

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DIVISION OF ENFORCEMENT
CASE NO. DOW-23-3-0071

IN RE: Kentucky American Water Acquisition of Livingston Municipal Water Works and
Dissolution of Livingston Municipal Water Works (AI: 34096)

313 Main Street
Livingston, Kentucky 40445
Rockcastle County
AI No. 34096
Activity ID No. ERF20230001

AGREED ORDER

WHEREAS, the parties to this Agreed Order, the Energy and Environment Cabinet
(hereinafter “Cabinet”) and Kentucky American Water (hereinafter “KAW”) state:

STATEMENTS OF FACT

1. The Cabinet is charged with the statutory duty of enforcing KRS Chapter 224 and the regulations promulgated pursuant thereto.
2. KAW is an active Kentucky Corporation in good standing that owns and operates utilities throughout the state of Kentucky whose principal address is located at 2300 Richmond Road, Lexington, Fayette County, Kentucky.
3. The City of Livingston (hereinafter “Livingston”) owns and operates Livingston Municipal Water Works, a drinking water system comprised of drinking water distribution lines (hereinafter “Livingston Distribution System”) that provides water service to the residents of Livingston. The Livingston Distribution System operates under Public Water System Identification (hereinafter “PWSID”) KY1020253.
4. On September 7, 2023, the Cabinet and Livingston entered into an Agreed Order to

resolve violations of 401 KAR Chapter 8 and KRS Chapter 224. A copy of the Agreed Order is attached as Exhibit A. Livingston has struggled to maintain compliance with the Agreed Order and has not consistently provided a properly certified operator to operate the Livingston Distribution System or submitted required reporting throughout the life of the Agreed Order.

5. KAW has indicated to the Cabinet that it will acquire the distribution system, provided it receives from the Kentucky Public Service Commission (hereinafter "PSC") all approvals required to make the acquisition. Upon approval from the PSC, KAW plans to assume ownership and operation of the Livingston Distribution System on or around April 15, 2026, and make repairs, upgrades and/or operational changes necessary to bring the Livingston Distribution System back into compliance with 401 KAR Chapter 8 and KRS Chapter 224.

6. KAW and the Cabinet agree that upon the acquisition of the Livingston distribution system, PWSID KY1020253 will be dissolved, and the distribution system will be incorporated into the existing KAW Eastern Rockcastle system, PWSID KY1020288. Dissolution of the Livingston distribution system will also eliminate the disinfection byproducts (hereinafter "DBP") sampling locations identified for PWSID KY1020253. After acquisition of the Livingston Distribution System, KAW agrees to re-evaluate the DBP sampling locations for the new footprint of the KAW Eastern Rockcastle system to ensure that they are representative of the entire combined distribution systems.

7. The Cabinet also agrees that the dissolution of the Livingston Distribution System PWSID will also inactivate all outstanding violations associated with that system. The Cabinet agrees and confirms that KAW is not and will not be liable for any preexisting violations or noncompliance stemming from or related to the Livingston Distribution System, its operators, actions, inactions or failure to meet any obligations or requirements. This includes the Livingston

Distribution System's failure to comply with the 2025 annual notification requirement under the Lead and Copper Rule Revisions (hereinafter "LCRR"), and the subsequent certification requirement due July 2026. KAW will be responsible for the completion of the remedial measures listed in this Agreed Order for the Livingston Distribution System regardless of its incorporation into the KAW Eastern Rockcastle system.

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

REMEDIAL MEASURES

8. KAW shall notify the Cabinet in writing that it has assumed ownership and operation within fifteen (15) days of acquiring the Livingston distribution system by submitting a "Change of Ownership Certification".

9. At all times, commencing with assuming ownership, KAW shall provide for proper operation and maintenance of the Livingston Distribution System portion of the KAW Eastern Rockcastle system in accordance with 401 KAR Chapter 8 and KRS Chapter 224.

10. Within sixty (60) days of assuming ownership of the Livingston Distribution System, KAW shall submit to the Cabinet for review and acceptance, a written Corrective Action Plan (hereinafter "CAP") to bring the Livingston Distribution System into compliance with 401 KAR Chapter 8 and KRS Chapter 224. The CAP shall include, but not be limited to, an identification of actions KAW shall implement to ensure compliance that includes; proper operation and maintenance to the Livingston Distribution system and proper monitoring and reporting as required. The CAP shall also include a list of all actions necessary to ensure the completion of upgrades to the Livingston Distribution System, completion dates for each action, and a final compliance date for the completion of all remedial measures listed.

- a.) Upon review of the CAP, the Cabinet may, in whole or in part, (1) accept or (2) provide comments to KAW identifying the deficiencies. Upon receipt of Cabinet comments, KAW shall have thirty (30) days to revise and resubmit the CAP for review and acceptance. Upon resubmittal, the Cabinet may, in whole or in part, (1) accept or (2) disapprove and provide comments to KAW identifying the deficiencies. Upon such resubmittal, if the CAP is disapproved, the Cabinet may deem KAW to be out of compliance with this Agreed Order for failure to timely submit the CAP.
- b.) KAW may request an amendment of the accepted CAP by writing to the Director of the Division of Enforcement at 300 Sower Boulevard, 3rd Floor, Frankfort, Kentucky, 40601 and stating the reasons for the request. If granted, the amended CAP shall not affect any provision of this Agreed Order unless expressly provided in the amended CAP.
- c.) Upon Cabinet acceptance of all or any part of the CAP, the amended CAP or any accepted part thereof (provided that the accepted part is not dependent upon implementation of any part not yet accepted), shall be deemed incorporated into this Agreed Order as an enforceable requirement of this Agreed Order and implemented at the distribution system. This does not require an amendment request pursuant to paragraph twenty-four (24) of this Agreed Order.
- d.) The Cabinet approved CAP shall specify a final compliance date by which compliance with 401 KAR Chapter 8 and KRS Chapter 224 will be achieved.

