUMENTATION DURING INSPECTION IF ANY.

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

Does the utility maintain a record of all interruptions of service regarding 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.



**Great Oaks WWTP**







**Aeration Basin**



**Clarifier and Weir Trough**

# Kentucky Public Service Commission

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## 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: July 22, 2022**



**Brian L. Rice  
Utility Inspector  
Kentucky Public Service Commission**





Brian Rice  
Utility Inspector  
Kentucky Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

sent via email: [brian.rice@ky.gov](mailto:brian.rice@ky.gov)

August 30, 2022

Subject: Periodic Wastewater Inspections – Response to Deficiencies  
Carriage Park – No Discharge

Mr. Rice –

This letter is submitted in response to your Inspection Report dated June 1, 2022. Bluegrass Water purchases distressed small water and wastewater systems that often require extensive upgrades and repairs. Bluegrass Water transforms these utilities by using technology and innovation to quickly assess and invest in infrastructure that meets or exceeds state and federal standards. We have made considerable progress on corrective actions at eighteen facilities purchased in Kentucky since 2019. Based on your Inspection Report we understand the following deficiencies need addressed at this time.

Carriage Park Deficiency

- *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).*
- Bluegrass Water conducted initial fence repairs in early 2021. We acknowledge additional improvements need made to the gate. Recently, local fencing contractors have been unavailable to complete this repair. I have submitted a work request to the operator, and he plans to design and implement a corrective action by September 2, 2022.

We appreciate your ongoing compliance assistance at our facilities throughout Kentucky. If you have any questions regarding this submittal, please contact me directly at 314-464-3976 or [msappington@cswrgroup.com](mailto:msappington@cswrgroup.com).

Sincerely,

Amanda Sappington  
EHS Compliance Manager

Brian Rice  
Utility Inspector  
Kentucky Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

sent via email: [brian.rice@ky.gov](mailto:brian.rice@ky.gov)

August 30, 2022

Subject: Periodic Wastewater Inspections – Response to Deficiencies  
Golden Acres – NPDES KY0044164

Mr. Rice –

This letter is submitted in response to Inspection Reports dated August 1, 2022. Bluegrass Water purchases distressed small water and wastewater systems that often require extensive upgrades and repairs. We have made considerable progress on corrective actions at eighteen facilities purchased in Kentucky since 2019. Based on feedback received during the Inspection, Bluegrass water has addressed the following deficiencies.

Golden Acres Deficiency

- *There's a gap between the ground and the bottom of the entrance gate large enough to allow unauthorized persons or animals to enter the wastewater treatment facility. This is contrary to 807 KAR 5:071, Section 7(1).*
- The Bluegrass Water Regional Manager previously submitted a work request to the operator and this corrective action was completed in June 2022. Additional rock was added at the bottom of the gate to fill this gap, see attached Photo.

We appreciate your ongoing compliance assistance at our facilities throughout Kentucky. If you have any questions regarding this submittal, please contact me directly at 314-464-3976 or [msappington@cswrgroup.com](mailto:msappington@cswrgroup.com).

Sincerely,



Amanda Sappington  
EHS Compliance Manager



Brian Rice  
Utility Inspector  
Kentucky Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

sent via email: [brian.rice@ky.gov](mailto:brian.rice@ky.gov)

August 30, 2022

Subject: Periodic Wastewater Inspections – Response to Deficiencies  
Randview – No Discharge

Mr. Rice –

This letter is submitted in response to Inspection Reports dated August 1, 2022. Bluegrass Water purchases distressed small water and wastewater systems that often require extensive upgrades and repairs. We have made considerable progress on corrective actions at eighteen facilities purchased in Kentucky since 2019. Based on feedback received during the Inspection, Bluegrass water has addressed the following deficiencies.

Randview Deficiencies

- The first lagoon is not enclosed within a fence. This is contrary to 807 KAR 5:071, Section 7(1).
- There are no signs around the first lagoon indicating the nature of the facility and advising against trespassing. This is contrary to 807 KAR 5:071, Section 7(1).
- Parts of the fence around the second lagoon is either damaged or broken and other areas of the fence are laying on the ground. This is contrary to 807 KAR 5:071, Section 7(1).
- There are no signs around the second lagoon indicating the nature of the facility and advising against trespassing. This is contrary to 807 KAR 5:071, Section 7(1).
- There's no access road to the second lagoon. This contrary to 807 KAR 5:071, Section 7(1).
- Vegetation is growing in the lagoon, on the banks and around the area of the lagoon. This is contrary to 807 KAR 5:071 (1).

Mayfield Electric and Water Systems contacted Bluegrass with an interest in purchasing this system to provide service to local customers. On August 18, 2022, Bluegrass Water entered into a contract to sell the system to this entity. Currently, Bluegrass continues to perform routine operations and maintenance but future upgrades to the system will be the responsibility of Mayfield Electric and Water Systems.

