

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

In the Matter of:

Electronic Application of Crittenden-Livingston)
County Water District for a Declaratory Order) Case No. 2024-00386
or, in the Alternative, for a Certificate of Public)
Convenience and Necessity)

**APPLICATION FOR DECLARATORY ORDER OR, IN THE ALTERNATIVE,
FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

Crittenden-Livingston County Water District (“CLWD”), by counsel, respectfully submits this Application, pursuant to 807 KAR 5:001, Section 19, for an order declaring that CLWD’s planned construction of a clearwell as described below is an ordinary extension of existing facilities in the usual course of business pursuant to KRS 278.020(1)(a) and 807 KAR 5:001(15)(3). Alternatively, if the Commission finds the proposed construction is not an ordinary extension, CLWD respectfully requests a certificate of public convenience and necessity (“CPCN”) to construct the clearwell. In light of the positive impact this proposed project will have related to the Governor’s declared State of Emergency for the City of Marion, CLWD respectfully requests expedited processing of this matter.

In support of this Application, CLWD states as follows:

Factual Background

1. The full name and business address of CLWD is the Crittenden-Livingston County Water District, 620 East Main Street, P. O. Box 495, Salem, KY 42078. CLWD’s email address is clwaterdistrict@gmail.com.

2. CLWD is a non-profit water district organized under Chapter 74 and has no separate articles of incorporation.

3. A description of CLWD's water system and its property stated at original cost by accounts is contained in its Annual Report, which is incorporated by reference. No material changes have occurred since the end of the latest 12-month period.

4. CLWD serves retail customers in Crittenden and Livingston counties and sells water at wholesale to the Cities of Marion, Grand Rivers, Smithland, and Salem and Ledbetter Water District.

Proposed Construction

5. Governor Beshear has declared a State of Emergency for the water shortage in the City of Marion. (See Exhibit 1.) These emergency conditions have been the subject of several news articles, including the following:

- https://www.wpsdlocal6.com/news/rep-comer-and-marion-ky-leaders-discuss-crittenden-livingston-water-district-expansion/article_5a02d3ac-59dd-11ef-873a-07257c1a9d00.html
- <https://www.wkms.org/government-politics/2024-05-24/over-4-million-going-to-sure-up-marion-water-supply-two-years-after-water-crisis>
- <https://www.kentucky.com/news/state/kentucky/article263225898.html>

6. In order to help supply the City of Marion to help alleviate its water shortage emergency, CLWD proposes to construct an additional 300,000-gallon clearwell at the CLWD Treatment Plant. The clearwell is necessary to increase water treatment capacity and will help CLWD supply more finished water to Marion prior to completion of the CLWD plant's overall expansion. The engineering plans for the clearwell have been signed, sealed, and dated by an engineer registered in Kentucky and are attached as Exhibit 2.

7. Due to growth of CLWD’s wholesale municipal customers’ water consumption, along with additional service lines being added to its own distribution system, the CLWD’s twenty-year old plant is at maximum capacity during peak demand periods particularly during the summer. Tourism around the areas of Kentucky Lake and Lake Barkley continues to expand, and there is no reserve capacity to support any new industry that would require a significant supply of water. The district’s engineering firm has proposed a plan that would expand the plant’s daily capacity from two million gallons per day to four million gallons per day to cover existing needs and allow for additional growth.¹

8. The entire expansion will be a multi-year process, and CLWD continues to assemble a financing package to support it. In order to effectuate a modest enhancement of reserve service as soon as possible, the district wishes to design and construct an additional 300,000 gallon clear well at its plant, which will provide additional on-site storage that could be helpful at demand peaks. The clear well would also be required in the overall capacity expansion.

9. The cost of the design and construction of the clear well is estimated to be approximately \$2 million with an estimated total of \$3.6 million as follows:

Cost Category	Cost
Administrative Expenses:	\$ 35,000
Planning:	\$ 22,000
Engineering Fees - Design:	\$ 121,000
Engineering Fees - Construction:	\$ 100,000
Engineering Fees - Inspection:	\$ 97,000
Construction:	\$ 2,175,000
Equipment:	\$ 900,000
Contingencies:	\$ 150,000
Total Project Cost:	\$ 3,600,000

¹ CLWD is not requesting a CPCN for the larger plant expansion at this time. It will file the necessary application(s) for that project at a later date.

10. The project will be funded by Community Development Block Grant Funds (CDBG) award in the amount of \$2,880,000. If additional funding is needed, CLWD can utilize the award of grant funding in the amount of \$10,000,000 by the General Assembly in 2024 House Bill 1 (\$5,000,000 in each year of the biennium).

11. This is WRIS Project Profile WX21055022.

12. CLWD requests that this project be declared by the Commission an ordinary extension of existing facilities in the usual course of business and that a CPCN pursuant to KRS 278.020 is not required.

13. KRS 278.020(1) does not define “ordinary extensions of existing systems in the usual course of business,” but 807 KAR 5:001, Section 15(3) defines this exception as follows:

A certificate of public convenience and necessity shall not be required for extensions that do not create wasteful duplication of plant, equipment, property, or facilities, or conflict with the existing certificates or service of other utilities operating in the same area and under the jurisdiction of the commission that are in the general or contiguous area in which the utility renders service, and that do not affect the existing financial condition of the utility involved, or will not result in increased charges to its customers.