11. By the date specified in the accepted CAP, the Livingston Distribution System shall be in compliance with 401 KAR Chapter 8, KRS Chapter 224, and the regulations promulgated

pursuant thereto, and this Agreed Order.

12. KAW shall include a section in their 2025 Consumer Confidence Report (hereinafter "CCR") to address the acquisition of the Livingston distribution system and include a list and description of the Livingston Distribution System violations with public notification due dates after the acquisition date. KAW shall provide a copy of the 2025 CCR to the Division of Enforcement.

13. Within thirty (30) days incorporation of the Livingston Distribution System into the KAW Eastern Rockcastle system, KAW shall submit to the Cabinet an updated distribution system map with either a sampling site change request or a request to keep the sites as-is. Final approval of the proposed DBP sampling sites will be determined following DOW review.

14. All submittals required by the terms of this Agreed Order shall be sent to:

Division of Enforcement
Attention: Director
300 Sower Blvd
Frankfort, KY 40601

STIPULATED PENALTIES

15. The Cabinet may assess a stipulated penalty in an amount not to exceed five hundred dollars (\$500) per day for failure to provide a properly certified operator to operate the Livingston Distribution System.

16. The Cabinet may assess a stipulated penalty in an amount not to exceed five hundred dollars (\$500) per instance for failure to timely submit Monthly Operating Reports.

17. Stipulated penalties are in addition to and not in lieu of any other penalty which could be assessed by the Cabinet. The Cabinet may, at its discretion, waive stipulated penalties that would otherwise be due. The stipulated penalty shall be due and owing thirty (30) days after KAW's receipt of written notification by the Cabinet at the principal address.

18. If KAW believes that the request for payment of a stipulated penalty is erroneous or contrary to law, KAW may request a hearing in accordance with KRS 224.10-420(2). A request for hearing does not excuse timely payment of the penalty. If an order is entered pursuant to KRS 224.10-440 that excuses payment, the Cabinet will refund the payment. Failure to make timely payment shall constitute an additional violation.

19. Payment of stipulated penalties shall be by cashier's check, certified check, or money order, made payable to "**Kentucky State Treasurer**" and sent to the attention of the Director, Division of Enforcement, Department for Environmental Protection, 300 Sower Boulevard, 3rd Floor, Frankfort, Kentucky 40601; note "**DOW-23-3-0071**" on the instrument of payment.

MISCELLANEOUS PROVISIONS

20. This Agreed Order shall be of no force and effect unless KAW assumes ownership and operation of the distribution system.

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

22. This Agreed Order shall not prevent the Cabinet from issuing, reissuing, renewing, modifying, revoking, suspending, denying, terminating, or reopening any permit to KAW. KAW

reserves its defenses thereto, except that KAW shall not use this Agreed Order as a defense.

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

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

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

26. KAW shall give notice of this Agreed Order to any purchaser, lessee or successor in interest prior to the transfer of ownership and/or operation of any part of the now-existing Livingston Distribution System occurring prior to termination of this Agreed Order, shall notify the Cabinet that such notice has been given, and shall follow all statutory and regulatory requirements for a transfer.

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

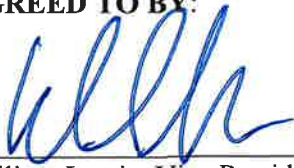
28. Compliance with this Agreed Order is not conditional on the receipt of any federal, state, or local funds.

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

TERMINATION

30. This Agreed Order shall terminate upon KAW's completion of all requirements described in this Agreed Order. KAW may submit a written request for termination to the Cabinet when it believes all requirements have been performed. The Cabinet shall notify KAW in writing whether it concurs that all requirements of this Agreed Order have been completed. The Cabinet reserves its right to enforce this Agreed Order, and KAW reserves its right to file a petition for hearing pursuant to KRS 224.10-420(2) contesting the Cabinet's determination.

AGREED TO BY:



William Lewis, Vice President Operations
Kentucky American Water



Date

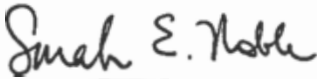
APPROVAL RECOMMENDED BY:



Jarrod Bell, Director
Division of Enforcement

4/8/2026

Date



Sarah E. Noble, General Counsel
Office of Legal Services

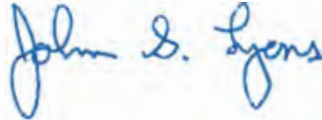
04.08.26

Date

ORDER

Wherefore, the foregoing Agreed Order is entered as the final Order of the Energy and Environment Cabinet this 9th day of April, 2026.