At this time Bluegrass will proceed with the following corrective actions:

- Enclose both lagoons with a fence that is designed, constructed and operated in accordance with 807 KAR 5:071 Section 7(1).
- Bluegrass will post signs indicating the nature of the facility and advising against trespassing at both lagoons, in accordance with 807 KAR 5:071 Section 7(1).
- The lack of an access road to the second lagoon prevents regular mowing and removal of large woody vegetation. Mayfield Electric and Water Systems will assume ownership of the system in early 2023. This is a significant upgrade that may not be achievable prior to the ownership transfer. Bluegrass will work with Mayfield Electric and Water Systems to determine the best path to address these deficiencies.

We appreciate your ongoing compliance assistance at our facilities throughout Kentucky. If you have any questions regarding this submittal, please contact me directly at 314-464-3976 or [msappington@cswrgroup.com](mailto:msappington@cswrgroup.com).

Sincerely,



Amanda Sappington  
EHS Compliance Manager

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

**NOTICE OF VIOLATION**

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

Saint Louis, MO 631311871

**AI Name:** Airview WWTP    **AI ID:** 1643    **Activity ID:** ENV20220002  
**County:** Hardin  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 08/11/2022

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

- 1 Violation Description for Subject Item AIOO0000001643():  
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. KY0045390, 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. 387 MPN/100 mL; and concentration 7-day geometric 2420 MPN/100 mL for April 2022.

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

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

- 2 Violation Description for Subject Item AIOO0000001643():  
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. KY0045390, monitoring point 001-1, for CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 25 mg/L. The facility reported the following: concentration monthly avg. 31 mg/L for April 2022.

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

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



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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, Director

Date: August 23, 2022

Brian Rice  
Utility Inspector  
Kentucky Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

sent via email: [brian.rice@ky.gov](mailto:brian.rice@ky.gov)

September 9, 2022

Subject: Periodic Wastewater Inspections – Response to Deficiencies  
Woodland Acres – KY0091600

Mr. Rice –

This letter is submitted in response to your Inspection Report dated August 9, 2022. Bluegrass Water purchases distressed small water and wastewater systems that often require extensive upgrades and repairs. Bluegrass Water transforms these utilities by using technology and innovation to quickly assess and invest in infrastructure that meets or exceeds state and federal standards. We have made considerable progress on corrective actions at eighteen facilities purchased in Kentucky since 2019. Based on your Inspection Report we understand the following deficiencies need addressed at this time.

#### Woodland Acres Deficiencies

- *No safety grating over top the digester or handrails for safety concerns. This is contrary to 807 KAR 5:071, Section 7(1).*
- *No safety grating over top the equalization flow tank or handrails for safety concerns. This is contrary to 807 KAR 5:071, Section 7(1).*
  - Final grating will be installed by October 15, 2022. Grating improvements were made in May 2022, and ninety percent of the facility is currently covered as part of the ongoing capital improvements. The remainder has not been covered because there are no support beams that could support the grating. Grating was delayed in some areas to avoid a false sense of security in people's mind and people may walk on and fall in the treatment facility.
- *The clarifier is murky. This is a sign that the treatment plant is not functioning properly. This is contrary to 807 KAR 5:071, Section 7(1).*
- *At the time of the inspection, a foul odor was coming from the treatment plant. This is contrary to 807 KAR 5:071, Section 7(1).*
  - At the time of the inspection, the facility was recovering from a high flow event. Currently the facility has clear and odor free water.

- *There is an air leak in the clarifier. This is contrary to 807 KAR 5:071, Section 7(1).*
  - The air leak was repaired in May 2022. Bluegrass Water’s capital improvement plan for this facility includes an upgraded air system.

We appreciate your ongoing compliance assistance at our facilities throughout Kentucky. If you have any questions regarding this submittal, please contact me directly at 314-464-3976 or [msappington@cswrgroup.com](mailto:msappington@cswrgroup.com).

Sincerely,



Amanda Sappington  
EHS Compliance Manager

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



NOTICE OF VIOLATION

To: Delaplain Disposal  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

AI Name: Delaplain Disposal AI ID: 3901 Activity ID: ENV20220003  
County: Scott  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 08/11/2022

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

1 Violation Description for Subject Item AIOO0000003901():

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. KY0079049, monitoring point 001-1, for E. Coli. The permitted limit for E. Coli is concentration 7-day geometric, less than or equal to 240 MPN/100 mL. The facility reported the following: concentration 7-day geometric 291 MPN/100 mL for June 2022.