The regulation provides for three areas of inquiry: (A) whether there will be wasteful duplication of plant, including interference with another utility’s certificates or services;)B) whether the capital required is so minimal that it will not “materially affect the financial condition of the utility in question;” and (C) whether the utility’s rates will increase as a result of the construction project.

A. There is no wasteful duplication or interference with any other utility operations. The clearwell is necessary to provide additional service to the City of Marion, who is currently in a State of Emergency related to its water system. In *City of Covington v. Board of Commissioners of Kenton County Water District*, 371 S.W.2d 20, 23 (Ky.

1963), it was determined that a facility is not "duplicative" unless there is an existing facility that is "reasonably available for the present and future needs of those who will be served by it. The mere existence of a similar physical plant is not enough." Construction of this additional clearwell is not wasteful duplication as it is necessary to provide wholesale service.

B. There will be no material financial impact on CLWD because the project will be paid for entirely through grant funding.

C. CLWD will not increase its rates as a result of this project because it is being funded through grant funding.

Additional Information

Should the Commission determine that this project requires a certificate of convenience and necessity pursuant to KRS 278.020, the following information is provided.

14. The construction is in the public interest and is required to allow CLWD to provide additional potable water service to the City of Marion, who is currently in a State of Emergency related to its water system. The project, its cost, need and other details are contained in the Project Description above and Exhibit 2.

15. CLWD and local officials looked for other alternatives, including other interconnection options with the City of Marion to provide water in the short term; however, CLWD's proposed clearwell is the most reasonable option. The full plant expansion project was also considered; however, that project would take too long to help in the near term and the proposed clearwell will still be used after the full plant expansion.

16. This service will not compete with any other utility in the area. In fact, it will help the City of Marion supply its customers with potable water.

17. Approval from the Division of Water for the Plans and Specifications for this improvement has been received. See Exhibit 3. Easements and rights of way are not required. All equipment is being installed on land owned by CLWD.

18. No new franchises are required for this project.

19. The proposed construction project identified in Exhibit 2 is planned to begin construction as soon as possible in order to provide additional supply of water. It is anticipated that a request for proposals on construction will be issued during the week of December 8, 2024. The bids will be opened in January. CLWD would like its contractor to begin construction as quickly as possible after a contract is awarded.

20. Project specifications and descriptions are described above and in Exhibit 2.

21. Maps are included in Exhibit 2.

22. The construction costs will be funded by as described above.

23. The estimated annual cost of operation after the proposed facilities are placed into service is expected to be approximately \$3,500, which includes additional treatment chemicals, routine maintenance, and inspections.

For these reasons, CLWD requests issuance of an order as soon as possible declaring the proposed clearwell to be an ordinary extension of existing facilities in the usual course of business, or in the alternative, for a CPCN authorizing construction of the clearwell.

Respectfully Submitted,

STURGILL, TURNER, BARKER,
AND MOLONEY, PLLC

/s/ M. Todd Osterloh

M. Todd Osterloh

Rebecca C. Price

333 W. Vine Street, Suite 1500

Lexington, Kentucky 40507

Telephone No.: (859) 255-8581

Fax No. (859) 231-0851

tosterloh@sturgillturner.com

rprice@sturgillturner.com

Attorneys for CLWD

VERIFICATION

COMMONWEALTH OF KENTUCKY)

COUNTY OF Livingston)

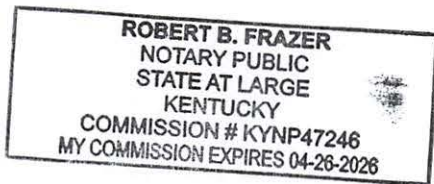
TIM Thomas being duly sworn, deposes and says that he is the consultant of Crittenden-Livingston Water District and that he has read the foregoing Application for Declaratory Order and knows the factual matters contained therein and that said matters are true and correct to the best of his knowledge and belief.



Name

Subscribed and sworn to before me, and for the above County and State, on this the 9th day of December, 2024 by TIM THOMAS

My Commission expires: 4-26-2026





NOTARY



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2023-461
June 28, 2024

STATE OF EMERGENCY

Beginning on April 29, 2022, and continuing, an ongoing water shortage has existed in the City of Marion in Crittenden County because of the need to empty Lake George in response to a levee failure;

Lake George is the primary reservoir supplying water to the residents and businesses of the City of Marion, and repair of the levee will require months;

Limited rainfall and unseasonably warm weather have caused the water shortage to become critical in recent days;

These conditions endanger public health and safety and/or public and private property;

State and local governments share responsibility for protection of public health, safety, and security, as well as for the protection of public and private property and for taking appropriate actions to ensure the provision of essential public services;

On June 17, 2022, the Mayor of the City of Marion in Crittenden County submitted a written request for state assistance and the issuance of a declaration of a state of emergency;

On June 18, 2022, I declared by Executive Order 2022-349 that a state of emergency existed in the Commonwealth of Kentucky;

On July 18, 2022, at the request of the Mayor of the City of Mayor, the Crittenden County Judge/Executive, the Mayor of the City of Sturgis, and the Union County Judge/Executive that the state of emergency be extended through December 31, 2022, I declared by Executive Order 2022-417 that a state of emergency continued to exist in the Commonwealth of Kentucky, and extended Executive Order 2022-349 through December 31, 2022 in the local jurisdictions of: the City of Marion, Kentucky; Crittenden County, Kentucky; the City of Sturgis, Kentucky; and Union County, Kentucky;

