



Tank repair



Tank repair



Tank repair

Seeping around bolt



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON
COMMISSIONER

DIVISION OF WATER
130 EAGLE NEST DR
PADUCAH, KY, 420039435

July 12, 2018

Allen Artis
Great Oaks Subd
1303 Pugh school Rd
Benton, Kentucky 42025

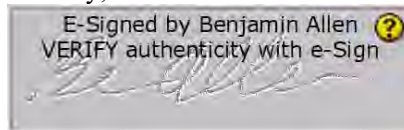
RE: Great Oaks Subd -- 3041
Permit No.: KY0080845
McCracken County, Kentucky
Activity ID: CIN20180007

Dear Mr. Artis:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Great Oaks Subd on July 5, 2018.

If you have any questions or comments concerning this inspection, please contact the Paducah Regional Office at: (270) 898-8468.

Sincerely,



Benjamin Allen
Environmental Inspector
Paducah Regional Office
Division of Water

Enclosure:



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

AI ID: 3041 **AI Type:** RESIDENCE- Subdivision (nec)
AI Name: Great Oaks Subd
AI Address: Creek Side Dr
City: Paducah, **State:** Kentucky **Zip:** 42001
County: McCracken **Regional Office:** Paducah Regional Office
Latitude: 36.97991 **Longitude:** -88.64363
Site Contact: Allen Artis
Title: Owner Operator **Phone #:**
Inspection Type: WW Routine-Min Nmun **Activity #:** CIN20180007
Inspection Start Date: July 5, 2018 **Time:** 12:43 PM **End Date:** July 5, 2018 **Time:** 02:43 PM
Site/Permit ID: KY0080845

Lead DEP Investigator: Benjamin Allen
Other DEP Investigators: Jessie York
Persons Interviewed: Allen Artis

General Comments:

On July 5, 2018, a follow up inspection was conducted at The Great Oaks Subdivision WWTP. This inspection was conducted as a follow up to assess the status of multiple ongoing issues at the plant. During this inspection the owner/ operator Mr. Allen Artis was not present. The package plant was observed and the discharge was noted, although the plant is not to be discharging at this time in accordance with the Interim Agreed Order. The tank that has been leaking and repaired area is showing evidence of small amounts leaking indicating the repairs made have not been successful. Also plans to conduct repairs on the beams that have rusted completely, no repairs have been conducted on the support beams inside the tank, or on the gap between the tanks. While onsite the Septic hauler was present removing a load from the plant de-chlorination chamber.

The Aeration Basin is operating properly, however there are clumps of solids floating in the tank. The return sludge from the clarifier to the aeration basin had been repaired and is in operation. The clarifier has large solid clumps floating on the surface and are spilling over into the chlorine contact chamber. Chlorine tablets were observed in the contact chamber. The area surrounding the plant still shows signs of holding septic water from the initial leaks. Solids from sewage are in multiple locations around the package plant. The Potable water line at the plant is still leaking and keeping the ground saturated where the solids from the overflow are on the ground. Any questions regarding this report please contact the Paducah Regional Office at 270-898-8468

Overall Compliance Status: Out of Comp- Viol documented

Investigation Results

SI: AIOO3041

SI Description:

Inspector Comment:

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

Compliance Status: C-No Violations observed

Comment:

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:

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:

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. the clarifier has floating solids. The aeration basin has large clumps of solids. The is still some leaking from the tank. The Potable water hydrant is leaking still.

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:

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

Compliance Status: E-Not Evaluated

Comment:

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

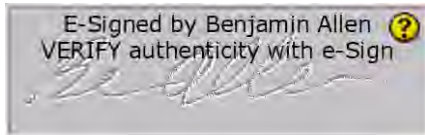
Compliance Status: C-No Violations observed

Comment:

Documentation

- | | |
|---|--|
| <input checked="" 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:



Date: July 12, 2018

Received By: _____ **Title:** _____ **Date:** _____

Delivery Method: USPS

AI# 3041
Great Oaks WWTP
July 5, 2018
by Allen, Benjamin (EEC)



























MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
9116 LEESGATE ROAD
LOUISVILLE KY 40222-5004

ANTHONY R. HATTON
COMMISSIONER

August 1, 2018

Certified No. 9590 9401 0029 5168 8533 49
Return Receipt Requested

Mr. Lawrence Smithers
PO Box 91588
Louisville, KY 40291

Re: Notice of Violation
AI ID: 458
AI Name: Lake Columbia Utilities Inc
Activity ID: ENV20180001
Permit No. KY0077674
Bullitt County, KY

Dear Mr. Smithers:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility on 05/10/2018. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 502-429-7120.

Sincerely,

E-Signed by Todd Giles
VERIFY authenticity with eSign Desktop

Mr. Todd Giles,
Environmental Inspector
Division of Water

Enclosure

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Water

NOTICE OF VIOLATION

To: Mr. Lawrence Smithers
PO Box 91588
Louisville, KY 40291

AI Name: Lake Columbia Utilities Inc **AI ID:** 458 **Activity ID:** ENV20180001
Discovery ID: CIN20180001 **County:** Bullitt
Date(s) Violation(s) Observed: 05/10/2018

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

- 1 Violation Description for Subject Item TRMT0000000001Lake Columbia Utilities(KY0077674):**
Monitoring results shall be reported at the intervals specified in the permit. [40 CFR 122.41(l)(4)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to submit monitoring results at intervals specified in the permit. The facility has failed to submit the April 2018 DMR and the DMR for July 2017 was submitted late.

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

The permittee must begin reporting monitoring results at the intervals specified in the permit. Any permit non-compliance shall constitute a violation of KRS 224, among which shall be the following remedies: Enforcement action, permit revocation, revocation and reissuance, or modification; or denial of permit renewal application. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

- 2 Violation Description for Subject Item TRMT0000000001Lake Columbia Utilities(KY0077674):**
Monitoring results shall be reported on a Discharge Monitoring Report (DMR). [40 C.F.R. 122.41 (l)(4)(i)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to report monitoring results on a DMR. The facility has failed to submit the April 2018 DMR.

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

The permittee must report monitoring results on a DMR. Any permit non-compliance shall constitute a violation of KRS 224, among which shall be the following remedies: Enforcement action, permit revocation, revocation and reissuance, or modification; or denial of permit renewal application. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

- 3 Violation Description for Subject Item TRMT0000000001Lake Columbia Utilities(KY0077674):**
The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the

circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. [40 C.F.R. 122.41(1)(6)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to report spills, bypasses and/or non-compliance as required by 401 KAR 5:065 Section 2(1). Visual observations at the time of the inspection reflected that solids have entered the stream without a corresponding report.

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

The permittee must report spills, bypasses and non-compliance as required by 401 KAR 5:065 Section 2(1). **Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit.** Any permit non-compliance shall constitute a violation of the Clean Water Act and KRS 224, among which shall be the following remedies: Enforcement action, permit revocation, revocation and reissuance, or modification; or denial of permit renewal application. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

4 Violation Description for Subject Item TRMT000000001Lake Columbia Utilities(KY0077674):

Whenever, by reason of emergency or accident, a spill or discharge occurs which results in pollution of the waters of the Commonwealth, the Division of Water shall be notified by the most rapid means available. [401 KAR 5:015 Section 2]

Description of Non Compliance:

The responsible party/permittee has failed to report the spill or discharge to the Division of Water as required. Visual observations at the time of the inspection reflected that solids have entered the stream without a corresponding report.

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

All future spills/bypasses, which would result in or contribute to the pollution of the waters, must be reported to the Division of Water by the most rapid means available. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:015 Section 2]

5 Violation Description for Subject Item TRMT000000001Lake Columbia Utilities(KY0077674):

Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. This provision 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. [40 CFR 122.41(e)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility is not being properly operated and maintained as required. The treatment plant is an older plant that cannot handle wet weather events, which results in solids being discharged when such events occur. Solids were noted within the stream as a result of such wet weather events.