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

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

2 Violation Description for Subject Item AIOO0000003901():

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. KY0079049, monitoring point 001-1, for Dissolved Oxygen. The permitted limit for Dissolved Oxygen is concentration min., greater than or equal to 7 mg/L. The facility reported the following: concentration min. 6.9 mg/L for May 2022.

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

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



Brian Rice  
Utility Inspector  
Kentucky Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

sent via email: [brian.rice@ky.gov](mailto:brian.rice@ky.gov)

September 20, 2022

Subject: Periodic Wastewater Inspections – Response to Deficiencies  
Carriage Park – No Discharge

Mr. Rice –

This letter is submitted as an addendum to my August 30, 2022 letter indicating the large gap between the two swinging gates would be eliminated by September 2, 2022. Please find attached, the photos of the completed corrective action.

We appreciate your ongoing compliance assistance at our facilities throughout Kentucky. If you have any questions regarding this submittal, please contact me directly at 314-464-3976 or [msappington@cswrgroup.com](mailto:msappington@cswrgroup.com).

Sincerely,

A handwritten signature in blue ink that reads "Mandy Sappington".

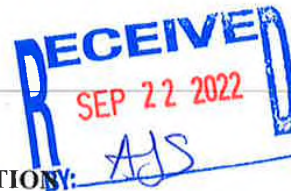
Amanda Sappington  
EHS Compliance Manager







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



NOTICE OF VIOLATION

To: Fox Run WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Fox Run WWTP    **AI ID:** 1388    **Activity ID:** ENV20220003  
**County:** Franklin  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 08/11/2022

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. 122 mg/L; and concentration max. weekly avg. 122 mg/L for June 2022.

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

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

2 Violation Description for Subject Item 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]

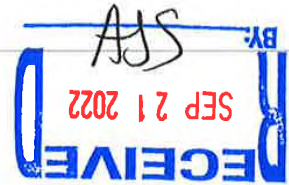
**Description of Non Compliance:**

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 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 May 2022.

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

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

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



NOTICE OF VIOLATION

To: Golden Acres WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Golden Acres WWTP      **AI ID:** 2935      **Activity ID:** ENV20220002  
**County:** Marshall  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 08/11/2022

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]

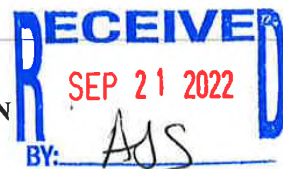
**Description of Non Compliance:**

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 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. 2420 MPN/100 mL; and concentration 7-day geometric 2420 MPN/100 mL for June 2022.

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

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

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



NOTICE OF VIOLATION

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

Saint Louis, MO 631311871

**AI Name:** Great Oaks WWTP **AI ID:** 3041 **Activity ID:** ENV20220002

**County:** McCracken

**Enforcement Case ID:**

**Date(s) Violation(s) Observed:** 08/11/2022

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]

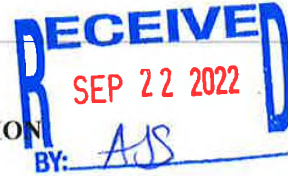
**Description of Non Compliance:**

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 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. 63 mg/L; and concentration max. weekly avg. 63 mg/L for June 2022.

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

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

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



**NOTICE OF VIOLATION**

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

Saint Louis, MO 631311871

**AI Name:** River Bluffs WWTP      **AI ID:** 3367      **Activity ID:** ENV20220003  
**County:** Oldham  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 08/11/2022

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 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. .38 mg/L; and concentration daily max. .38 mg/L for June 2022.

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

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

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

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

Issued By:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager

Date: September 14, 2022

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



NOTICE OF VIOLATION

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

Saint Louis, MO 631311871

**AI Name:** Persimmon Ridge Subd & WWTP    **AI ID:** 3955    **Activity ID:** ENV20220002  
**County:** Shelby  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 08/11/2022

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 Dissolved Oxygen. The permitted limit for Dissolved Oxygen is concentration instantaneous min., greater than or equal to 7 mg/L. The facility reported the following: concentration instantaneous min. 6.5 mg/L for May 2022.

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

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

- 2 Violation Description for Subject Item 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 CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 10 mg/L. The facility reported the following: concentration monthly avg. 10.5 mg/L for May 2022.

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

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

- 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



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:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager

Date: October 7, 2022

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

**NOTICE OF VIOLATION**

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

Saint Louis, MO 631311871

**AI Name:** Airview WWTP    **AI ID:** 1643    **Activity ID:** ENV20220003  
**County:** Hardin  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 11/17/2022

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

- 1 Violation Description for Subject Item AIOO0000001643():  
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. KY0045390, 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. .89 mg/L; and concentration daily max. .89 mg/L for July 2022.