On December 29, 2022, at the request of the Mayor of the City of Mayor, the Crittenden County Judge/Executive, the Mayor of the City of Sturgis, and the Union County Judge/Executive that the state of emergency be extended through June 30, 2023, I declared by Executive Order 2022-879 that a state of emergency continued to exist in the Commonwealth of Kentucky, and extended Executive Order 2022-349 through June 30, 2023 in the local jurisdictions of: the City of Marion, Kentucky; Crittenden County, Kentucky; the City of Sturgis, Kentucky; and Union County, Kentucky;

On June 28, 2023, at the request of the Mayor of the City of Marion and the Crittenden County Judge/Executive that the state of emergency be extended through June 30, 2024, I declared by Executive Order 2023-364 that a state of emergency continued to exist in the Commonwealth of Kentucky, and extended Executive Order 2022-349 through June 30, 2024 in the local jurisdictions of: the City of Marion, Kentucky; Crittenden County, Kentucky;



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2023-461
June 28, 2024

As part of the efforts during the state of emergency and in addition to the effective response of Team Kentucky, agencies have been working with the City of Sturgis in Union County, Kentucky, including in assisting with potentially providing water to the City of Marion, and Livingston County and Webster County have assisted in helping make water available to the City of Marion;

Under KRS 39A.090(2)(b), the state of emergency declared under Executive Order 2022-349 may exceed 30 days if requested by a chief executive officer or a legislative body of a local government only for that local government and only for the period of time requested by the chief executive officer or legislative body;

The Mayor of the City of Marion and the Crittenden County Judge/Executive have written letters attached to this order requesting that I extend Executive Order 2022-349, as extended through Executive Order 2023-364, and the state of emergency through December 31, 2024;


The state of emergency continues;

NOW, THEREFORE, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of Kentucky and by KRS Chapter 39A and KRS 151.200, do hereby declare that a State of Emergency continues to exist in the Commonwealth of Kentucky, and do hereby Order and Direct that Executive Order 2022-349, as extended through Executive Order 2023-364, be extended through December 31, 2024 in the following local jurisdictions:

City of Marion, Kentucky; and
Crittenden County, Kentucky.

This order shall be effective June 28, 2024.




ANDY BESHEAR, Governor
Commonwealth of Kentucky

RECEIVED AND FILED
DATE 7/2/2024

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY [Signature]



CITY OF MARION

217 South Main Street • Marion, Kentucky 42064
www.marionky.gov



AN ALL KENTUCKY CITY

D'ANNA BROWNING
Mayor

City Council Members

BOBBY BELT
MIKE BYFORD
TAYLOR DAVIS
RANDY DUNN
WANDA OLSON
DWIGHT SHERER

DIANE FORD-
BENNINGFIELD
City Administrator
dianefb@marionky.gov

LAYTEN CROFT
City Treasurer
lcroft@marionky.gov

PAM ENOCH
City Clerk
penoch@marionky.gov

BOBBY WEST
Police Chief
bwest@marionky.gov

RONALD HOWTON
Fire Chief

ROBERT B. FRAZER
Legal Service Officer
bfrazer@fmlaw.biz

Telephone
(270) 965-2266

Fax
(270) 965-5235

TDD
(270) 965-3500

Hon. Andy Beshear
Governor
Commonwealth of Kentucky
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601


June 5, 2024

Dear Governor Beshear,

As the City of Marion continues in its efforts in replacing its source of raw water, the State of Emergency is still a necessity. Therefore, pursuant to KRS 39A.090(2)(b), I am requesting that you extend Executive Order 2023-364 and the State of Emergency declared under it through December 31, 2024. This continuation is necessary to protect the health, safety, and welfare of the public, and to ensure the essential public services are provided to prevent a complete loss of water to the residents and customers of the City of Marion. Much work has been accomplished during the ongoing state of emergency stabilizing the levee with great assistance from your administration. Your support and concern is deeply appreciated.

On behalf of the City and myself, I would again thank you for your and your administration's support in our continued time of need.

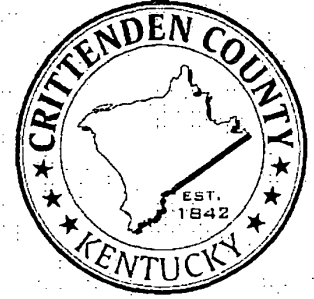
Sincerely,


D'Anna Browning
Mayor

WE ARE AN EQUAL OPPORTUNITY EMPLOYER



Crittenden County Judge Executive
Perry Newcom



200 Industrial Drive – Suite A
Marion, Kentucky 42064
Phone: 270-965-5251
Fax: 270-965-5252
perry.newcom@crittendencountyky.org

June 5, 2024

The Honorable Andy Beshear, Governor
Commonwealth of Kentucky
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601

Dear Governor Beshear,

Please accept this letter of request on behalf of Crittenden County's support for the ongoing efforts of the City of Marion to replace its raw water source following the deterioration of their sole source lake levy April 29, 2022.