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

The permittee must, at all times, properly operate & maintain the facility. With proper approval(s) from the Division of Water, upgrade/update the facility in order to meet the regulatory requirements and facility permit conditions. **Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit.** Failure to comply with the remedial measures or repeated violations of this requirement may subject you and/or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

6 Violation Description for Subject Item TRMT0000000001Lake Columbia Utilities(KY0077674):

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and KRS 224 and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to comply with the effluent limitations contained in the permit. A review of DMR data from May 2017-May 2018 reflected permit violations: TSS- May, June, Nov, Dec 2017, Feb, May 2018. Ammonia- June, July, Aug, Sept, Nov 2017, Feb, March, May 2018. E. coli- June 2017, Jan, Feb March 2018. BOD- June 2017.

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

The permittee must comply with effluent limitations and all conditions of the KPDES permit. **Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit.** Failure to comply with the remedial measures or repeated violations of this requirement may subject you and/or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

7 Violation Description for Subject Item TRMT0000000001Lake Columbia Utilities(KY0077674):

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 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:

Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. Visual observations at the time of this inspection reflected that solids have entered the waters of the Commonwealth.

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

Immediately cease all activity, which is contributing or has contributed to the pollution of the waters of the Commonwealth. **Within thirty (30) days of the receipt of this notice, the permittee/responsible party shall submit a plan of action and a schedule of implementation to the undersigned describing the necessary measures taken to address the non-compliance.** Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [KRS 224.70-110]

8 Violation Description for Subject Item TRMT0000000001Lake Columbia Utilities(KY0077674):
Surface waters shall not be aesthetically or otherwise degraded. [401 KAR 10:031 Section 2]

Description of Non Compliance:

The waters of the Commonwealth have been degraded. Visual observations at the time of this inspection reflected that solids have entered the waters of the Commonwealth.

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

Immediately cease all discharges that are aesthetically or otherwise degrading the waters of the Commonwealth. The effluent must be brought into compliance so as to eliminate stream degradation.

Within thirty (30) days of the receipt of this notice, the permittee/responsible party shall submit a plan of action and a schedule of implementation to the undersigned describing the necessary measures taken to address the non-compliance. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [401 KAR 10:031 Section 2]

9 Violation Description for Subject Item TRMT0000000001Lake Columbia Utilities(KY0077674):

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and KRS 224 and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. [40 C.F.R. 122.41(a)]. [401 KAR 5:065 Section 2]

Description of Non Compliance:

The facility has failed to comply with the terms of the permit. Solids were noted to have entered the receiving stream. Permit violations were noted through a completion of a review of DMR data for May 2017-May 2018.

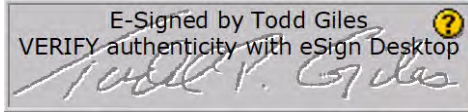
The remedial measure(s), and date(s) to be completed by are as follows:

Comply with all conditions of the KPDES permit. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and/or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:065 Section 2]

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

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

Division of Water
Louisville Regional Office
9116 Leesgate Rd
Louisville, KY 40222
502-429-7120 (8:00 AM – 4:30 PM)
Mr. Todd Giles, Environmental Inspector



Issued By:

Mr. Todd Giles, Environmental Inspector
Date: August 1, 2018



Issued By:

Mr. Charlie Roth, Environmental Control Supervisor
Date: August 1, 2018

How Delivered: Certified Mail Certified/Registered # 9590 9401 0029 5168 8533 49



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON
COMMISSIONER

DIVISION OF WATER
130 EAGLE NEST DR
PADUCAH, KY, 420039435

August 20, 2018

Allen Artis
Great Oaks Subd
1303 Pugh School Rd.
Benton, Kentucky 42025

RE: Great Oaks Subd -- 3041
Permit No.: KY0080845
McCracken County, Kentucky
Activity ID: CIN20180008

Dear Mr. Artis:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Great Oaks Subd on August 17, 2018.

If you have any questions or comments concerning this inspection, please contact the Paducah Regional Office at: (270) 898-8468.

Sincerely,

E-Signed by Benjamin Allen
VERIFY authenticity with e-Sign

Benjamin Allen
Environmental Inspector
Paducah Regional Office
Division of Water

BCA
Enclosure:



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

AI ID: 3041 **AI Type:** RESIDENCE- Subdivision (nec)
AI Name: Great Oaks Subd
AI Address: Creek Side Dr
City: Paducah, **State:** Kentucky **Zip:** 42001
County: McCracken **Regional Office:** Paducah Regional Office
Latitude: 36.97991 **Longitude:** -88.64363
Site Contact: Allen Artis
Title: Owner **Phone #:** 270-205-1266
Inspection Type: WW Routine-Min Nmun **Activity #:** CIN20180008
Inspection Start Date: August 17, 2018 **Time:** 10:39 AM **End Date:** August 17, 2018 **Time:** 11:40 AM
Site/Permit ID: KY0080845

Lead DEP Investigator: Benjamin Allen
Other DEP Investigators: Jessie York
Persons Interviewed: Allen Artis

General Comments: On August 17, 2018, a follow up inspection was conducted at The Great Oaks Subdivision WWTP. This inspection was conducted as a follow up to assess the status of multiple ongoing issues at the plant. During this inspection the owner/ operator Mr. Allen Artis was not present. The package plant was observed and the discharge was noted, although the plant is not to be discharging at this time in accordance with the Interim Agreed Order. Also plans to conduct repairs on the beams that have rusted completely, no repairs have been conducted on the support beams inside the tank, or on the gap between the tanks. While onsite the Septic hauler was not present, but the hose was onsite and in the clarifier.

The Aeration Basin is operating properly, however there are clumps of solids floating in the tank with vegetation growing from them. The return sludge from the clarifier to the aeration basin had been repaired and is in operation. The clarifier has some solid clumps floating on the surface. Chlorine tablets were observed in the contact chamber. The area surrounding the plant still shows signs of holding septic water from the initial leaks. Solids from sewage are in multiple locations around the package plant. The Potable water line at the plant is still leaking and keeping the ground saturated where the solids from the overflow are on the ground. Any questions regarding this report please contact the Paducah Regional Office at 270-898-8468

Overall Compliance Status: Out of Comp- Viol documented

Investigation Results

SI: AIOO3041

SI Description:

Inspector Comment:

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

Compliance Status: C-No Violations observed

Comment:

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:

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:

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. the clarifier has floating solids. The aeration basin has large clumps of solids, with vegetation growing from them. The Potable water hydrant is leaking still.

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:

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

Compliance Status: E-Not Evaluated

Comment:

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

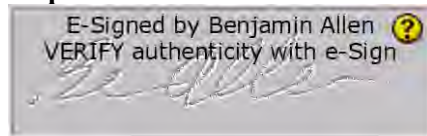
Compliance Status: C-No Violations observed

Comment:

Documentation

- | | |
|---|--|
| <input checked="" 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:



Date:

Received By: _____ **Title:** _____ **Date:** _____

Delivery Method: usps

AI # 3041
Great Oaks WWTP
August 17, 2018
by Allen, Benjamin (EEC)



























MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON
COMMISSIONER

DIVISION OF WATER
130 EAGLE NEST DR
PADUCAH, KY, 420039435

October 8, 2018

Allen Artis
Great Oaks Subd
P.O Box 541
Benton, Kentucky 42025

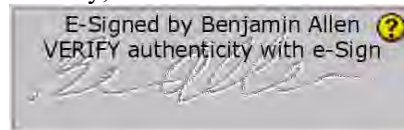
RE: Great Oaks Subd -- 3041
Permit No.: KY0080845
McCracken County, Kentucky
Activity ID: CIN20180009

Dear Mr. Artis:

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If you have any questions or comments concerning this inspection, please contact the Paducah Regional Office at: (270) 898-8468.