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

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

AI: Airview WWTP -- 1643

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

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

Issued By: Marlon A. Bascombe  
Marlon Bascombe, Environmental Control Manager  
Date: December 1, 2022

Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 44397

**AI Type:** RESIDENCE- Subdivision (nec)

**AI Name:** Darlington Creek HOA Subd

**AI Address:** US 27 S & KY 154

**City:** Alexandria, **State:** Kentucky **Zip:** 41001

**County:** Campbell

**Regional Office:** Florence Regional Office

**Latitude:** 38.853333 **Longitude:** -84.386667

**Site Contact:** Zachary Wilson

**Title:** WWTP Operator

**Inspection Type:** WW CEI-Minor Non-Mun

**Activity #:** CIN20220002

**Inspection Start Date:** Dec. 8, 2022 **Time:** 12:40 PM **End Date:** Dec. 8, 2022 **Time:** 02:50 PM

**Site/Permit ID:** KY0105325

**Lead DEP Investigator:** Jeff Malsi

**Persons Interviewed:** Zachary Wilson

**General Comments:** Treatment facility consists of two treatment plants. The combined flow of the treatment plants then flows to a common Chlorine Contact Tank. Treatment plants were being properly operated and maintained. The overall rating of this inspection is Out of Compliance - Violations Documented. This was due to permit limit exceedances and failure to include all test data on DMRs.

**Overall Compliance Status:** Out of Compliance- Violations documented

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**Investigation Results**

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**SI:** AIOO44397

**SI Description:**

**Inspector Comment:**

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**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Facility holds a permit that became effective on July 1, 2019. The permit will expire June 30, 2024.

---

**Requirement:** Have all required permits been obtained from the Division of Water prior to the construction or modification of the facility? [401 KAR 5:005 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** No construction or modification of the treatment plant has occurred.

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

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**Comment:** Facility is operated under the supervision of Zachary Wilson, a properly certified operator.

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**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:** C-No Violations observed

**Comment:** Collection system in under the primary responsibility of Kathy Carey who holds an active collection system certification at the appropriate level.

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**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:** C-No Violations observed

**Comment:** Records are stored electronically. Permittee sent requested records to inspector.

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**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]

**Compliance Status:** C-No Violations observed

**Comment:** Waste water treatment plants are required to have a GPP. Facility has a GPP.

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**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:** Discharge Monitoring Reports (DMRs) for the first through third quarters 2022 were reviewed as part of this inspection.

The DMRs were submitted at the proper intervals.

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**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:** The facility has migrated to the federal EPA's Net DMR data base for the submission of DMRs.

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**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:** D-Out of Compliance-Violations Documented

**Comment:** The facility has failed to include results of all monitoring completed in addition to the requirements specified in the permit for the second quarter 2022 DMR.

Facility's records indicate that during the second quarter 2022 multiple sampling was conducted during June having the following results:

-TSS lab results of 100 and 1.6.

The DMR only reported 1.6.

-CBOD lab results of 61 and No Detect.

The DMR only reported 2.0

-Ammonia as N lab results of 1.95 and 0.35.

The DMR only reported 0.35.

-E.coli had three samples taken during June with lab results of; >2420, 219 and 36.

The DMR reported 190.0.

This parameter requires a geometric mean calculation. A geometric mean of the three lab values would be 267.

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**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:** D-Out of Compliance-Violations Documented

**Comment:** The facility has failed to utilize the arithmetic mean for TSS, BOD and Ammonia during second quarter 2022. The facility failed to perform proper Geometric mean on E. coli during second quarter 2022..

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

**Compliance Status:** C-No Violations observed

**Comment:** No spills, bypasses or any other non-compliance are known to have occurred since last inspection.

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**Requirement:** Is the permittee in compliance with immediate reporting requirements for emergency or accidental releases to the environment according to 401 KAR 5:065 Section 3(5)? [401 KAR 5:065 Section 3(5)]

**Compliance Status:** C-No Violations observed

**Comment:** No emergency or accidental releases to the environment are known to have occurred since last inspection.

---

**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:** Facility was being properly operated and maintained.

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**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:** Disinfection unit was being properly operated and maintained.

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**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:** N-Not Applicable

**Comment:** The average daily design capacity of this treatment facility is 0.0495 MGD. This places the facility in the intermediate class. The facility is not required to have an indicating, recording and totalizing flow measuring device.

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**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:** A frost proof yard hydrant exists at the plant on its own water meter. Backflow prevention is provided by the backflow preventer in the meter setter box.

---

**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:** Facility is surrounded by a fence with a lockable gate.

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**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:** An all-weather access road is in place.

---

**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:** C-No Violations observed

**Comment:** When needed, a sewage pump truck is used to remove solids.

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**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 facility has failed to comply with the effluent limitations contained in the permit.