Due to the fact this is an ongoing issue, and the process of replacement is a long-term solution, the current State of Emergency is still a necessity. Therefore, pursuant to KRS39A.090 (2)(b), I am requesting that you extend Executive Order 2023-364 which extended Executive Order 2022-879 which had extended Executive Order 2022-417, and the original State of Emergency, 2022-349 declared under it through December 31, 2024. This continuation is necessary to protect the health, safety, and welfare of the public, and to ensure the essential public services are provided to prevent a complete loss of water to the residents and customers of the City of Marion. This latest necessity to request another extension is based on weather and materials delays in the work being achieved to stabilize the Lake George levee and help ensure the City of Marion has an adequate amount of raw water reserves from which to meet the needs of their daily demands for water.

In closing, I would like to extend my most sincere thanks and appreciation for every effort of assistance you, KYEM, DOW, and other agencies have provided to help our community navigate this unprecedented issue. I look forward to learning the declaration has been approved for extension as the City of Marion, the County of Crittenden, and other regional partners work together to provide water security for all concerned.

Respectfully,

Perry A. Newcom, Crittenden Co. Judge Executive



C101

CLEARWELL & GENERATOR PHASE I
716 LIV-CRITT WATER PLANT ROAD
SALEM, KY 42078
 FOR
CRITTENDEN-LIVINGSTON WATER DISTRICT
LOCATION MAP

DATE PLOTTED: 8/23/2024
 TIME PLOTTED: 11:04 AM
 PLOTTER: HP DesignJet T1100e

REVISIONS:

NO.	DATE	DESCRIPTION

HUSSEY GAY BELL
Established 1958
 4117 Hillsboro Pike, Suite 206, Nashville, TN 37215 / T:615.460.7515





Case No. 2024-00386
 Application Exhibit 2
 Page 3 of 7

C102
 DRAWING NUMBER

CLEARWELL & GENERATOR PHASE I
716 LIV-CRITT WATER PLANT ROAD
SALEM, KY 42078
 FOR
CRITTENDEN-LIVINGSTON WATER DISTRICT
EXISTING CONDITIONS

DATE: 08/23/24
 JOB NO: 202400386
 SCALE: AS SHOWN

REVISIONS:

NO.	DATE	DESCRIPTION

HUSSEY GAY BELL
Established 1958
 4117 Hillsboro Pike, Suite 206, Nashville, TN 37215 / T:615.460.7515





MAP NOTE:
 1. ALL EXISTING BOUNDARY INFORMATION TAKEN FROM A LAND SURVEY PREPARED BY BRUCE RICHMOND & ASSOCIATES, L.L.C., A LICENSED PROFESSIONAL SURVEYOR, 1000 N. 10TH ST., SUITE 200, KENTON, KY 40020.
 2. CONSTRUCTION OF THIS MAP SERIES BY KENTON, KY 40020.

C201
 DRAWING NUMBER

CLEARWELL & GENERATOR PHASE I
 716 LIV-CRITT WATER PLANT ROAD
 SALEM, KY 42078
 FOR
CRITTENDEN-LIVINGSTON WATER DISTRICT
 SITE PLAN

DATE	BY	CHKD

REVISIONS:

HUSSEY GAY BELL
 Established 1958
 4117 Hillsboro Pike, Suite 206, Nashville, TN 37215 / T:615.460.7515

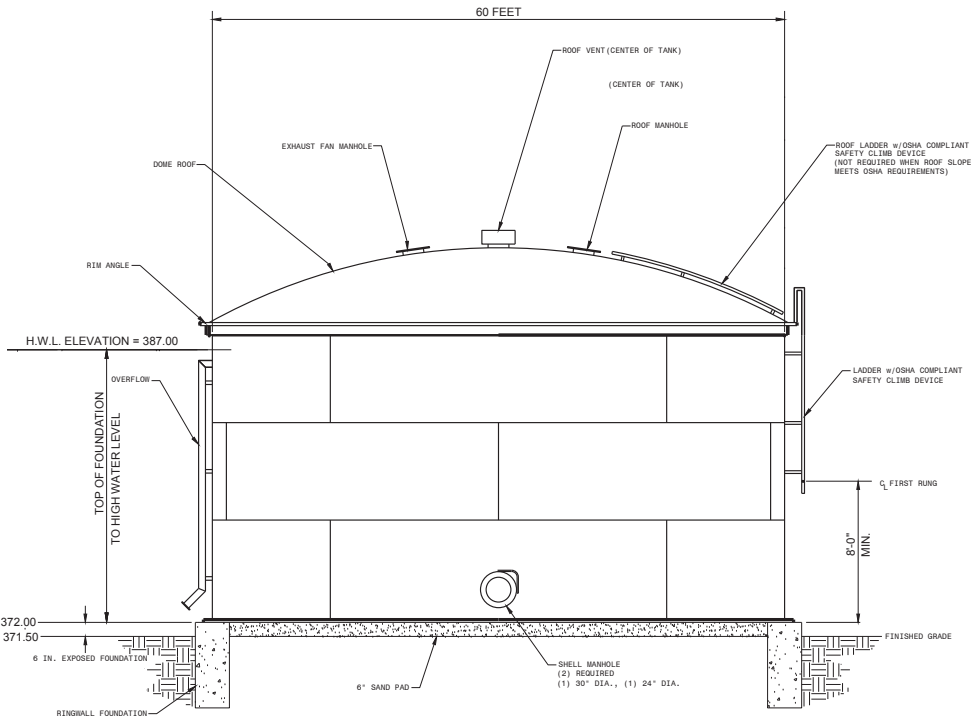




MAP NOTE:
 1. ALL EXISTING BOUNDARY INFORMATION TAKEN FROM A LATEST SURVEY PERFORMED BY HUSSEY GAY BELL SURVEY, L.L.C. AS LISTED ON THE SURVEY RECORD FOR THIS PROJECT.
 2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2008 KY SURVEYING ACT AND THE 2008 KY CONSTRUCTION ACT.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