Sincerely,



Benjamin Allen
Environmental Inspector
Paducah Regional Office
Division of Water

Enclosure:



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

AI ID: 3041 **AI Type:** RESIDENCE- Subdivision (nec)
AI Name: Great Oaks Subd
AI Address: Creek Side Dr
City: Paducah, **State:** Kentucky **Zip:** 42001
County: McCracken **Regional Office:** Paducah Regional Office
Latitude: 36.97991 **Longitude:** -88.64363
Site Contact: Allen Artis
Title: Owner/ Operator **Phone #:**
Inspection Type: WW Routine-Min Nmun **Activity #:** CIN20180009
Inspection Start Date: September 19, 2018 **Time:** 10:00 AM **End Date:** September 19, 2018 **Time:** 11:00 AM
Site/Permit ID: KY0080845

Lead DEP Investigator: Benjamin Allen
Other DEP Investigators: Jessie York
Persons Interviewed: Allen Artis

General Comments:

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Inspector Comment:

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(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. the clarifier has floating solids. The aeration basin has large clumps of solids, with vegetation growing from them. The Potable water hydrant has been repaired.

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:

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

Compliance Status: E-Not Evaluated

Comment:

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

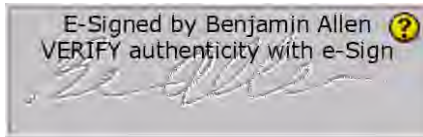
Compliance Status: C-No Violations observed

Comment:

Documentation

- | | |
|---|--|
| <input checked="" 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:



Date: October 8, 2018

Received By: _____ **Title:** _____ **Date:** _____

Delivery Method: USPS

Great Oaks Sub September 19, 2018

by Allen, Benjamin (EEC)



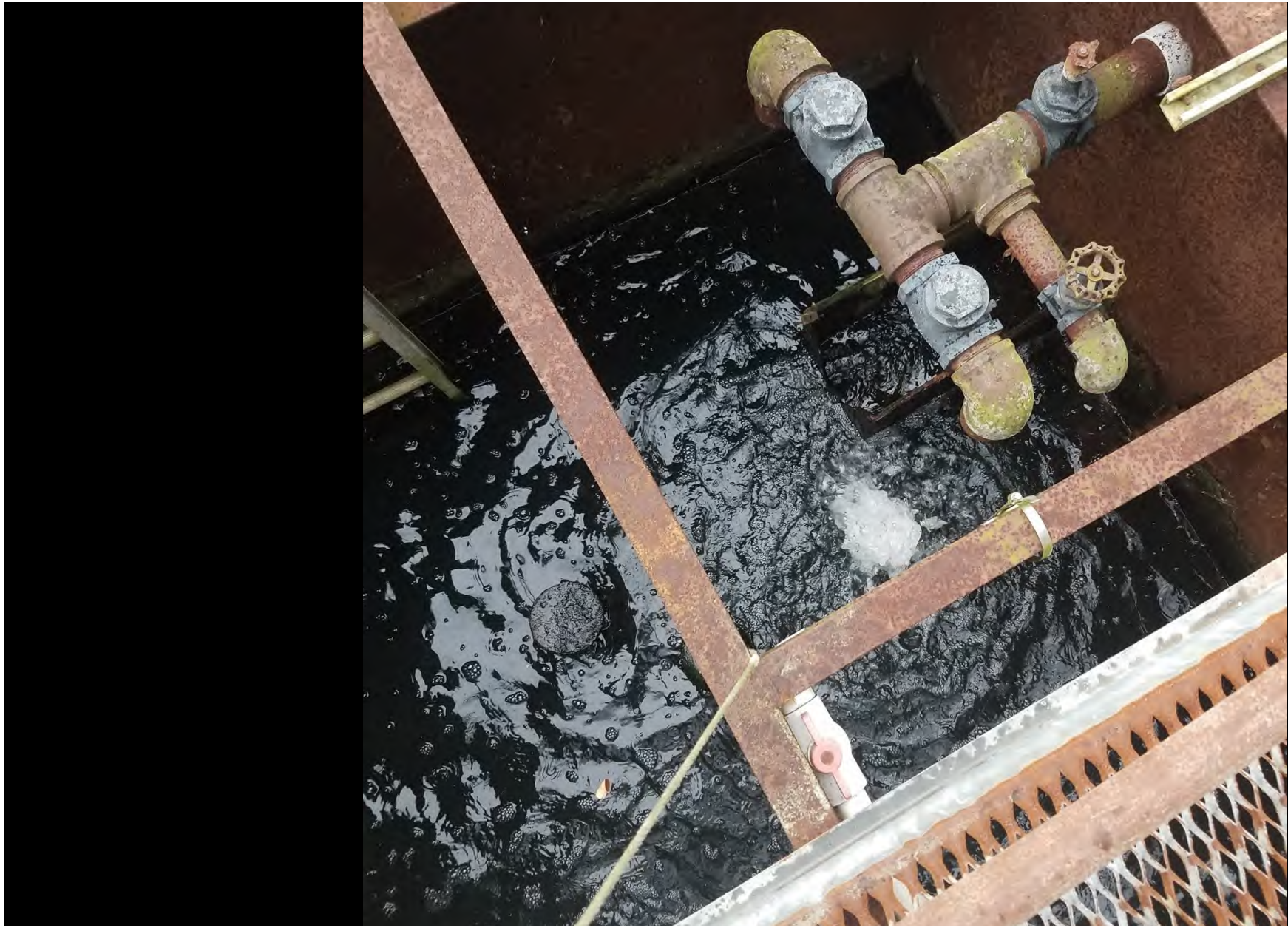
























Energy and Environment Cabinet
Department for Environmental Protection
Division of Water
Wastewater Inspection Report

AI ID: 3041 **AI Type:** RESIDENCE- Subdivision (nec)
AI Name: Great Oaks Subd
AI Address: Creek Side Dr
City: Paducah, **State:** Kentucky **Zip:** 42001
County: McCracken **Regional Office:** Paducah Regional Office
Latitude: 36.97991 **Longitude:** -88.64363
Site Contact: Allen Artis
Title: Owner Operator **Phone #:**
Inspection Type: WW Routine-Min Nmun **Activity #:** CIN20180010
Inspection Start Date: December 4, 2018 **Time:** 01:00 PM **End Date:** December 4, 2018 **Time:** 02:00 PM
Site/Permit ID: KY0080845

Lead DEP Investigator: Benjamin Allen

General Comments: On December 4, 2018, a follow up inspection was conducted at The Great Oaks Subdivision WWTP. This inspection was conducted as a follow up to assess the status of multiple ongoing issues at the plant. During this inspection the owner/ operator Mr. Allen Artis was not present. The package plant was observed and the discharge was noted to have solids and solids being deposited in the creek. The Aeration Basin is operating, however there are clumps of solids floating in the tank with vegetation growing from them. The return sludge from the clarifier to the aeration basin is not in operation and the basin color looks light. The clarifier has solid clumps floating on the surface and solids flowing over into the chlorination chamber. A small remnant of a chlorine table was observed in the contact chamber. Solids from sewage are in multiple locations around the package plant. The Potable water line at the plant has been repaired. There has not been any progress made toward the repairs Mr. Artis submitted in his plan to return to compliance. Photos were taken while on site. The man hole before the lift station in the collection system was observed, around it was evidence of a recent overflow, The DOW has not received any notification of overflows or bypasses. Any questions regarding this report please contact the Paducah Regional Office at 270-898-8468

Overall Compliance Status: Out of Compliance- NOV

Investigation Results

SI: AIOO3041

SI Description:

Inspector Comment:

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

Compliance Status: C-No Violations observed

Comment:

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:

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:

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: V-Out of Compliance-NOV

Comment: The facility is not being properly operated and maintained as required. the clarifier has floating solids.

The aeration basin has large clumps of solids, with vegetation growing from them. The Clarifier has solids floating and filling up the overflow troughs to the disinfection chamber. Solids were observed in the discharge, and below in the creek.

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: V-Out of Compliance-NOV

Comment: The facility has failed to properly maintain and / or operate the disinfection unit.

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

Compliance Status: V-Out of Compliance-NOV

Comment: Pollutants have entered and contributed to the pollution of the waters of the Commonwealth.