ENERGY AND ENVIRONMENT CABINET



JOHN S. LYONS, DEPUTY SECRETARY
OF THE ENERGY AND ENVIRONMENT
CABINET

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing **AGREED ORDER** was mailed, postage prepaid, to the following this 9th day of April, 2026.

Kentucky American Water
Attn: William Lewis
2300 Richmond Road
Lexington, Kentucky 40502

~~And mailed, messenger to:~~ And by electronic mail, to:

Jarrold Bell, Director
Division of Enforcement
300 Sower Boulevard, 3rd Floor
Frankfort, Kentucky 40601

Sarah E. Noble, General Counsel
Office of Legal Services
300 Sower Boulevard, 3rd Floor
Frankfort, Kentucky 40601

Lucy M. Bennette
DOCKET COORDINATOR

Exhibit A

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DIVISION OF ENFORCEMENT
CASE NO. DOW 23-3-0071

IN RE: Livingston Municipal Water Works
313 Main Street
Livingston, Kentucky 40445
Rockcastle County
AI No. 34096
Activity ID No. ERF20230001

AGREED ORDER

WHEREAS, the parties to this Agreed Order, the Energy and Environment Cabinet (hereinafter “Cabinet”) and the City of Livingston (hereinafter “Responsible Party”) state:

STATEMENTS OF FACT

1. The Cabinet is charged with the statutory duty of enforcing KRS Chapter 224 and the regulations promulgated pursuant thereto.

2. The Responsible Party owns and operates a drinking water system, PWSID# KY1020253, a public water system, as the term is defined in 401 KAR 8:010, comprised of drinking water distribution lines (hereinafter “distribution system”) that provides water service to the residents of the City of Livingston. The Responsible Party does not produce any water and purchases finished water from the Wood Creek Water District.

3. Authorized representatives of the Cabinet’s Division of Water (hereinafter “DOW”) identified alleged violations of KRS Chapter 224 and the regulations promulgated pursuant thereto at the distribution system identified in paragraph two (2) above and issued Notices of Violation (hereinafter “NOV”) for violations including failure to submit Monthly Operating Reports (hereinafter “MOR”), failure to collect and report chlorine residuals, failure to perform

public notification, failure to submit adequate number of Disinfection By-Product (hereinafter “DBP”) samples, failure to operate under the supervision of properly certified operator, failure to submit routine bacteriological sampling results, failure to submit Consumer Confidence Reports (hereinafter “CCR”) and violations of 401 KAR Chapter 8. Authorized representatives of the Cabinet issued NOVs for the violations described above on the following dates: March 30, 2018; August 15, 2018; September 6, 2018; January 15, 2019; January 16, 2019; March 20, 2019; August 8, 2019; November 30, 2020; July 14, 2021; September 3, 2021; October 11, 2021; November 1, 2021; November 30, 2022; January 20, 2023; February 27, 2023; March 7, 2023; March 23, 2023; and April 18, 2023. The NOVs are attached to this Agreed Order as ‘Exhibit A’.

4. Representatives of the Responsible Party participated in a telephonic administrative conference with the Cabinet’s Division of Enforcement (hereinafter “DENF”) on May 8, 2023. The Responsible Party has admitted to the violations described above and has agreed to the entry of this Agreed Order to formally resolve the violations KRS Chapter 224 and the regulations promulgated pursuant thereto.

NOW THEREFORE, in the interest of settling all civil claims and controversies involving the violations described above, the parties hereby consent to the entry of this Agreed Order and agree as follows:

REMEDIAL MEASURES

5. Immediately following the execution of this Agreed Order, the Responsible Party shall designate the Mayor of the City of Livingston as the signatory on all MORs.

6. Immediately following the execution of this Agreed Order, the Responsible Party shall hire a properly certified operator for the distribution system.

7. Within thirty (30) days of the execution of this Agreed Order, the Responsible Party

shall submit to the Cabinet for review and approval, a Staffing Plan which describes the City's plans to properly staff the distribution system.

8. Within thirty (30) days of the execution of this Agreed Order, the Responsible Party shall submit to the Cabinet for review and acceptance, a Corrective Action Plan (hereinafter "CAP").

a.) The CAP shall include, but not be limited to the following:

- i. A plan to operate tank level to prevent overflow;
- ii. A plan to secure the Master Meter pit to prevent public access;
- iii. A plan to ensure daily chlorine residuals are being monitored and maintained throughout the distribution system including:
 - a. A Standard Operating Procedure for daily chlorine monitoring;
and
 - b. A training protocol for staff to ensure working knowledge.
- iv. An initial report on the status of the City's tank rehab project including a plan for completion of the project;
- v. An initial report which addresses LCRR inventory requirements for the system;
- vi. A schedule of implementation for each remedial measure; and
- vii. A final compliance date.

b.) Upon review of the CAP, the Cabinet may, in whole or in part, (1) accept or (2) provide comments to the Responsible Party identifying the deficiencies. Upon receipt of Cabinet comments, the Responsible Party shall have thirty (30) days to revise and resubmit the CAP for review and acceptance. Upon resubmittal,

the Cabinet may, in whole or in part, (1) accept or (2) disapprove and provide comments to the Responsible Party identifying the deficiencies. Upon such resubmittal, if the CAP is disapproved, the Cabinet may deem the Responsible Party to be out of compliance with this Agreed Order for failure to timely submit the CAP.