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Discharge Monitoring Reports (DMRs) for the first through third quarters 2022 were reviewed as part of this inspection.

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Second quarter 2022 DMR reported permit violations for TRC and E. coli.

Third quarter 2022 DMR reported permit violations for E. coli

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**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:** I-No Violations obs-but impending viol trends obs

**Comment:** Operator reports that lab is taking composite samples from a trough in an unused piece of equipment. The trough was observed to be stagnant. This location does not appear to be representative of plant flow.

---

**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:** E-Not Evaluated

**Comment:** Inspector was not present during sampling.

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**Requirement:** Have samples been analyzed by a lab that has been certified according to 401 KAR 5:320? Are all field parameters collected by a lab or individual that holds a Field Only certification according to 401 KAR 5:320?. [401 KAR 5:320]

**Compliance Status:** C-No Violations observed

**Comment:** Samples have been collected and analyzed by Pace Analytical a properly certified lab with field testing certification.

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

**Compliance Status:** C-No Violations observed

**Comment:** No pollutants were observed entering the waters of the Commonwealth.

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

**Compliance Status:** C-No Violations observed

**Comment:** No surface waters were observed being visibly degraded.

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#### 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:

 Recoverable Signature  
  
Signed by: Jeffrey Malsi

Date: 1/3/2023

Delivery Method: Email

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

**NOTICE OF VIOLATION**

**To:** Brocklyn Utilities LLC WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Brocklyn Utilities LLC WWTP      **AI ID:** 2809      **Activity ID:** ENV20220003  
**County:** Madison  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 11/17/2022

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

- 1 Violation Description for Subject Item AIOO0000002809():  
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. KY0081299, 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. 3.95 mg/L; and concentration daily max. 3.95 mg/L for July 2022.

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

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

- 2 Violation Description for Subject Item AIOO0000002809():  
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. KY0081299, monitoring point 001-1, for Dissolved Oxygen. The permitted limit for Dissolved Oxygen is concentration min., greater than or equal to 7 mg/L. The facility reported the following: concentration min. 2.3 mg/L for July 2022.

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

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

- 3 Violation Description for Subject Item AIOO0000002809():

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. KY0081299, 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. .12 mg/L; and concentration daily max. .12 mg/L for August 2022.

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

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

4 Violation Description for Subject Item AIOO0000002809():

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. KY0081299, monitoring point 001-1, for Dissolved Oxygen. The permitted limit for Dissolved Oxygen is concentration min., greater than or equal to 7 mg/L. The facility reported the following: concentration min. 5.8 mg/L for August 2022.

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

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

5 Violation Description for Subject Item AIOO0000002809():

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. KY0081299, monitoring point 001-1, for CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 10 mg/L; and concentration max. weekly avg., less than or equal to 15 mg/L. The facility reported the following: concentration monthly avg. 29 mg/L; and concentration max. weekly avg. 29 mg/L for July 2022.

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

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

6 Violation Description for Subject Item AIOO0000002809():

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. KY0081299, 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 July 2022.

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

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

AI: Brocklyn Utilities LLC WWTP -- 2809

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

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

Issued By: Marlon A. Bascombe  
Marlon Bascombe, Environmental Control Manager  
Date: December 7, 2022

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

**NOTICE OF VIOLATION**

**To:** Darlington Creek HOA Subd  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Darlington Creek HOA Subd      **AI ID:** 44397    **Activity ID:** ENV20220002  
**County:** Campbell  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 11/17/2022

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

- 1**    Violation Description for Subject Item AIOO0000044397():  
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. KY0105325, 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. The facility reported the following: concentration 30-day geometric avg. 146 MPN/100 mL for September 2022.

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

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



AI: Darlington Creek HOA Subd -- 44397

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

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

Issued By:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager

Date: December 14, 2022

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

**NOTICE OF VIOLATION**

**To:** Delaplain Disposal  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Delaplain Disposal **AI ID:** 3901 **Activity ID:** ENV20220004  
**County:** Scott  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 11/17/2022

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

- 1 Violation Description for Subject Item AIOO0000003901():  
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. KY0079049, monitoring point 001-1, for CBOD. The permitted limit for CBOD is concentration max. weekly avg., less than or equal to 15 mg/L. The facility reported the following: concentration max. weekly avg. 22 mg/L for September 2022.

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

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

- 2 Violation Description for Subject Item AIOO0000003901():  
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. KY0079049, monitoring point 001-1, for E. Coli. The permitted limit for E. Coli is concentration 7-day geometric, less than or equal to 240 MPN/100 mL. The facility reported the following: concentration 7-day geometric 2420 MPN/100 mL for September 2022.