	<p>CLEARWELL & GENERATOR PHASE I 716 LIV-CRIT WATER PLANT ROAD SALEM, KY 42078 FOR CRITTENDEN-LIVINGSTON WATER DISTRICT GRADING & DRAINAGE PLAN</p>	<p>HUSSEY GAY BELL Established 1958 4117 Hillsboro Pike, Suite 206, Nashville, TN 37215 / T:615.460.7515</p>	

Aug 29, 2024, 1:10pm Printed By: jason
 C:\Users\jason\OneDrive\Documents\C420\UTILITYDETAILS.dwg
 C:\Users\jason\OneDrive\Documents\C420\UTILITYDETAILS.dwg



ELEVATION

NOTES:

DESIGN:
 TANK AND TOWER SHALL BE DESIGNED, FABRICATED AND ERECTED IN ACCORDANCE WITH ANMA D100-21 AND PROJECT SPECIFICATIONS.

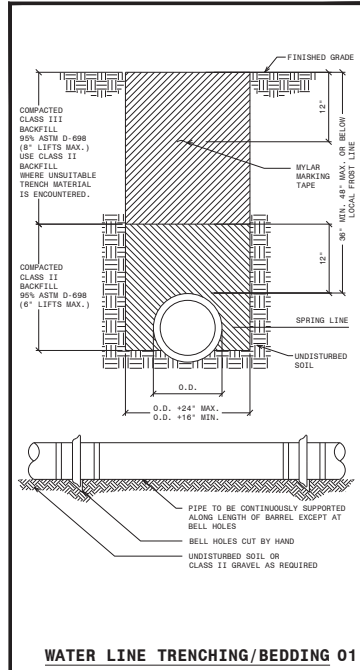
WIND LOAD: _____
SNOW LOAD: _____
SEISMIC ZONE: _____

MATERIALS:
 STEEL PLATE: ASTM A283 GR. C / A36
 STRUCTURAL STEEL SHAPES: ASTM A36
 LADDER RUNGS: ASTM A706

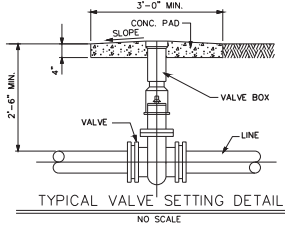
GENERAL:
 - ACCESSORIES SHOWN ON ELEVATION DRAWING ARE ROTATED FOR CLARITY.
 - ALL LADDERS AND SAFETY CLIMB DEVICES SHALL CONFORM WITH CONFORM WITH CURRENT OSHA STANDARDS.
 - SEE PROJECT SPECIFICATIONS FOR SHOP AND FIELD PAINT REQUIREMENTS.
 - STERILIZE TANK IN ACCORDANCE WITH ANMA C652-92 AND PROJECT SPECIFICATIONS.

MAP NOTE:

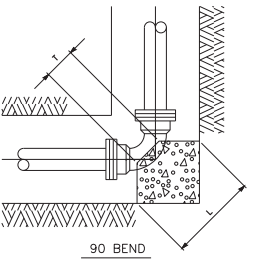
- ALL EXISTING BOUNDARY INFORMATION TAKEN FROM A LAND SURVEY PREPARED BY: WEST KENTUCKY LAND SURVEY, LLC. ALL EXISTING TOPOGRAPHIC INFORMATION TAKEN FROM LIDAR DATA PROVIDED BY KYFROMMOVE KYTOPO MAP SERIES AT KYFROMMOVE.KY.GOV
- COORDINATE SYSTEM: NAD83(HARN) / KENTUCKY ZONE



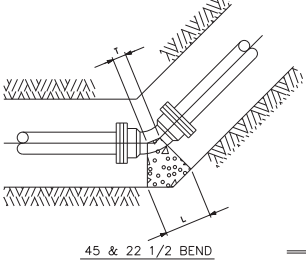
WATER LINE TRENCHING/BEDDING 01



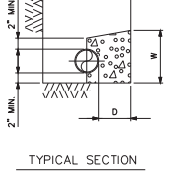
TYPICAL VALVE SETTING DETAIL
 NO SCALE



90 BEND

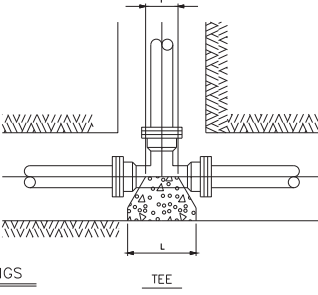


45 & 22 1/2 BEND

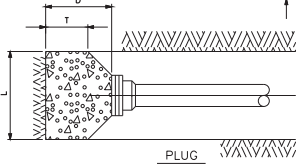


TYPICAL SECTION

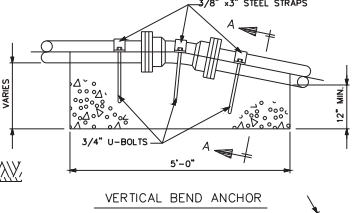
CONCRETE BLOCKING FOR FITTINGS
 NO SCALE