- c.) The Responsible Party may request an amendment of the accepted CAP by writing the Director of the Division of Enforcement at 300 Sower Boulevard, 3rd Floor, Frankfort, Kentucky, 40601 and stating the reasons for the request. If granted, the amended CAP shall not affect any provision of this Agreed Order unless expressly provided in the amended CAP.
- d.) Upon Cabinet acceptance of all or any part of the CAP, the amended CAP, or any accepted part thereof (provided that the accepted part is not dependent upon implementation of any part not yet accepted), shall be deemed incorporated into this Agreed Order as an enforceable requirement of this Agreed Order and implemented at its facilities. This does not require an amendment request pursuant to paragraph twenty-nine (29) of this Agreed Order.
- e.) The Cabinet approved CAP shall specify a final compliance date by which compliance with the terms and conditions of the permit is achieved.

9. Within sixty (60) days of the execution of this Agreed Order, the Responsible Party shall submit to the Cabinet an initial report detailing water loss in the distribution system. The Responsible Party shall complete a water loss report for each quarter following the initial report until the termination of the Agreed Order. The quarterly water loss reports shall be due on the 30th day of the following month after the end of the quarter.

10. Within sixty (60) days of the execution of this Agreed Order, the Responsible Party shall submit to the Cabinet for review and approval, a Boil Water Advisory (hereinafter "BWA") protocol for the distribution system.

11. Within sixty (60) days of the execution of this Agreed Order, the Responsible Party shall submit to the Cabinet for review and approval, an Operations and Maintenance (hereinafter "O&M") Manual for the distribution system.

12. Following the execution of this Agreed Order and through its termination, the Responsible Party shall attend quarterly check in meetings at the written request of the Cabinet. Discussion topics will include, but not be limited to, the progress of the CAP, monitoring and reporting requirements, water loss reports, and staffing. Failure to attend check in meetings, or to reschedule and attend within thirty (30) days of a previously scheduled meeting, may result in the assessment of stipulated penalties as described in paragraph twenty-two (22) below.

13. All submittals required by the terms of this Agreed Order shall be sent to:

Division of Enforcement
Attention: Director
300 Sower Blvd
Frankfort, KY 40601

CIVIL PENALTY

14. The Responsible Party has been assessed a civil penalty in the amount of two thousand five hundred dollars (\$2,500), to resolve the violations listed in Exhibit A. The civil penalty shall be paid in one (1) initial payment of three hundred dollars (\$300) followed by eleven (11) monthly payments of two hundred dollars (\$200). The first initial payment shall be due within thirty (30) days of the execution of this Agreed Order. The remaining eleven (11) payments shall be due by the 30th day of each month, commencing the month after the initial payment.

15. If the Responsible Party fails to pay any of the civil penalty payments by the due

dates specified in paragraph fourteen (14) above, the entire outstanding balance of the civil penalty shall be immediately due and payable within fifteen (15) days of receipt of written notification from the DENF.

16. Payment of the civil penalty shall be by cashier's check, certified check, or money order, made payable to "**Kentucky State Treasurer**" and sent to the attention of the Director, Division of Enforcement, Department for Environmental Protection, 300 Sower Boulevard, 3rd Floor, Frankfort, Kentucky 40601; note "**Case No. DOW 23-3-0071**" on the instrument of payment. Payment of the civil penalty may also be made electronically, if available, by accessing the Office of Administrative Hearings through its website found at <https://eec.ky.gov>.

STIPULATED PENALTIES

17. The Cabinet may assess a stipulated penalty in the amount of one hundred fifty dollars (\$150) per day for failure to timely hire a properly certified operator as described in paragraph six (6) above.

18. The Cabinet may assess a stipulated penalty in the amount of five hundred dollars (\$500) per instance for failure to timely submit MORs.

19. The Cabinet may assess a stipulated penalty in the amount of five hundred dollars (\$500) per instance for failure to measure daily chlorine residuals.

20. The Cabinet may assess a stipulated penalty in the amount of two hundred fifty dollars (\$250) per day for failure to timely submit the Staffing Plan, CAP, initial water loss report, BWA protocol, or O&M Manual as described in paragraphs seven through eleven (7-11) above.

21. The Cabinet may assess a stipulated penalty in the amount of five hundred dollars (\$500) per instance for failure to timely submit quarterly water loss reports as described in paragraph nine (9) above.

22. The Cabinet may assess a stipulated penalty in the amount of one thousand dollars (\$1,000) per instance for failure to attend quarterly check in meetings as described in paragraph twelve (12) above.

23. Stipulated penalties are in addition to and not in lieu of any other penalty which could be assessed by the Cabinet. The Cabinet may, at its discretion, waive stipulated penalties that would otherwise be due. The stipulated penalty shall be due and owing thirty (30) days after the Responsible Party's receipt of written notification by the Cabinet to the Responsible Party at the permitted address.

24. If the Responsible Party believes that the request for payment of a stipulated penalty is erroneous or contrary to law, the Responsible Party may request a hearing in accordance with KRS 224.10-420(2). A request for hearing does not excuse timely payment of the penalty. If an order is entered pursuant to KRS 224.10-440 that excuses payment, the Cabinet will refund the payment. Failure to make timely payment shall constitute an additional violation.