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

Compliance Status: V-Out of Compliance-NOV

Comment: The waters of the Commonwealth have been degraded. Solids were observed in the creek.

Documentation

Photos taken

Documents obtained from facility

Samples taken by outside source

Request for Submission of Documents

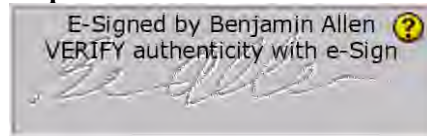
Record of visual determination of opacity

Samples taken by DEP

Regional office instrument readings taken

Other documentation

Inspector:



Date: December 5, 2018

Received By: _____ **Title:** _____ **Date:** _____

Delivery Method: USPS

Certified Mail Number #7014 0510 0002 3570 3848

Photo Album

by Allen, Benjamin (EEC)















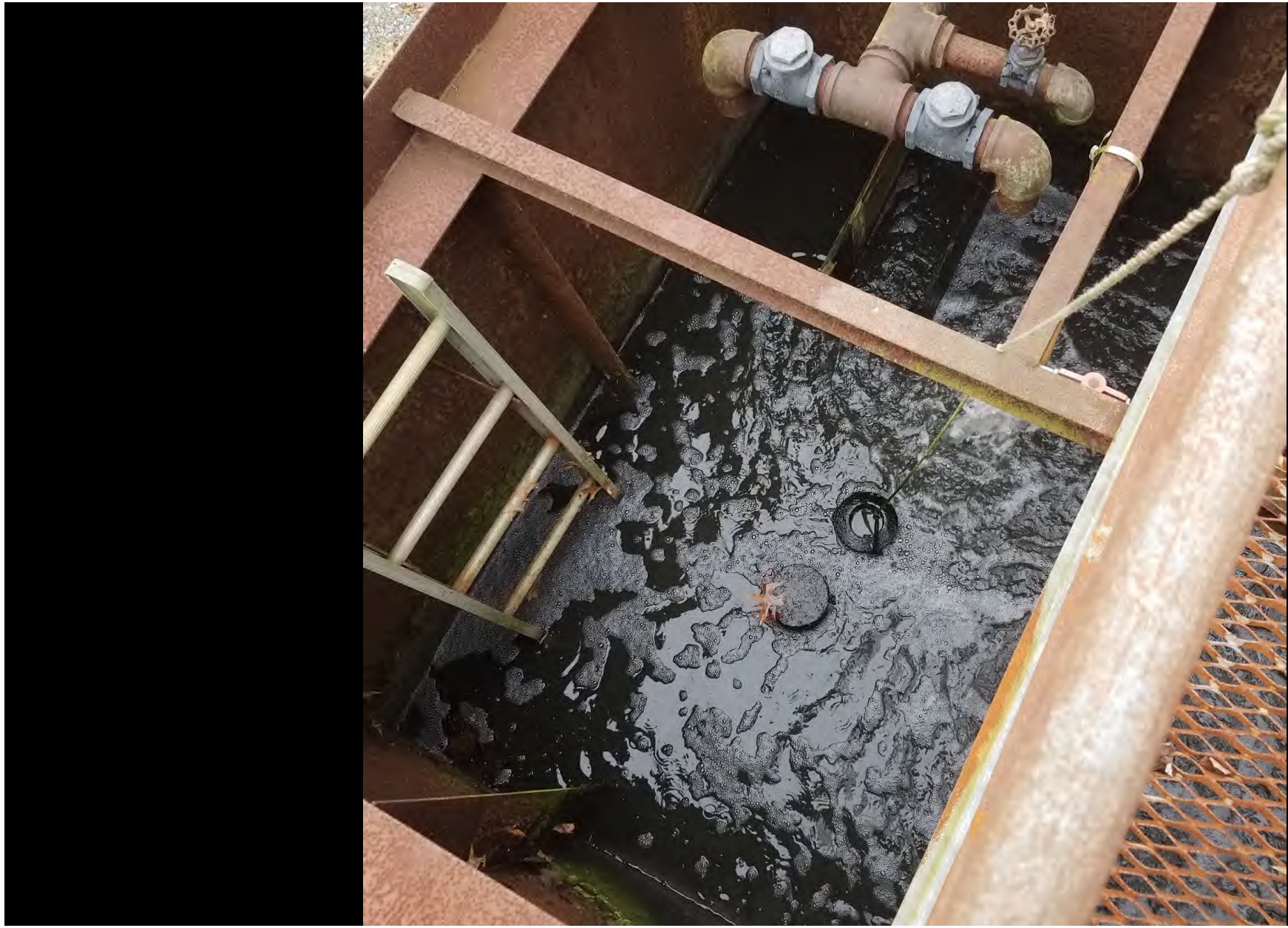






























MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
130 EAGLE NEST DR
PADUCAH KY 42003-9435

ANTHONY R. HATTON
COMMISSIONER

December 10, 2018

Certified No. 7014 0510 0002 3570 3848
Return Receipt Requested

William A Artis
1303 Pugh School Rd
Benton, KY 42025


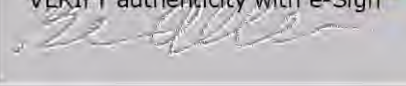
Re: Notice of Violation
AI ID: 3041
AI Name: Great Oaks Subd
Activity ID: ENV20180004
Permit No. KY0080845
McCracken County, KY

Dear Mr. Artis:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 270-898-8468.

Sincerely,

E-Signed by Benjamin Allen 
VERIFY authenticity with e-Sign


Benjamin Allen,
Environmental Scientist
Division of Water

Enclosure

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Water

NOTICE OF VIOLATION

To: William A Artis
1303 Pugh School Rd
Benton, KY 42025

AI Name: Great Oaks Subd **AI ID:** 3041 **Activity ID:** ENV20180004
Discovery ID: CIN20180010 **County:** McCracken
Enforcement Case ID:
Date(s) Violation(s) Observed: 12/04/2018

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

1 Violation Description for Subject Item AIOO0000003041():

Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. This provision 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)] as in [40 C.F.R. 122.41(e)].

Description of Non Compliance:

The facility is not being properly operated and maintained as required. The clarifier has floating solids. The aeration basin has large clumps of solids, with vegetation growing from them. The Clarifier has solids floating and filling up the overflow troughs to the disinfection chamber. Solids were observed in the discharge, and below in the creek.

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

The permittee must, at all times, properly operate & maintain the facility. With proper approval(s) from the Division of Water, upgrade/update the facility in order to meet the regulatory requirements and facility permit conditions. Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and/or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

2 Violation Description for Subject Item AIOO0000003041():

All wastewater treatment plants shall have a disinfection process which meets the following requirements: An ultraviolet disinfection system designed to treat the anticipated peak hourly flow; a chlorination system with a flow or demand proportional feed system. The chlorine contact tank shall have a minimum detention time of thirty (30) minutes based on the average flow, or fifteen (15) minutes based on the peak hourly flow, whichever requires the larger tank size. Wastewater treatment plants shall also have a dechlorination system with a flow or demand proportional feed system if necessary to meet the effluent limits; or a chlorination system with a manually controlled feed system and a flow equalization basin designed to eliminate the diurnal flow variations. Tablet type chlorination equipment shall not be used in an intermediate or large WWTP. [401 KAR 5:005 Section 11].

Description of Non Compliance:

The facility has failed to properly maintain and / or operate the disinfection unit.

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

The permittee must immediately maintain and operate the disinfection unit to allow for compliance with permit conditions. Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and/or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:005 Section 11]

3 Violation Description for Subject Item AIOO000003041():

No person shall directly, or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run 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:

Pollutants have entered and contributed to the pollution of the waters of the Commonwealth.

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

Immediately cease all activity, which is contributing or has contributed to the pollution of the waters of the Commonwealth. Within thirty (30) days of the receipt of this notice, the permittee/responsible party shall submit a plan of action and a schedule of implementation to the undersigned describing the necessary measures taken to address the non-compliance. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [KRS 224.70-110]

4 Violation Description for Subject Item AIOO000003041():

Surface waters shall not be aesthetically or otherwise degraded. [401 KAR 10:031 Section 2].