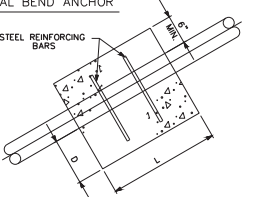
TEE



PLUG



VERTICAL BEND ANCHOR



STRAIGHT PIPE ANCHOR

90 BEND													45 & 22 1/2 BEND													11 1/4 BEND													TEE													PLUG												
SIZE	2'	3'	4'	6'	8'	10'	12'	16'	18'	20'	24'	36'	SIZE	2'	3'	4'	6'	8'	10'	12'	16'	18'	20'	24'	36'	SIZE	2'	3'	4'	6'	8'	10'	12'	16'	18'	20'	24'	36'	SIZE	2'	3'	4'	6'	8'	10'	12'	16'	18'	20'	24'	36'	SIZE	2'	3'	4'	6'	8'	10'	12'	16'	18'	20'	24'	36'
D	6"	8"	8"	8"	10"	12"	12"	12"	16"	20"	24"	36"	D	6"	6"	6"	6"	6"	6"	6"	6"	8"	8"	8"	16"	D	6"	6"	6"	6"	6"	6"	6"	6"	6"	6"	6"	16"	D	6"	6"	8"	8"	10"	12"	12"	12"	16"	18"	20"	24"	D	12"	16"	16"	18"	24"	30"	30"	30"	30"	30"	30"	30"
L	16"	20"	20"	24"	27"	30"	34"	48"	51"	54"	70"		L	14"	18"	18"	18"	20"	22"	24"	34"	40"	45"	50"		L	10"	12"	12"	14"	16"	18"	20"	30"	36"	41"	48"		L	12"	12"	12"	16"	16"	20"	24"	28"	30"	48"	48"		L	12"	16"	16"	18"	24"	30"	30"	48"	48"	48"	48"	
W	8"	10"	10"	12"	16"	20"	24"	28"	34"	40"	44"		W	8"	10"	10"	12"	14"	16"	18"	22"	25"	28"	32"		W	8"	10"	10"	12"	14"	16"	18"	22"	25"	28"	32"		W	12"	12"	12"	16"	16"	20"	24"	28"	34"	48"	48"		W	14"	16"	16"	18"	18"	24"	24"	30"	30"	48"	48"	
T	10"	12"	12"	16"	18"	20"	22"	36"	40"	44"	50"		T	10"	12"	12"	16"	16"	18"	18"	28"	33"	35"	44"		T	8"	12"	12"	14"	14"	16"	16"	26"	31"	35"	44"		T	12"	12"	12"	16"	16"	18"	20"	22"	24"	24"	24"		T	10"	10"	10"	12"	12"	12"	12"	12"	12"	18"	24"	24"

Survey, Site Plan & Construction
 1417 Hickory Pkwy, Suite 206
 Nashville, TN 37215

HUSSEY GAY BELL
Established 1958
 4117 Hickory Pkwy, Suite 206, Nashville, TN 37215 / (615) 460-7515

REVISIONS:

NO.	DATE	BY	CHKD

DATE: 08/23/24
 JOB NO: 22101003
 SCALES AS NOTED

CLEARWELL & GENERATOR PHASE I
 740 WYOMING ROAD
 SALEM, KY 42078
CRITENDEN-LIVINGSTON WATER DISTRICT

UTILITY DETAILS

DRAWING NUMBER
C420



Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

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

Rebecca W. Goodman
SECRETARY

Anthony R. Hatton
COMMISSIONER

November 12, 2024

Tony Travis
Crittenden Livingston Co Water District
620 E Main
Salem, KY 42078

RE: WTP Upgrades Phase 1
Livingston County, KY
Crittenden Livingston Co Water District
AI#: 2727, APE20240002
PWSID # 0700532-24-002

Dear Mr. Travis:

We have received the Plans and Specifications for the above referenced project. The project consists of installation of a 300,000-gallon clearwell and necessary piping and appurtenances. This is to advise that plans and specifications covering the above referenced subject are APPROVED with respect to sanitary features of design as of this date with the requirements contained in the attached construction permit and the following stipulations:

- a) The capacity of the treatment plant shall remain unchanged.

If you have any questions concerning this project, please contact Cassie Campbell at 502-782-6909.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Humphries".