25. Payment of stipulated penalties shall be by cashier's check, certified check, or money order, made payable to "**Kentucky State Treasurer**" and sent to the attention of the Director, Division of Enforcement, Department for Environmental Protection, 300 Sower Boulevard, 3rd Floor, Frankfort, Kentucky 40601; note "**Case Number DOW 23-3-0071**" on the instrument of payment.

MISCELLANEOUS PROVISIONS

26. This Agreed Order addresses only the violations specifically alleged above. Other than those matters resolved by entry of this Agreed Order nothing contained herein shall be construed to waive or to limit any remedy or cause of action by the Cabinet based on statutes or regulations under its jurisdiction and the Responsible Party reserves its defenses thereto. The

Cabinet expressly reserves its right at any time to issue administrative orders and to take any other action it deems necessary that is not inconsistent with this Agreed Order, including the right to order all necessary remedial measures, assess penalties for violations, or recover all response costs incurred, and the Responsible Party reserves its defenses thereto.

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

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

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

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

compliance with the terms of KRS Chapter 224, and the regulations promulgated pursuant thereto, this Agreed Order and any permit and compliance schedule requirements.

31. The Responsible Party shall give notice of this Agreed Order to any purchaser, lessee, or successor in interest prior to the transfer of ownership and/or operation of any part of its now-existing facility occurring prior to termination of this Agreed Order, shall notify the Cabinet that such notice has been given, and shall follow all statutory and regulatory requirements for a transfer. Whether or not a transfer takes place, the Responsible Party shall remain fully responsible for payment of all civil penalties and response costs and for performance of all remedial measures identified in this Agreed Order.

32. The Cabinet agrees to allow the performance of the above-listed remedial measures and payment of civil penalties by the Responsible Party to satisfy the Responsible Party's obligations to the Cabinet generated by the violations described above.

33. The Cabinet and the Responsible Party agree that the remedial measures agreed to herein are facility-specific and designed to comply with the statutes and regulations cited herein. This Agreed Order applies specifically and exclusively to the unique facility referenced herein and is inapplicable to any other facility.

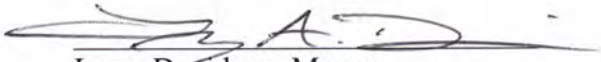
34. Compliance with this Agreed Order is not conditional on the receipt of any federal, state, or local funds.

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

TERMINATION

36. This Agreed Order shall terminate upon the Responsible Party's completion of all requirements described in this Agreed Order. The Responsible Party may submit a written request for termination to the Cabinet when it believes all requirements have been performed. The Cabinet reserves its right to enforce this Agreed Order, and the Responsible Party reserves its right to file a petition for hearing pursuant to KRS 224.10-420(2) contesting the Cabinet's determination.

AGREED TO BY:



Larry Davidson, Mayor
City of Livingston

9/5/23
Date

APPROVAL RECOMMENDED BY:

Natalie P. Bruner
Natalie P. Bruner, Director
Division of Enforcement

09.06.2023
Date

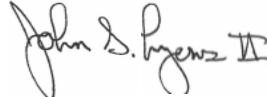
Joseph A. Newberg
Joseph A. Newberg, General Counsel
Office of Legal Services

9/6/2023
Date

ORDER

Wherefore, the foregoing Agreed Order is entered as the final Order of the Energy and Environment Cabinet this 7th day of September, 2023.

ENERGY AND ENVIRONMENT CABINET

A handwritten signature in black ink, appearing to read "John S. Lyons II". The signature is written in a cursive style with a horizontal line underneath the name.

JOHN S. LYONS, DEPUTY SECRETARY
OF THE ENERGY AND ENVIRONMENT CABINET

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing **AGREED ORDER** was mailed, postage prepaid, to the following this 7th day of September, 2023.

City of Livingston
Attn: Larry Davidson
P.O. Box 654
Livingston, Kentucky 40445

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

Natalie P. Bruner, Director
Division of Enforcement
300 Sower Boulevard, 3rd Floor
Frankfort, Kentucky 40601

Joseph A. Newberg, General Counsel
Office of Legal Services
300 Sower Boulevard, 3rd Floor
Frankfort, Kentucky 40601



DOCKET COORDINATOR

Distribution:
DOW

Exhibit A



ENERGY AND ENVIRONMENT CABINET

Matthew G. Bevin
Governor

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Charles G. Snavelly
Secretary

Aaron B. Keatley
Commissioner

March 30, 2018

CERTIFIED MAIL: 7009 1680 0000 9374 0040
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

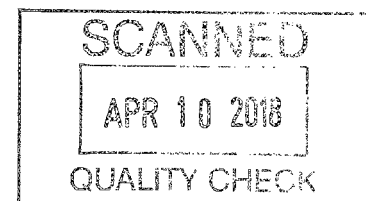
The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Tiffany Ogunsanya at (502)782-7031 or email at Tiffany.Ogunsanya@ky.gov.

Sincerely,

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure



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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2018 - 9673451
Determination Date: 03/06/2018
Compliance Period: 01/01/2018 - 01/31/2018
Violation Type: OR MOR, FAILURE TO SUBMIT **Tier Level:** 3
Contaminant: MOR MONTHLY OPERATING REPORT

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:020 MONTHLY OPERATING REPORT The public water system failed to submit the Monthly Operating Report for the compliance period 01/01/2018 - 01/31/2018.