Description of Non Compliance:

The waters of the Commonwealth have been degraded. Solids were observed in the creek.

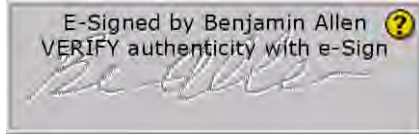
The remedial measure(s), and date(s) to be completed by are as follows:

Immediately cease all discharges that are aesthetically or otherwise degrading the waters of the Commonwealth. The effluent must be brought into compliance so as to eliminate stream degradation. Within thirty (30) days of the receipt of this notice, the permittee/responsible party shall submit a plan of action and a schedule of implementation to the undersigned describing the necessary measures taken to address the non-compliance. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [401 KAR 10:031 Section 2]

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

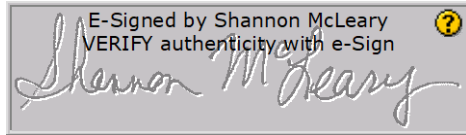
If you have questions or need further information, write or call the undersigned:

Division of Water
Paducah Regional Office
130 Eagle Nest Dr.
Paducah, KY 42003-9435
270-898-8468 (8:00 AM – 4:30 PM)
Benjamin Allen, Environmental Scientist



Issued By:

Benjamin Allen, Environmental Scientist
Date: December 10, 2018



Issued By:

Shannon McLeary, Environmental Control Supervisor
Date: December 10, 2018

How Delivered: USPS Certified/Registered # 7014 0510 0002 3570 3848



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON
COMMISSIONER

DIVISION OF WATER
9116 LEESGATE RD
LOUISVILLE, KY, 40222

January 9, 2019

Lawren Just
Persimmon Ridge Subd
72 Persimmon Ridge Dr
Louisville, Kentucky 40245

RE: Persimmon Ridge Subd -- 3955
Permit No.: KY0090956
Shelby County, Kentucky
Activity ID: CIN20190001

Dear Mrs. Just:

Attached for your information and records is a copy of the inspection report performed at Persimmon Ridge Subd on January 4, 2019.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

E-Signed by Todd Giles
VERIFY authenticity with eSign Desktop

Todd Giles
Environmental Inspector
Louisville Regional Office
Division of Water

TG
Enclosure:



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

AI ID: 3955 **AI Type:** RESIDENCE- Subdivision (nec)
AI Name: Persimmon Ridge Subd
AI Address: 72 Persimmon Ridge Dr

City: Louisville, **State:** Kentucky **Zip:** 40245
County: Shelby **Regional Office:** Louisville Regional Office
Latitude: 38.297778 **Longitude:** -85.439722
Site Contact: Lawren Just **Phone #:** 502-241-0456
Inspection Type: WW CEI-Minor Non-Mun **Activity #:** CIN20190001
Inspection Start Date: January 4, 2019 **Time:** 09:00 AM **End Date:** January 4, 2019 **Time:** 11:00 AM
Site/Permit ID: KY0090956

Lead DEP Investigator: Todd Giles
Persons Interviewed: Kathy Carey; Lawren Just

General Comments: This inspection was completed by KDOW to determine compliance with its current KPDES permit (KY0090956). The facility is currently operating under an Agreed Order due to permit violations within Phosphorus, TSS, BOD, and eColi. The facility contacted KDOW with a desire to obtain compliance with its KPDES permit and in need of technical assistance in doing so. During this inspection, it was recommended that the facility contact the Division for Compliance Assistance for more precise technical assistance.

Visual observations revealed that the WWTP was operating in proper manner. Both lagoon cells were well aerated and free flowing. There was a small amount of duck weed in the second lagoon, but did not appear to be affecting the flow of wastewater. Chlorine/Dechlor. was being added in a manner that would allow for compliance with the KPDES permit. The receiving stream appeared clear and free flowing.

Overall Compliance Status: Out of Comp- Viol documented

Investigation Results

SI: AIOO3955

SI Description:

Inspector Comment:

SI: TRMT2 Persimmon Ridge WWTP

SI Description: Persimmon Ridge WWTP Liquid Chlorination/Dechlorination

Inspector Comment:

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

Compliance Status: C-No Violations observed

Comment: The facility is currently operating under KPDES permit KY0090956 which is due to expire September 30, 2023.

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

Comment: Lawren Just - AI 32590 Cert. 31230
Kathy Carey - AI 31963 Cert. 31228

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: Lawren Just - AI 32590 Cert. 31242
Kathy Carey - AI 31963 Cert. 31241

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: The facility has failed to maintain required records. All records are currently being maintained on site within the main office.

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: All sample results are being submitted through eNotification and are being submitted as required.

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: Monitoring data is being submitted through eNotification.

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

Compliance Status: C-No Violations observed

Comment: No spills/bypasses have been noted within the realm of this facility. Staff is aware of reporting requirements should a spill/bypass occur.

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

Compliance Status: N-Not Applicable

Comment:

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: Operations within this facility are being performed in a manner that would allow for compliance with its KPDES permit. The facility has reached out to KDOW to assist in pursuing for compliance with various sampling excursions.

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: Liquid chlorine is being utilized to allow for disinfection of the treated effluent.

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:

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:

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:

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. While the treatment process appears to be operating in a satisfactory manner, monitoring results have reflected some non-compliance at various intervals.

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

Compliance Status: C-No Violations observed

Comment: All sample collection/analysis is being performed by Beckmar Environmental.

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

Compliance Status: C-No Violations observed

Comment: All sample collection/analysis is being performed by Beckmar Environmental.

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

Compliance Status: D-Out of Compliance-Violations Documented

Comment: Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. Operations within this facility are being performed in a manner that would allow for compliance with its KPDES permit. The facility has reached out to KDOW to assist in pursuing for compliance with various sampling excursions.

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

Compliance Status: D-Out of Compliance-Violations Documented

Comment: The waters of the Commonwealth have been degraded. Operations within this facility are being performed in a manner that would allow for compliance with its KPDES permit. The facility has reached out to KDOW to assist in pursuing for compliance with various sampling excursions.

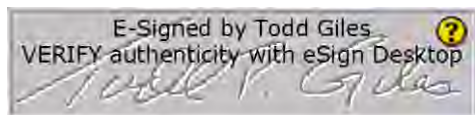
Requirement: Is the permittee in compliance with all permit conditions? [401 KAR 5:065 Section 2]

Compliance Status: D-Out of Compliance-Violations Documented

Comment: The facility has failed to comply with the terms of the permit. Operations within this facility are being performed in a manner that would allow for compliance with its KPDES permit. The facility has reached out to KDOW to assist in pursuing for compliance with various sampling excursions.

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:

Fox Run Subd
Mr. Lawrence W Smither
PO Box 91588
Louisville, KY 40291

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

To: Fox Run Subd
Mr. Lawrence W Smither
PO Box 91588

Louisville, KY 40291

AI Name: Fox Run Subd **AI ID:** 1388 **Activity ID:** ENV20190001

County: Franklin

Enforcement Case ID:

Date(s) Violation(s) Observed: 02/21/2019

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 40 CFR 122.41(a), which cites to 401 KAR 5:065, Section 2(1), by failing to comply with the monitoring and reporting requirements specified in KPDES Permit No. KY0086967, during the November 2018 monitoring period, for the following monitoring point(s): 001-1.