Terry Humphries, P.E.
Supervisor, Engineering Section
Water Infrastructure Branch
Division of Water

TH :CC
Enclosures

c: Hussey Gay Bell-Nashville LLC
Livingston County Health Department
Division of Plumbing
Paducah Regional Office

Treatment-Modification
Crittenden Livingston Co Water District
Facility Requirements

Activity ID No.:APE20240002

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GACT000000015 (WTP Upgrades Ph 1) 300,000 gallon clearwell:

Narrative Requirements:

Condition No.	Condition
T-1	Construction of this project shall not result in the water system's inability to supply consistent water service in compliance with 401 KAR 8:010 through 8:600. [401 KAR 8:100 Section 5]
T-2	The public water system shall not implement a change to the approved plans without the prior written approval of the cabinet. [401 KAR 8:100 Section 4(3)]
T-3	A proposed change to the approved plans affecting sanitary features of design shall be submitted to the cabinet for approval in accordance with Section 2 of this administrative regulation. [401 KAR 8:100 Section 4(2)]
T-4	During construction, a set of approved plans and specifications shall be available at the job site. Construction shall be performed in accordance with the approved plans and specifications. [401 KAR 8:100 Section 3(1)]
T-5	Unless construction begins within two (2) years from the date of approval of the final plans and specifications, the approval shall expire. [401 KAR 8:100 Section 3(3)]
T-6	Upon completion of construction, a professional engineer shall certify in writing that the project has been completed in accordance with the approved plans and specifications. [401 KAR 8:100 Section 4(1)]
T-7	A public or semipublic water system shall be subject to the requirements of 401 KAR Chapter 8, except those exempted in 40 CFR 141.3, effective July 1, 2007. [401 KAR 8:020 Section 1]
T-8	The owner or operator of a public water system shall operate and maintain the facilities and systems of treatment, intake, and distribution to comply with the provisions of 401 KAR Chapter 8 including effective performance; preventive maintenance; operator staffing and training pursuant to 401 KAR 8:030, 11:040, and 11:050; establishing representative sample points that comply with the requirements of 401 KAR Chapter 8; and adequate process controls for testing, including quality assurance procedures. [401 KAR 8:020 Section 3(6)]
T-9	Operation and Maintenance Manual. Each public water system shall develop and keep on the premises, for operator and employees of the system, an operation and maintenance manual. [401 KAR 8:020 Section 2(12)]
T-10	A person shall not introduce into the water supply system a substance that may have a deleterious physiological effect, or for which physiological effects may not be known. [401 KAR 8:020 Section 2(14)]
T-11	The storage structure drain shall discharge to the ground surface with no direct connection to a sewer or storm drain. [Recommended Standards for Water Works 7.3.2]

Treatment-Modification
Crittenden Livingston Co Water District
Facility Requirements

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GACT000000015 (WTP Upgrades Ph 1) 300,000 gallon clearwell:

Narrative Requirements:

Condition No.	Condition
T-12	The minimum storage capacity (or equivalent capacity) for systems not providing fire protection shall be equal to the average daily consumption. [Recommended Standards for Water Works 7.0.1.b]
T-13	The overflow pipe shall be of sufficient diameter to permit waste of water in excess of the filling rate. [Recommended Standards for Water Works 7.0.7.d]
T-14	Finished water storage structures shall be designed with reasonably convenient access to the interior for cleaning and maintenance. [Recommended Standards for Water Works 7.0.8]
T-15	Finished water storage structures shall be vented. Vents shall prevent the entrance of surface water, rainwater, bird, and animals. The overflow pipe shall not be considered a vent. Open construction between the sidewall and roof is not permissible. [Recommended Standards for Water Works 7.0.9]
T-16	Finished water storage structures and their appurtenances, especially the riser pipes, overflows, and vents, shall be designed to prevent freezing. Equipment used for freeze protection that will come into contact with the potable water shall meet ANSI/NSF Standard 61. [Recommended Standards for Water Works 7.0.13]
T-17	If a flapper valve is utilized, a screen shall be provide inside the valve. Provisions must be included to prevent the flapper from freezing shut. [Recommended Standards for Water Works 7.0.7.e]
T-18	The roof and sidewalls of all water storage structures must be watertight with no openings except properly constructed vents, manholes, overflows, risers, drains, pump mountings, control ports, or piping for inflow and outflow. [Recommended Standards for Water Works 7.0.10]
T-19	Any pipes running through the roof or sidewall of a metal storage structure must be welded, or properly gasketed. In concrete tanks, these pipes shall be connected to standard wall castings which were poured in place during the forming of the concrete. [Recommended Standards for Water Works 7.0.10.a]
T-20	Openings in the roof of a storage structure designed to accommodate control apparatus or pump columns, shall be curbed and sleeved with proper additional shielding to prevent contamination from surface or floor drainage. [Recommended Standards for Water Works 7.0.10.b]
T-21	Valves and controls should be located outside the storage structure so that the valve stems and similar projections will not pass through the roof or top of the reservoir. [Recommended Standards for Water Works 7.0.10.c]
T-22	Every catwalk over finished water in a storage structure shall have a solid floor with sealed raised edges, designed to prevent contamination from shoe scrapings and dirt. [Recommended Standards for Water Works 7.0.14]

Treatment-Modification
Crittenden Livingston Co Water District
Facility Requirements

Activity ID No.:APE20240002

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GACT000000015 (WTP Upgrades Ph 1) 300,000 gallon clearwell:

Narrative Requirements:

Condition No.	Condition
T-23	The discharge pipes from water storage structures shall be located in a manner that will prevent the flow of sediment into the distribution system. [Recommended Standards for Water Works 7.0.15]
T-24	Smooth-nosed sampling tap(s) shall be provided to facilitate collection of water samples for both bacteriological and chemical analyses. The sample tap(s) shall be easily accessible. [Recommended Standards for Water Works 7.0.19]
T-25	Sewers, drains, standing water, and similar sources of possible contamination must be kept at least 50 feet from water storage facilities. Gravity sewers constructed of water main quality pipe, pressure tested in place without leakage, may be used at distances greater than 20 feet but less than 50 feet. [Recommended Standards for Water Works 7.0.2.c]
T-26	The roof of the storage structure shall be well drained. Downspout pipes shall not enter or pass through the reservoir. [Recommended Standards for Water Works 7.0.10.d]
T-27	Porous material, including wood and concrete block shall not be used for potable water contact applications. [Recommended Standards for Water Works 7.0.11]
T-28	All finished water storage structures shall have suitable watertight roofs which exclude birds, animals, insects, and excessive dust. [Recommended Standards for Water Works 7.0.3]
T-29	Fencing, locks on access manholes, and other necessary precautions shall be provided to prevent trespassing, vandalism, and sabotage. [Recommended Standards for Water Works 7.0.4]
T-30	Ladders, ladder guards, balcony railings, and safely located entrance hatches shall be provided where applicable. [Recommended Standards for Water Works 7.0.12.a]
T-31	All water storage structures shall be provided with an overflow which is brought down to an elevation between 12 and 24 inches above the ground surface, and discharges over a drainage inlet structure or a splash plate. All overflow pipes shall be located so that any discharge is visible. [Recommended Standards for Water Works 7.0.7]
T-32	No drain on a water storage structure may have a direct connection to a sewer or storm drain. [Recommended Standards for Water Works 7.0.5]
T-33	The design shall allow draining the storage facility for cleaning or maintenance without causing loss of pressure in the distribution system. [Recommended Standards for Water Works 7.0.5]

Treatment-Modification
Crittenden Livingston Co Water District
Facility Requirements

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GACT0000000015 (WTP Upgrades Ph 1) 300,000 gallon clearwell:

Narrative Requirements:

Condition No.	Condition
T-34	No overflow may be connected directly to a sewer or a storm drain. [Recommended Standards for Water Works 7.0.7]
T-35	Proper protection shall be given to metal surfaces by paints or other protective coatings, by cathodic protective devices, or by both. [Recommended Standards for Water Works 7.0.17]
T-36	Paint systems shall meet ANSI/NSF standard 61. [Recommended Standards for Water Works 7.0.17.a]
T-37	Interior paint must be applied, cured, and used in a manner consistent with the ANSI/NSF approval. [Recommended Standards for Water Works 7.0.17.a]
T-38	After curing, the coating shall not transfer any substance to the water which will be toxic or cause taste or odor problems. [Recommended Standards for Water Works 7.0.17.a]
T-39	Wax coatings for the tank interior shall not be used on new tanks. [Recommended Standards for Water Works 7.0.17.b]
T-40	Old wax coating must be completely removed before using another tank coating. [Recommended Standards for Water Works 7.0.17.b]
T-41	Finished water storage structures shall be disinfected in accordance with AWWA Standard C652. Two or more successive sets of samples, taken at 24-hour intervals, shall indicate microbiologically satisfactory water before the facility is placed into operation. [Recommended Standards for Water Works 7.0.18.a]
T-42	The disinfection procedure specified in AWWA Standard C652 chlorination method 3, section 4.3 which allows use of the highly chlorinated water held in the storage tank for disinfection purposes, is prohibited unless the initial heavily chlorinated water is properly disposed. [Recommended Standards for Water Works 7.0.18.c]
T-43	The overflow for a ground-level storage reservoir shall open downward and be screened with twenty-four mesh non-corrodible screen. [Recommended Standards for Water Works 7.0.7.b]
T-44	Each ground level structure manhole shall be elevated at least 24 inches above the top of the tank or covering sod, whichever is higher. [Recommended Standards for Water Works 7.0.8.2]
T-45	Each ground level structure manhole shall be fitted with a solid water tight cover which overlaps a framed opening and extends down around the frame at least two inches. The frame shall be at least four inches high. Each cover shall be hinged on one side, and shall have a locking device. [Recommended Standards for Water Works 7.0.8.2]

Treatment-Modification
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Facility Requirements

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GACT0000000015 (WTP Upgrades Ph 1) 300,000 gallon clearwell:

Narrative Requirements:

Condition No.	Condition
T-46	Ground level structure vents shall open downward with the opening at least 24 inches above the roof or sod and covered with twenty-four mesh non-corrodible screen. [Recommended Standards for Water Works 7.0.9.d]
T-47	The area surrounding a ground-level structure shall be graded in a manner that will prevent surface water from standing within 50 feet of it. [Recommended Standards for Water Works 7.0.16]
T-48	The bottom of ground level reservoirs and standpipes should be placed at the normal ground surface and shall be above the 100 Year Flood or the highest flood of record. [Recommended Standards for Water Works 7.0.2.b]
T-49	The roof of concrete reservoirs with earthen cover shall be sloped to facilitate drainage. [Recommended Standards for Water Works 7.0.10.e]
T-50	If the bottom elevation of a storage reservoir must be below normal ground surface, it shall be placed above the groundwater table. At least 50 percent of the water stored should be above grade. [Recommended Standards for Water Works 7.0.2.c]
T-51	The top of a partially buried storage structure shall not be less than two feet above normal ground surface. [Recommended Standards for Water Works 7.0.2.d]
T-52	Reservoirs with pre-cast concrete roof structures must be made watertight with the use of a waterproof membrane or similar product. [Recommended Standards for Water Works 7.0.10.f]