Comments: MOR: Failure to submit the January 2018 MOR.

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

Submit the MOR, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information regarding MOR Compliance contact Tiffany Ogunsanya at (502)782-7031 or email at Tiffany.Ogunsanya@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601



Issued By:

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: March 30, 2018

How Delivered: Certified/Registered #7009 1680 0000 9374 0040



ENERGY AND ENVIRONMENT CABINET

Matthew G. Bevin
Governor

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Charles G. Snaveley
Secretary

Aaron B. Keatley
Commissioner

March 30, 2018

CERTIFIED MAIL: 7009 1680 0000 9374 0699
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Tiffany Ogunsanya at (502)782-7031 or email at Tiffany.Ogunsanya@ky.gov.

Sincerely,

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure



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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2018 - 9673452
Determination Date: 03/06/2018
Compliance Period: 01/01/2018 - 01/31/2018
Violation Type: 36 MONITORING, RTN/RPT MAJOR (SWTR-FILTER) **Tier Level:** 3
Contaminant: 0999 CHLORINE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:150, Sec 3 and 8:160, Sec 6 CHLORINE The public water system submitted fewer than 90% of the required number of analytical results for turbidity or failed to report results by the 10th of the month following the compliance period 01/01/2018 - 01/31/2018.

Comments: SDRD: Failed to collect and report chlorine residual samples throughout the distribution system (MOR pg. 7) for the January 2018 monitoring period.

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

Submit the MOR, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation.

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:070. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:070] The specific public notification activities to be performed are listed below.

PWS must give notice to consumers, including other water systems you may provide water to, about a violation by mail delivery or hand delivery. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

If not all consumers can be notified by mail or hand delivery then the PWS must give notice to consumers about a violation by 1) publication in a newspaper of general circulation in the area served by the PWS or 2) by continuous posting in conspicuous places within the area served by the PWS. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

As an alternative to the two methods listed above, the PWS may optionally provide notice to consumers by including the required language of the notice in the next CCR delivered to consumers by the PWS providing that the CCR meets the direct delivery requirements.

Submit proof of public notification and its certification within ten (10) days of executing public notification.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information regarding MOR Compliance contact Tiffany Ogunsanya at (502)782-7031 or email at Tiffany.Ogunsanya@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601



Issued By:

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: March 30, 2018

How Delivered: Certified/Registered #7009 1680 0000 9374 0699



ENERGY AND ENVIRONMENT CABINET

Matthew G. Bevin
Governor

Department for Environmental Protection
Division of Water
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Charles G. Snavey
Secretary

Anthony R. Hatton
Commissioner

August 15, 2018

CERTIFIED MAIL: 7010 1870 0000 9173 1535
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Maggie Mahan at (502)782-6136 or email at Maggie.mahan@ky.gov.

Sincerely,

Joseph Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2018 - 9673456
Determination Date: 06 26 2018
Violation Type: 75 PUBLIC NOTICE RULE LINKED TO VIOLATION
Contaminant: 7500 PUBLIC NOTICE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:075 Section 2 PUBLIC NOTICE Public water system failed to perform public notification in accordance with 401 KAR 8:075 Section 2. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. See "Comments" below for details specifying the nature of the violation:

Comments: Failure to submit a Public Notice for group violation 2016-713. Complete, distribute, and submit a copy of the Public Notice for the originating violation and detail this violation in the calendar year 2018 CCR, to be distributed in 2019.

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

Submit proof of public notification and its certification.

If the original violation is a Tier 3, public water system has 1 year from the receipt of Notice of Violation to perform the public notice and must submit proof of public notification and certification within 10 days of executing public notice to the Division of Water.

If the original violation is a Tier 2, public water system has 30 days from receipt of Notice of Violation to perform the public notice and must submit proof of public notification and certification within 10 days of executing public notice to the Division of Water.

In addition, the Notice of Violation must be discussed, detailing the nature of the violation, **in next year's CCR** that is due to the customers and the Department of Environmental Protection, Division of Water by July 1st, annually.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW>

If you have questions or need further information, write or call Maggie Mahan at 502-782-6136 or email at Maggie.mahan@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601



Issued By:

Joseph Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: August 15, 2018

How Delivered: Certified Registered #7010 1870 0000 9173 1535



ENERGY AND ENVIRONMENT CABINET

Matthew G. Bevin
Governor

Department for Environmental Protection
Division of Water
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Charles G. Snavely
Secretary

Anthony R. Hatton
Commissioner

August 15, 2018

CERTIFIED MAIL: 7010 1870 0000 9173 1535
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Maggie Mahan at (502)782-6136 or email at Maggie.mahan@ky.gov.

Sincerely,

Joseph Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2018 - 9673457
Determination Date: 06 26 2018
Violation Type: 75 PUBLIC NOTICE RULE LINKED TO VIOLATION
Contaminant: 7500 PUBLIC NOTICE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:075 Section 2 PUBLIC NOTICE Public water system failed to perform public notification in accordance with 401 KAR 8:075 Section 2. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. See "Comments" below for details specifying the nature of the violation:

Comments: Failure to submit a Public Notice for group violation 2016-723. Complete, distribute, and submit a copy of the Public Notice for the originating violation and detail this violation in the calendar year 2018 CCR, to be distributed in 2019.