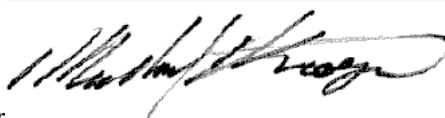
The remedial measure(s), and date(s) to be completed by are as follows:

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

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

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

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



Issued by: Michael B. Kroeger, Director
Date: February 27, 2019

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

AI ID: 3041 **AI Type:** RESIDENCE- Subdivision (nec)
AI Name: Great Oaks Subd
AI Address: Creek Side Dr

City: Paducah, **State:** Kentucky **Zip:** 42001
County: McCracken **Regional Office:** Paducah Regional Office
Latitude: 36.97991 **Longitude:** -88.64363
Site Contact: Allen Artis
Title: Owner/Operator **Phone #:** 270-205-1266
Inspection Type: WW Routine-Min Nmun **Activity #:** CIN20190001
Incident IDs:
Inspection Start Date: April 4, 2019 **Time:** 12:00 PM **End Date:** April 4, 2019 **Time:** 01:00 PM
Site/Permit ID: KY0080845

Lead DEP Investigator: Jessie York
Other DEP Investigators:
External Investigators:
Persons Interviewed:

General Comments:

This inspection was conducted to evaluate compliance with KPDES permit number KY0080845. Mr. Artis signed an Agreed Order (AAO-34434-049) with the Energy and Environment Cabinet on 5/1/18. Mr. Artis has failed to comply with the Remedial Measures of Agreed Order (AAO-34434-049).

The facility is not being properly operated and maintained as required. Multiple dead spots were observed in the aeration basin. Floating solids cover a large portion of the aerator. The sludge return appeared to have a low MLSS (Mixed Liquor Suspended Solids) concentration. The plant is not being operated at an appropriate level. Water was spilling over the bulkhead between the aerator and clarifier. The clarifier was grey and very turbid with excessive nitrification. Water level was above the chlorine contact trough. No chlorine tablet was in place. Water was leaking from the contact chamber to an out of use tank. The bulkhead separating these two tanks is severely corroded. The post-aeration and de-chlorination chamber was grey and very turbid with solids floating on the surface. Staining was observed in the receiving stream below outfall 001. Dried solids were piled on the side of the treatment plant and on the ground beside it. General housekeeping was in poor condition.

An E.coli sample was collected at outfall 001. The result was >2420 MPN/100ml, this exceeds the facility's permitted limit of 240 MPN/100ml.

Mr. Artis has failed to comply with the treatment plant structural integrity upgrade timeline described in section 2.b. of AAO-34434-049. The plant remains in very poor condition and is unable to comply permit effluent limitations. Severe corrosion was observed throughout the plant.

This facility has failed to comply with their KPDES permit as well as the conditions of Agreed Order (AAO-34434-049). A Notice of Violation will be issued and added the existing Enforcement Referral.

Overall Compliance Status: Out of Compliance- NOV

Investigation Results

SI: AIOO3041

SI Description:

Inspector Comment:

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

Compliance Status: D-Out of Compliance-Violations Documented

Comment: The facility does not hold an active KPDES permit. KY0080845
Permit expired on April 30, 2017.

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: Allen Artis

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:

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: V-Out of Compliance-NOV

Comment: The facility is not being properly operated and maintained as required. Multiple dead spots were observed in the aeration basin. Floating solids cover a large portion of the aerator. The sludge return appeared to have a low MLSS (Mixed Liquor Suspended Solids) concentration. The plant is not being operated at an appropriate level. Water was spilling over the bulkhead between the aerator and clarifier. The clarifier was grey and very turbid with excessive nitrification. Water level was above the chlorine contact trough. No chlorine tablet was in place. Water was leaking from the contact chamber to an out of use tank. The bulkhead separating these two tanks is severely corroded. The post-aeration and de-chlorination chamber was grey and very turbid with solids floating on the surface. Staining was observed in the receiving stream below outfall 001. Dried solids were piled on the side of the treatment plant and on the ground beside it. Overall condition of the plant and general housekeeping is very poor.

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: V-Out of Compliance-NOV

Comment: The facility has failed to properly maintain and / or operate the disinfection unit. Water level was above the chlorine contact trough. No chlorine tablet was in place. An E.coli sample was collected at outfall 001. The result was >2420 MPN/100ml, this exceeds the facility's permitted limit of 240 MPN/100ml.

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

Compliance Status: V-Out of Compliance-NOV

Comment: Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. An E.coli sample was collected at outfall 001. The result was >2420 MPN/100ml, this exceeds the facility's permitted limit of 240 MPN/100ml.

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

Compliance Status: V-Out of Compliance-NOV

Comment: The waters of the Commonwealth have been degraded. Solids were observed in the creek. An E.coli sample was collected at outfall 001. The result was >2420 MPN/100ml, this exceeds the facility's permitted limit of 240 MPN/100ml. Staining was observed in the receiving stream below outfall 001.

Requirement: Any person who violates KRS 224.10-110(2) or (3), KRS 224.70-110, 224.73-120, 224.20-110,

224.46-580, 224.01-400, or who fails to perform any duties imposed by these sections, or who violates any determination, permit, administrative regulation, or order of the cabinet promulgated pursuant thereto shall be liable for a civil penalty not to exceed the sum of twenty-five thousand dollars (\$25,000) for each day during which a violation continues, and in addition, may be concurrently enjoined from any further violations as hereinafter provided in this section and KRS 224.99-020. [KRS 224.99010(1)]

Compliance Status: V-Out of Compliance-NOV

Comment: Mr. Artis has failed to comply with the remedial measures of AAO-34434-049.

Documentation

- | | |
|---|--|
| <input checked="" type="checkbox"/> Photos taken | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility | <input checked="" 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:



Date: 4/29/19

Received By: _____ **Title:** _____ **Date:** _____

Delivery Method: Certified Mail

Certified Mail Number: 7014 0510 0002 3570 6627



McCoy & McCoy Laboratories, Inc.
A Pace Analytical Laboratory

P.O. Box 907
 Madisonville, KY 42431
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Certificate of Analysis 9042202

Jessie York
 Kentucky Division of Water Paducah
 130 Eagle Nest Drive
 Paducah KY, 42003

Customer ID: 44-101007
 Report Printed: 04/08/2016 16:25

Project Name: Jessie York Project	Workorder: 9042202
-----------------------------------	--------------------

Dear Jessie York

Enclosed are the analytical results for samples received at one of our laboratories on 04/04/2016 13:45.

McCoy & McCoy Laboratories, Inc. is a commercial laboratory accredited by various state and national authorities, including Indiana, Kentucky, Tennessee, and Virginia's National Environmental Laboratory Accreditation Program (NELAP). With the NELAP accreditation, applicable test results are certified to meet the requirements of the National Environmental Laboratory Accreditation Program.

If you have any questions concerning this report please contact the individual listed below.

Please visit our website at www.mccoylabs.com for a listing of the NELAP accreditations and Scope of Work, as well as, links to other scientific organizations.

This certificate of analysis may not be reproduced without the written consent of McCoy & McCoy Laboratories, Inc.



Bonney Hewlett

Bonney Hewlett, Project Manager

This page is included as part of the Analytical Report and must be retained as a permanent record thereof.



McCoy & McCoy LABORATORIES, INC.
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 Lexington, KY Paducah, KY
 859.299.7775 270.444.6547

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SAMPLE SUMMARY

Lab ID	Client Sample ID/Alias	Matrix	Date Collected	Date Received	Sampled By
8042202-01	Ecoli/Great Oaks WW Outfall 001	Water	04/04/2019 12:30	04/04/2019 13:45	Jessie York

ANALYTICAL RESULTS

Lab Sample ID: 8042202-01
 Description: Ecoli Great Oaks WW Outfall 001

Sample Collection Date Time: 04/04/2019 12:30
 Sample Received Date Time: 04/04/2019 13:45

Microbiological Analyses Paducah

Analyte	Result	Flag	Units	MRL	MDL	Method	Prepared	Analyzed	Analyst
E. Coli	2420	>E	MPN/100mL			SM9223 COLerQT 34	04/04/2019 15:00	04/05/2019 16:05	TRAM

Notes for work order 8042202

- Samples collected by MMU personnel are done so in accordance with procedures set forth in MMU field services SOPs
 - Results contained in this report are only representative of the samples received.
 - MMU does not provide interpretation of these results unless otherwise stated.
 - All Wastewater analyses comply with methodology requirements of 40 CFR Part 135
 - All Drinking Water analyses comply with methodology requirements of 40 CFR Part 141
 - Unless otherwise noted, all quantitative results for solids are reported on a dry weight basis
 - The Chain of Custody document is included as part of this report.
 - All Library Search analytes should be regarded as tentative identification based on the presumptive evidence of the mass spectra
- Concentrations reported are estimated values.