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

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

- 3 Violation Description for Subject Item AIOO0000003901():  
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. KY0079049, monitoring point 001-1, for Total Suspended Solids. The permitted limit for Total Suspended Solids is concentration max. weekly avg., less than or equal to 45 mg/L. The facility reported the following: concentration max. weekly avg. 54 mg/L for September 2022.

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

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

AI: Delaplain Disposal -- 3901

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

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

Issued By:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager  
Date: December 14, 2022

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

**NOTICE OF VIOLATION**

**To:** Fox Run WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Fox Run WWTP    **AI ID:** 1388    **Activity ID:** ENV20220004  
**County:** Franklin  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 11/17/2022

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 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. 1.02 mg/L; and concentration daily max. 1.02 mg/L for August 2022.

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

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

**2** Violation Description for Subject Item 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 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 September 2022.

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

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

AI: 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:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager

Date: December 21, 2022



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

**NOTICE OF VIOLATION**

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

Saint Louis, MO 631311871

**AI Name:** Great Oaks WWTP **AI ID:** 3041 **Activity ID:** ENV20220003  
**County:** McCracken  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 11/17/2022

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 CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 10 mg/L. The facility reported the following: concentration monthly avg. 12 mg/L for September 2022.

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

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

AI: Great Oaks WWTP -- 3041

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

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

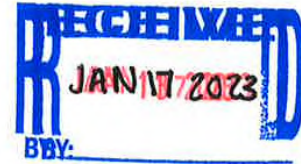
Issued By: Marlon A. Bascombe  
Marlon Bascombe, Environmental Control Manager  
Date: December 28, 2022

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

NOTICE OF VIOLATION

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

Saint Louis, MO 631311871



**AI Name:** LH WWTP **AI ID:** 163895 **Activity ID:** ENV20220001

**County:** Scott

**Enforcement Case ID:**

**Date(s) Violation(s) Observed:** 11/17/2022

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 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. .11 mg/L; and concentration daily max. .11 mg/L for August 2022.

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

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

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

NOTICE OF VIOLATION

To: Woodland Acres  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**RECEIVED**

By Jessica Thomas at 3:41 pm, Jan 19, 2023

**AI Name:** Woodland Acres    **AI ID:** 479    **Activity ID:** ENV20220003  
**County:** Bullitt  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 11/17/2022

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 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 September 2022.

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

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

AI: 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:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager

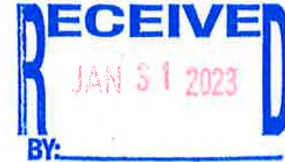
Date: January 12, 2023

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

NOTICE OF VIOLATION

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

Saint Louis, MO 631311871



**AI Name:** River Bluffs WWTP      **AI ID:** 3367      **Activity ID:** ENV20220004  
**County:** Oldham  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 11/17/2022

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 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. .73 mg/L; and concentration daily max. .73 mg/L for September 2022.

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

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



AI: 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)

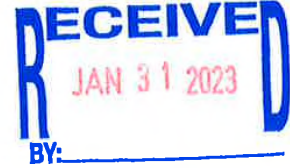
Issued By:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager  
Date: January 25, 2023

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

NOTICE OF VIOLATION



To: Timberland Subdivision WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Timberland Subdivision WWTP    **AI ID:** 3070    **Activity ID:** ENV20220003  
**County:** McCracken  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 11/17/2022

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 CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 10 mg/L; and concentration max. weekly avg., less than or equal to 15 mg/L. The facility reported the following: concentration monthly avg. 28 mg/L; and concentration max. weekly avg. 28 mg/L for July 2022.

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

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

**2** Violation Description for Subject Item 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 CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 10 mg/L; and concentration max. weekly avg., less than or equal to 15 mg/L. The facility reported the following: concentration monthly avg. 54 mg/L; and concentration max. weekly avg. 54 mg/L for September 2022.

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

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

**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 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. 45.5 mg/L; and concentration max. weekly avg. 45.5 mg/L for August 2022.

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

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

**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. 33.1 mg/L; and concentration daily max. 33.1 mg/L for August 2022.

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

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

**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 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. 26.8 mg/L; and concentration daily max. 26.8 mg/L for September 2022.

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

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

**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 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. 30.4 mg/L for September 2022.

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

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

**7 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 CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 10 mg/L; and concentration max. weekly avg., less than or equal to 15 mg/L. The facility reported the following: concentration monthly avg. 55 mg/L; and concentration max. weekly avg. 55 mg/L for August 2022.

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

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

**8 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. 31.1 mg/L; and concentration daily max. 31.1 mg/L for July 2022.