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

Submit proof of public notification and its certification.

If the original violation is a Tier 3, public water system has 1 year from the receipt of Notice of Violation to perform the public notice and must submit proof of public notification and certification within 10 days of executing public notice to the Division of Water.

If the original violation is a Tier 2, public water system has 30 days from receipt of Notice of Violation to perform the public notice and must submit proof of public notification and certification within 10 days of executing public notice to the Division of Water.

In addition, the Notice of Violation must be discussed, detailing the nature of the violation, **in next year's CCR** that is due to the customers and the Department of Environmental Protection, Division of Water by July 1st, annually.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW>

If you have questions or need further information, write or call Maggie Mahan at 502-782-6136 or email at Maggie.mahan@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601



Issued By:

Joseph Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: August 15, 2018

How Delivered: Certified Registered #7010 1870 0000 9173 1535



ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Matthew G. Bevin
Governor

Charles G. Snively
Secretary

Anthony R. Hatton
Commissioner

August 15, 2018

CERTIFIED MAIL: 7010 1870 0000 9173 1346
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Joseph Uliasz at (502)782-6291 or email at Joseph.Uliasz@ky.gov.

Sincerely,

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2018 - 9673458
Determination Date: 07 10 2018
Compliance Period: 05 01 2018 - 05 31 2018
Violation Type: OR MOR. FAILURE TO SUBMIT
Contaminant: MOR MONTHLY OPERATING REPORT

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:020 MONTHLY OPERATING REPORT The public water system failed to submit the Monthly Operating Report for the compliance period 05 01 2018 - 05 31 2018.

Comments: MOR: Failure to submit the May 2018 MOR.

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

Submit the MOR, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW>

If you have questions or need further information regarding MOR Compliance contact Joseph Uliasz at (502)782-6291 or email at Joseph.Uliasz@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601



Issued By:

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: August 15, 2018

How Delivered: Certified Registered #7010 1870 0000 9173 1436



Matthew G Besin
Governor

ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Charles G Snavely
Secretary

Anthony R. Hatton
Commissioner

August 15, 2018

CERTIFIED MAIL: 7010 1870 0000 9173 1153
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Joseph Uliasz at (502)782-6291 or email at Joseph.Uliasz@ky.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Uliasz", written over a white background.

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2018 - 9673459
Determination Date: 07/10/2018
Compliance Period: 05/01/2018 - 05/31/2018
Violation Type: 36 MONITORING, RTN RPT MAJOR (SWTR-FILTER) **Tier Level:** 3
Contaminant: 0999 CHLORINE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:150, Sec 1 CHLORINE The public water system failed to submit adequate sampling results to meet Chlorine summary requirements for the compliance period.

Comments: SDRD: Failed to collect and report minimum daily chlorine residual samples throughout the distribution system (MOR pg. 7) for the May 2018 monitoring period.

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

Submit the MOR, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation.

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:075 Section 2. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:075 Section 2] The specific public notification activities to be performed are listed below. If you need assistance with Public Notice contact Maggie Mahan at (502)782-6136 or email at Maggie.mahan@ky.gov.

PWS must give notice to consumers, including other water systems you may provide water to, about a violation by mail delivery or hand delivery. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

If not all consumers can be notified by mail or hand delivery then the PWS must give notice to consumers about a violation by 1) publication in a newspaper of general circulation in the area served by the PWS or 2) by continuous posting in conspicuous places within the area served by the PWS. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

As an alternative to the two methods listed above, the PWS may optionally provide notice to consumers by including the required language of the notice in the next CCR delivered to consumers by the PWS providing that the CCR meets the direct delivery requirements. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

Submit proof of public notification and its certification within ten (10) days of executing public notification.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW>.

If you have questions or need further information regarding MOR Compliance contact Joseph Uliasz at (502)782-6291 or email at Joseph.Uliasz@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601



Issued By:

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: August 15, 2018

How Delivered: Certified:Registered #7010 1870 0000 9173 1153



ENERGY AND ENVIRONMENT CABINET

Matthew G Bevin
Governor

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Charles G Snively
Secretary

Anthony R Hatton
Commissioner

September 6, 2018

CERTIFIED MAIL: 7010 1870 0000 9173 2136
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Kellee Husband at (502)782-6984 or email at kelleem.husband@ky.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Uliasz".

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2018 - 793
Determination Date: 08/07/2018
Compliance Period: 04/01/2018 - 06/30/2018
Violation Type: 27 MONITORING, ROUTINE (DBP), MAJOR **Tier Level:** 3
PWS Facility: IDSE9083 IDSE - LIVINGSTON MUNICIPAL WATER WORKS
Contaminant: DBPS TTHM THAA

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:510, Section 1 TTHM THAA The public water system failed to submit an adequate number of DBP samples for the compliance period 04/01/2018 - 06/30/2018. Your system is required to collect 2 Routine Samples per Quarter. No samples were received by DOW.

Comments: Pulled 2nd qtr. DBP's in incorrect month.

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

Submit any overdue or unreported sampling analytical results, if available, for the compliance period 04/01/2018 - 06/30/2018

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:075 SECTION 2. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:075 SECTION 2] The specific public notification activities to be performed are listed below.