Qualifiers

- >E E. coli concentration greater than 2420 MPN/100ML
- U Target analyte was analyzed for, but was below detection limit (the value associated with the qualifier is the laboratory method detection limit in our LIMS system)

Standard Qualifiers/Acronyms

- MDL Method Detection Limit
- MRL Minimum Reporting Limit
- ND Not Detected
- LCS Laboratory Control Sample
- MS Matrix Spike
- MSD Matrix Spike Duplicate
- DUP Sample Duplicate
- % Rec Percent Recovery
- RPD Relative Percent Difference
- > Greater than
- < Less than



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Certified Analyses Included In This Report

Analysis

Certifications

SM9227 COLANT 24 in Water

E. Coli

KY Drinking Water Pad (00031) KY Wastewater Pad (00031) TN Drinking Water (02619)

Sample Acceptance Checklist for Work Order 9042202	
Shipped By: Client	Temperature: 4.00° Celsius
Condition	
Check if custody seals were present/intact.	<input type="checkbox"/>
Check if any containers were received damaged.	<input type="checkbox"/>
Check if COC was submitted and complete.	<input checked="" type="checkbox"/>
Check if COC agreed with sample labels.	<input checked="" type="checkbox"/>
Check if all containers on COC were received	<input checked="" type="checkbox"/>
Check if all samples had appropriate containers.	<input checked="" type="checkbox"/>
Check if all samples had appropriate volumes.	<input checked="" type="checkbox"/>
Check if collection methods were recorded on COC.	<input checked="" type="checkbox"/>
Check if flow units were recorded on COC.	<input type="checkbox"/>
Check if any headspace issues with volatile sample	<input type="checkbox"/>
Check if holding times were acceptable	<input checked="" type="checkbox"/>
Check if all containers were preserved properly.	<input checked="" type="checkbox"/>



McCoy & McCoy Laboratories, Inc.

NELAP Accredited - Wastewater Division

120 Industrial Rd.	Madison, NY 13001	315-621-7373
1450 Farnam Dr., Suite 100	Lawrence, NY 13000	315-696-7714
173 Mill Creek Rd.	Madison, NY 13001	315-621-0144
65 81 First Valley Rd.	Lawrence, NY 13000	315-696-6809
2038 Love Lane Rd.	Madison, NY 13001	315-621-0000

CHAIN OF CUSTODY

Page 1 of 1

Client: Jesse Ferris NY Division of Water 132 Eagle Nest Dr Ithaca, NY 14850 607-872-8458	Bill To: Jessie Ferris R. Kelly - gov	Customer PO# 	Sample Chain of Custody: YES NO (circle one)
Project Name:		Sample Receipt Information is electronically recorded:	Compliance Sample: YES NO (circle one)
Sample Collector (Signature):		Workorder No.: 9042202	

Collection							Sample Description	Analysis Requested	Sample No. (MSL) Use Only
No.	Date	Time	Matrix	Preservative	# of Bottles	Lab Composite			
1	4/4/19	1230	WA	ST	1	Grab	Outfall 201 Great Oaks WtW	Es Coli	
			pH	Cl	Temp	C or F			
2									
			pH	Cl	Temp	C or F			
3									
			pH	Cl	Temp	C or F			
4									
			pH	Cl	Temp	C or F			
5									
			pH	Cl	Temp	C or F			

Comments:

Relinquished By: <i>[Signature]</i>	Date: 4/4/19	Time: 1345	Code Chart <table border="0" style="width:100%"> <tr> <th>Matrix</th> <th>Preservative</th> </tr> <tr> <td>DW - Drinking Water</td> <td>M - Nitric Acid (HNO3)</td> </tr> <tr> <td>SW - Solid Waste</td> <td>HA - Hydrochloric Acid (HCL)</td> </tr> <tr> <td>SO - Soil/Solid</td> <td>SH - Sodium Hydroxide (NaOH)</td> </tr> <tr> <td>CL - Fill</td> <td>ST - Sodium Thiosulfate</td> </tr> <tr> <td>SL - Sludge</td> <td>ZN - Zinc Acetate</td> </tr> <tr> <td>GW - Groundwater</td> <td>SA - Sulfuric Acid (H2SO4)</td> </tr> <tr> <td>WW - Wastewater</td> <td>AA - Ascorbic Acid</td> </tr> <tr> <td>SU - Surface Water</td> <td>AC - 4 degree Celsius</td> </tr> <tr> <td></td> <td>NO - None</td> </tr> </table>	Matrix	Preservative	DW - Drinking Water	M - Nitric Acid (HNO3)	SW - Solid Waste	HA - Hydrochloric Acid (HCL)	SO - Soil/Solid	SH - Sodium Hydroxide (NaOH)	CL - Fill	ST - Sodium Thiosulfate	SL - Sludge	ZN - Zinc Acetate	GW - Groundwater	SA - Sulfuric Acid (H2SO4)	WW - Wastewater	AA - Ascorbic Acid	SU - Surface Water	AC - 4 degree Celsius		NO - None
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Received By: <i>[Signature]</i>	Date: 4-11-19	Time: 1245																					
Relinquished By:	Date:	Time:																					
Received By:	Date:	Time:																					
Relinquished By:	Date:	Time:																					
Received By:	Date:	Time:																					

1 Expedited TAT not available for all testing, please call.
 2 RUSH fees may apply if samples received with 48 hr hold time remaining.
 3 MML reserves the right to rework without sample.

Page 1 of 3

Great Oaks Subd.

AI: 3041

KY0080845

by York, Jessie (EEC)

4/4/19





Outfall 001



Staining below
outfall 001



Staining below outfall 001



Staining below outfall 001



Treatment plant



Repair plate



Repair plate



Repair plate



Solid cap over large portion of the aerator



Influent



Aerator



Aerator



Aerator



Aerator



Sludge Return



Sludge Return



Sludge Return



Aerator



Aerator spilling over into the clarifier



Clarifier



Clarifier



Clarifier



Contact chamber. No cl2 tablet was in place.



Contact chamber. No
cl2 tablet was in
place.



Water leaking from the contact chamber to an out of use tank.



Out of use tank is holding septic water.



Post aeration and de-cl2.



Post aeration and de-cl2



Influent lift station.



Solids on the side of
the plant.



Solids on the ground
beside the plant.

MATTHEW G. BEVIN
GOVERNOR



CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
130 EAGLE NEST DR
PADUCAH KY 42003-9435

ANTHONY R. HATTON
COMMISSIONER

April 26, 2019

Certified No. 7014 0510 0002 3570 6627
Return Receipt Requested

Mr. Allen Artis
PO Box 541
Benton, KY 42025

Re: Notice of Violation
AI ID: 3041
AI Name: Great Oaks Subd
Activity ID: ENV20190001
Permit No. KY0080845
McCracken County, KY

Dear Mr. Artis:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 270-898-8468.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessie York", enclosed in a rectangular box. A small yellow question mark icon is visible in the top right corner of the box.

Jessie York,
Environmental Scientist
Division of Water

Enclosure Inspection Report; Notice of Violation

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Water

NOTICE OF VIOLATION

To: Mr. Allen Artis
PO Box 541
Benton, KY 42025

AI Name: Great Oaks Subd **AI ID:** 3041 **Activity ID:** ENV20190001
Discovery ID: CIN20190001 **County:** McCracken
Enforcement Case ID:
Date(s) Violation(s) Observed: 04/04/2019

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

1 Violation Description for Subject Item AIOO0000003041():

Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. This provision 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)] as in [40 C.F.R. 122.41(e)]

Description of Non Compliance:

The facility is not being properly operated and maintained as required. Multiple dead spots were observed in the aeration basin. Floating solids cover a large portion of the aerator. The sludge return appeared to have a low MLSS (Mixed Liquor Suspended Solids) concentration. The plant is not being operated at an appropriate level. Water was spilling over the bulkhead between the aerator and clarifier. The clarifier was grey and very turbid with excessive nitrification. Water level was above the chlorine contact trough. No chlorine tablet was in place. Water was leaking from the contact chamber to an out of use tank. The bulkhead separating these two tanks is severely corroded. The post-aeration and de-chlorination chamber was grey and very turbid with solids floating on the surface. Staining was observed in the receiving stream below outfall 001. Dried solids were piled on the side of the treatment plant and on the ground beside it. Overall condition of the plant and general housekeeping is very poor.