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

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

AI: 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: Marlon A. Bascombe  
Marlon Bascombe, Environmental Control Manager  
Date: January 25, 2023



ANDY BESHEAR  
GOVERNOR

REBECCA W. GOODMAN  
SECRETARY

ANTHONY R. HATTON  
COMMISSIONER

**ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

300 SOWER BOULEVARD  
FRANKFORT, KENTUCKY 40601  
TELEPHONE: 502-564-2150  
TELEFAX: 502-564-4245

February 22, 2023

Ms. Mandy Sappington  
Delaplain Disposal  
1630 Des Peres Road Ste 140  
Saint Louis MO 63131-1871

RE: Sewer Line Extension Denial in Progress to Prevent Pollution from the Delaplain Disposal  
Permit No. KY0079049  
Scott County, Kentucky  
AI ID: 3901

Dear Ms. Sappington:

The Division of Water (DOW) has determined that Delaplain Disposal is out of compliance according to 401 KAR 5:005 and therefore Delaplain Disposal will remain on the Division of Water's Facility Line Extension Ban List. Compliance records indicate that Delaplain Disposal is receiving more than 100% of their design capacity for the last year. The design capacity for Delaplain Disposal is 0.24 million gallons per day (MGD), Delaplain Disposal's monthly average for the past year is 0.253 MGD.

An Exemption Request has been submitted for the R and L Carriers Georgetown Development project. The request proposes an additional flow of 6,400 gallons per day over the design capacity. What is the justification for the additional flow?

The sewer line extension and tap on ban imposed on Delaplain Disposal will not allow any new sewer line extensions or any new taps on to existing lines without prior approval from this office. This ban will not apply to any preexisting subdivisions. Delaplain Disposal will be removed from the Facility Line Extension Ban List once this office has received sufficient evidence that the twelve month average annual flow for Delaplain Disposal has returned to compliance according to 401 KAR 5:005 Section 9.

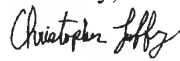
An Equal Opportunity Employer M/F/D



A request for exemption to the line extension and tap on ban can be submitted using the Line Extension Ban Exemption Request Form, to Chris Luffy at [Christopher.luffy@ky.gov](mailto:Christopher.luffy@ky.gov) or the above address. The Line Extension Ban Exemption Request Form can be found on the Division of Water's Wastewater Municipal Planning website. All exemption requests submitted must be signed by an authority for the city. These requests are reviewed on a case-by-case basis and approved or denied based on the nature of the request, the condition of the system, and the progress the city has made in complying with all pertinent regulations, permits, and orders.

If you have any questions or would like to discuss this matter, please contact me at (Email) [Christopher.luffy@ky.gov](mailto:Christopher.luffy@ky.gov).

Sincerely,



Chris Luffy  
Municipal Water Pollution Prevention Program  
Coordinator  
Wastewater Municipal Planning Section

cc: Division of Plumbing

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

**NOTICE OF VIOLATION**

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

Saint Louis, MO 631311871

**AI Name:** Airview WWTP    **AI ID:** 1643    **Activity ID:** ENV20230001  
**County:** Hardin  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 02/16/2023

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

- 1 Violation Description for Subject Item AIOO0000001643():  
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. KY0045390, monitoring point 001-1, for Dissolved Oxygen. The permitted limit for Dissolved Oxygen is concentration instantaneous min., greater than or equal to 7 mg/L. The facility reported the following: concentration instantaneous min. 5.1 mg/L for December 2022.

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

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

AI: Airview WWTP -- 1643

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

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

Issued By:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager  
Date: February 22, 2023

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

**NOTICE OF VIOLATION**

To: Woodland Acres  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Woodland Acres    **AI ID:** 479    **Activity ID:** ENV20230001  
**County:** Bullitt  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 02/16/2023

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

**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 concentration monthly avg., less than or equal to 4 mg/L. The facility reported the following: concentration monthly avg. 4.55 mg/L for December 2022.

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

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

**2** 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 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. 59 mg/L; and concentration max. weekly avg. 59 mg/L for December 2022.

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

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

**3** 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 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 December 2022.

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

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

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

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

Issued By:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager

Date: February 28, 2023





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

NOTICE OF VIOLATION



To: Timberland Subdivision WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Timberland Subdivision WWTP    **AI ID:** 3070    **Activity ID:** ENV20230001  
**County:** McCracken  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 02/16/2023

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

**1** Violation Description for Subject Item 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 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. 38.7 mg/L for November 2022.

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

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

**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 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; and concentration daily max., less than or equal to 13.5 mg/L. The facility reported the following: concentration monthly avg. 21.6 mg/L; and concentration daily max. 21.6 mg/L for January 2023.

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

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

- 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. 2420 MPN/100 mL; and concentration 7-day geometric 2420 MPN/100 mL for January 2023.