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

The permittee must, at all times, properly operate & maintain the facility. With proper approval(s) from the Division of Water, upgrade/update the facility in order to meet the regulatory requirements and facility permit conditions. Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and/or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

2 Violation Description for Subject Item AIOO0000003041():

All wastewater treatment plants shall have a disinfection process which meets the following requirements: An ultraviolet disinfection system designed to treat the anticipated peak hourly flow; a chlorination system with a flow or demand proportional feed system. The chlorine contact tank shall have a minimum detention time of thirty (30) minutes based on the average flow, or fifteen (15) minutes based on the peak

hourly flow, whichever requires the larger tank size. Wastewater treatment plants shall also have a dechlorination system with a flow or demand proportional feed system if necessary to meet the effluent limits; or a chlorination system with a manually controlled feed system and a flow equalization basin designed to eliminate the diurnal flow variations. Tablet type chlorination equipment shall not be used in an intermediate or large WWTP. [401 KAR 5:005 Section 11]

Description of Non Compliance:

The facility has failed to properly maintain and / or operate the disinfection unit. Water level was above the chlorine contact trough. No chlorine tablet was in place. An E.coli sample was collected at outfall 001. The result was >2420 MPN/100ml, this exceeds the facility's permitted limit of 240 MPN/100ml.

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

The permittee must immediately maintain and operate the disinfection unit to allow for compliance with permit conditions. Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and/or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:005 Section 11]

3 Violation Description for Subject Item AIOO0000003041():

No person shall directly, or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run 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:

Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. An E.coli sample was collected at outfall 001. The result was >2420 MPN/100ml, this exceeds the facility's permitted limit of 240 MPN/100ml.

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

Immediately cease all activity, which is contributing or has contributed to the pollution of the waters of the Commonwealth. Within thirty (30) days of the receipt of this notice, the permittee/responsible party shall submit a plan of action and a schedule of implementation to the undersigned describing the necessary measures taken to address the non-compliance. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [KRS 224.70-110]

4 Violation Description for Subject Item AIOO0000003041():

Surface waters shall not be aesthetically or otherwise degraded. [401 KAR 10:031 Section 2]

Description of Non Compliance:

The waters of the Commonwealth have been degraded. Solids were observed in the creek. An E.coli sample was collected at outfall 001. The result was >2420 MPN/100ml, this exceeds the facility's permitted limit of 240 MPN/100ml. Staining was observed in the receiving stream below outfall 001.

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

Immediately cease all discharges that are aesthetically or otherwise degrading the waters of the Commonwealth. The effluent must be brought into compliance so as to eliminate stream degradation. Within thirty (30) days of the receipt of this notice, the permittee/responsible party shall submit a plan of action and a schedule of implementation to the undersigned describing the necessary measures taken to

address the non-compliance. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [401 KAR 10:031 Section 2]

5 Violation Description for Subject Item AIOO0000003041():

Any person who violates KRS 224.10-110(2) or (3), KRS 224.70-110, 224.73-120, 224.20-110, 224.46-580, 224.01-400, or who fails to perform any duties imposed by these sections, or who violates any determination, permit, administrative regulation, or order of the cabinet promulgated pursuant thereto shall be liable for a civil penalty not to exceed the sum of twenty-five thousand dollars (\$25,000) for each day during which a violation continues, and in addition, may be concurrently enjoined from any further violations as hereinafter provided in this section and KRS 224.99-020. [KRS 224.99010(1)]

Description of Non Compliance:

Mr. Artis has failed to comply with the remedial measures of AAO-34434-049.

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

Immediately comply with all orders of the Cabinet. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [KRS 224.99010(1)]

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

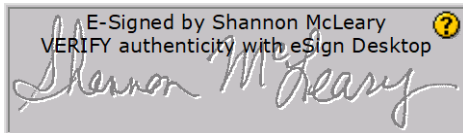
If you have questions or need further information, write or call the undersigned:

Division of Water
Paducah Regional Office
130 Eagle Nest Drive
Paducah, KY 42001
270-898-8468 (8:00 AM – 4:30 PM)
Jessie York, Environmental Scientist



Issued By:

Jessie York, Environmental Scientist
Date: April 26, 2019



Issued By:

Shannon McLeary, Environmental Control Supervisor
Date: April 26, 2019

How Delivered: Certified Mail
Certified/Registered # 7014 0510 0002 3570 6627

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

AI ID: 3041 **AI Type:** RESIDENCE- Subdivision (nec)
AI Name: Great Oaks Subd
AI Address: Creek Side Dr

City: Paducah, **State:** Kentucky **Zip:** 42001
County: McCracken **Regional Office:** Paducah Regional Office
Latitude: 36.97991 **Longitude:** -88.64363
Site Contact: Allen Artis
Title: [Insert Contact Title] **Phone #:** 270-205-1266
Inspection Type: Incident Investigation **Activity #:** CIV20190001
Incident IDs: 2454731
Inspection Start Date: May 7, 2019 **Time:** 11:00 AM **End Date:** May 7, 2019 **Time:** 12:00 PM
Site/Permit ID: KY0080845

Lead DEP Investigator: Jessie York
Other DEP Investigators:
External Investigators:
Persons Interviewed: Joel Barrett

General Comments: Investigation conducted in response to Incident ID: 2454731. The main influent lift station was full of solids and not functioning at the time of this investigation. Two manholes on Majestic Oak Drive were overflowing. The manholes are located at 5730 and 5700 Majestic Oak Drive. Sewage was also discharging from the failed lift station. This overflow has not been reported to the Division of Water. No chlorine tablets were in the disinfection chamber. Overall condition of the plant and general housekeeping is very poor.

A Notice of Violation will be issued and added the existing Enforcement Referral.

Overall Compliance Status: Out of Compliance- NOV

Investigation Results

SI: AIOO3041

SI Description:

Inspector Comment:

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

Compliance Status: D-Out of Compliance-Violations Documented

Comment: The facility does not hold an active KPDES permit. KY0080845

Permit expired on April 30, 2017.

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: V-Out of Compliance-NOV

Comment: The facility is not being properly operated and maintained as required. The main influent lift station was not functioning at the time of this investigation. Two manholes on Majestic Oak Drive were overflowing. This overflow has not been reported to the Division of Water. Overall condition of the plant and general housekeeping is very poor.

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

Compliance Status: V-Out of Compliance-NOV

Comment: Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. Two manholes on Majestic Oak Drive were overflowing. This overflow has not been reported to the Division of Water.

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

Compliance Status: V-Out of Compliance-NOV

Comment: The waters of the Commonwealth have been degraded. Two manholes on Majestic Oak Drive were overflowing. This overflow has not been reported to the Division of Water.

Documentation

- | | |
|---|--|
| <input checked="" 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:



Date: 5/30/19

Received By: _____ **Title:** _____ **Date:** _____

Delivery Method: Certified Mail

Certified Mail Number: 7014 0510 0002 3570 7686

Great Oaks Subdivision

AI: 3041

KY0080845

Incident ID: 2454731

by York, Jessie (EEC)

5/7/19



Manhole at 5730
Majestic Oak Drive



Manhole at 5730
Majestic Oak Drive



Manhole at 5730
Majestic Oak Drive



Stream from the overflowing manhole.



Overflowing manhole at
5700 Majestic Oak Drive



Lift station



Discharge from the lift station.



Discharge from the lift station.



Solids on and near the lift station



Solids on the lift station



Staining below outfall
001 in the receiving
stream.



Staining below outfall 001
in the receiving stream.