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

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

- 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 9 mg/L; and concentration daily max., less than or equal to 13.5 mg/L. The facility reported the following: concentration monthly avg. 30.6 mg/L; and concentration daily max. 30.6 mg/L for November 2022.

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

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

- 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 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. 36 mg/L for December 2022.

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

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

- 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 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. 2420 MPN/100 mL; and concentration 7-day geometric 2420 MPN/100 mL for October 2022.

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

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

7 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. 2420 MPN/100 mL; and concentration 7-day geometric 2420 MPN/100 mL for November 2022.

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

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

8 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. 26.5 mg/L; and concentration daily max. 26.5 mg/L for October 2022.

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

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

9 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; and concentration daily max., less than or equal to 13.5 mg/L. The facility reported the following: concentration monthly avg. 32.4 mg/L; and concentration daily max. 32.4 mg/L for December 2022.

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

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

- 1 Violation Description for Subject Item AIOO0000003070():
- 0

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. 1646 MPN/100 mL; and concentration 7-day geometric 1646 MPN/100 mL for December 2022.

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

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

- 1 Violation Description for Subject Item AIOO0000003070():
- 1

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 CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 10 mg/L; and concentration max. weekly avg., less than or equal to 15 mg/L. The facility reported the following: concentration monthly avg. 113 mg/L; and concentration max. weekly avg. 113 mg/L for October 2022.

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

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

- 1 Violation Description for Subject Item AIOO0000003070():
- 2

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 CBOD. The permitted limit for CBOD is concentration monthly avg., less than or equal to 10 mg/L; and concentration max. weekly avg., less than or equal to 15 mg/L. The facility reported the following: concentration monthly avg. 19 mg/L; and concentration max. weekly avg. 19 mg/L for January 2023.

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

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

Al: 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: Marlon A. Bascombe  
Marlon Bascombe, Environmental Control Manager  
Date: March 6, 2023



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

**NOTICE OF VIOLATION**

To: Fox Run WWTP  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Fox Run WWTP    **AI ID:** 1388    **Activity ID:** ENV20230001  
**County:** Franklin  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 02/16/2023

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

- 1 Violation Description for Subject Item 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 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 October 2022.

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

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

- 2 Violation Description for Subject Item 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 Dissolved Oxygen. The permitted limit for Dissolved Oxygen is concentration instantaneous min., greater than or equal to 7 mg/L. The facility reported the following: concentration instantaneous min. 6.94 mg/L for November 2022.

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

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

AI: 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:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager

Date: March 9, 2023

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

**NOTICE OF VIOLATION**

**To:** Darlington Creek HOA Subd  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Darlington Creek HOA Subd      **AI ID:** 44397    **Activity ID:** ENV20230001  
**County:** Campbell  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 02/16/2023

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

- 1    Violation Description for Subject Item AIOO0000044397():  
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. KY0105325, 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. 371 MPN/100 mL; and concentration 7-day geometric 371 MPN/100 mL for December 2022.

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

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

AI: Darlington Creek HOA Subd -- 44397

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

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

Issued By:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager  
Date: March 3, 2023

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

**NOTICE OF VIOLATION**

**To:** Delaplain Disposal  
Mandy Sappington  
1630 Des Peres Rd Ste 140

Saint Louis, MO 631311871

**AI Name:** Delaplain Disposal **AI ID:** 3901 **Activity ID:** ENV20230001

**County:** Scott

**Enforcement Case ID:**

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

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

**1 Violation Description for Subject Item AIOO0000003901():**

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. KY0079049, monitoring point 001-1, for pH. The permitted limit for pH is concentration min., greater than or equal to 6 su. The facility reported the following: concentration min. 5.42 su for November 2022.

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

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

**2 Violation Description for Subject Item AIOO0000003901():**

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. KY0079049, 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. 1544 MPN/100 mL; and concentration 7-day geometric 2420 MPN/100 mL for December 2022.

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

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

**3 Violation Description for Subject Item AIOO0000003901():**

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. KY0079049, monitoring point 001-1, for Total Suspended Solids. The permitted limit for Total Suspended Solids is concentration max. weekly avg., less than or equal to 45 mg/L. The facility reported the following: concentration max. weekly avg. 80 mg/L for December 2022.

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

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

**4 Violation Description for Subject Item AIOO0000003901():**

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. KY0079049, monitoring point 001-1, for Total Suspended Solids. The permitted limit for Total Suspended Solids is concentration max. weekly avg., less than or equal to 45 mg/L. The facility reported the following: concentration max. weekly avg. 88 mg/L for November 2022.

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

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

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Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

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

Issued By:

*Marlon A. Bascombe*

Marlon Bascombe, Environmental Control Manager

Date: March 3, 2023