PWS must give notice to consumers, including other water systems you may provide water to, about a violation by mail delivery or hand delivery. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

If not all consumers can be notified by mail or hand delivery then the PWS must give notice to consumers about a violation by 1) publication in a newspaper of general circulation in the area served by the PWS or 2) by continuous posting in conspicuous places within the area served by the PWS. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

As an alternative to the two methods listed above, the PWS may optionally provide notice to consumers by including the required language of the notice in the next CCR delivered to consumers by the PWS providing that the CCR meets the direct delivery requirements.

Submit proof of public notification and its certification within ten (10) days of executing public notification.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>.

If you have questions or need further information, write or call Kellee Husband at (502)782-6984 or email at kellcem.husband@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601



Issued By:

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: September 6, 2018

How Delivered: Certified/Registered #7010 1870 0000 9173 2136

MATTHEW G. BEVIN
GOVERNOR



CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
875 SOUTH MAIN STREET
LONDON KY 40741

ANTHONY R. HATTON
COMMISSIONER

January 15, 2019

Certified No.: 7018 0360 0000 5281 7349
Return Receipt Requested

Honorable Jason Medley
Mayor, City of Livingston
Livingston Municipal Water Works
313 Main St.
Livingston, Kentucky 40445

Re: Notice of Violation
AI ID: 34096
AI Name: Livingston Municipal Water Works
Activity ID: ENV20190001
Permit No.: KY1020253
Rockcastle County, KY

Dear Mayor:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered within your distribution system during December 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 606-330-2080.

Sincerely,

E-Signed by Beth Trent
IFY authenticity with eSign Desi


Ms. Beth Trent,
Environmental Inspector
Division of Water

Enclosure

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

NOTICE OF VIOLATION

To: Livingston Municipal Water Works
313 Main St.
Livingston, KY 40445

AI Name: Livingston Municipal Water Works
Discovery ID: CIV20180001
Enforcement Case ID:
Date(s) Violation(s) Observed: 12/24/2018

AI ID: 34096
County: Rockcastle

Activity ID: ENV20190001

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

1 Violation Description for Subject Item AIOO0000034096():

Operational procedures at water systems shall be conducted by or under the supervision of a distribution system operator certified in a class equal to or higher than the class of the distribution system.
[401 KAR 8:030(1)(2)a]

Description of Non Compliance:

Emergency line break repairs are not being performed by, or under the supervision of, a Certified Distribution Operator.
Emergency line break repairs and / or Boil Water Advisories are not being reported to the Division as required. The system does not have a documented procedure for issuing (or lifting) a Boil Water Advisory. The Division recommended the system develop a procedure following the July 2018 Sanitary Survey.

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

The water distribution system shall be operated by or under the supervision of a distribution system operator certified in a class equal to or higher than the class of the distribution system.

Line repairs should be performed by, or under the supervision of, a Certified Distribution Operator.

Within thirty (30) days of receipt of this Notice, the system shall submit a written notice to the Inspector which states they are in compliance with this regulation and the actions taken to address the non-compliance.

The system should develop and implement a procedure for issuing (and lifting) a Boil Water Advisory (BWA).

Within thirty (30) days of receipt of this notice, the system should develop and submit their written BWA procedure to the Inspector for review.

Failure to comply with the above remedial actions, may result in a referral to the Division of Enforcement for the assessment of fines and penalties. [401 KAR 8:030 Section 1(2)(a)]

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
London Regional Office
875 S Main St
London, KY 40741
606-330-2080 (8:00 AM – 4:30 PM)
Ms. Beth Trent, Environmental Inspector

E-Signed by Beth Trent
Verify authenticity with eSign Desk


Issued By:

Ms. Beth Trent, Environmental Inspector

Date: January 15, 2019

E-Signed by Rob Miller
Verify authenticity with eSign Desk


Issued By:

Mr. Rob Miller, Environmental Control Supervisor

Date: January 15, 2019

How Delivered: USPS – Certified Mail with Return Receipt
Certified/Registered # 7018 0360 0000 5281 7349



ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Matthew G. Bevin
Governor

Charles G. Snavely
Secretary

Anthony R. Hatton
Commissioner

January 16, 2019

CERTIFIED MAIL: 7009 1680 0000 9375 7345
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Rodney Ripberger at (502)782-7049 or email at Rodney.Ripberger@ky.gov.

Sincerely,

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2019 - 9673462
Determination Date: 12/14/2018
Compliance Period: 10/01/2018 - 10/31/2018
Violation Type: 3A MONITORING, ROUTINE, MAJOR (RTCR) **Tier Level:** 3
Contaminant: 8000 REVISED TOTAL COLIFORM RULE (RTCR)

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:200 REVISED TOTAL COLIFORM RULE (RTCR) The public water system failed to submit routine bacteriological sampling results for the compliance period 10/01/2018 - 10/31/2018.

Comments: 0 of 1 samples were received.

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

Submit any overdue or unreported sampling analytical results, if available.
Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:075 SECTION 2. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:075 SECTION 2] The specific public notification activities to be performed are listed below.

PWS must give notice to consumers, including other water systems you may provide water to, about a violation by mail delivery or hand delivery. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

If not all consumers can be notified by mail or hand delivery then the PWS must give notice to consumers about a violation by 1) publication in a newspaper of general circulation in the area served by the PWS or 2) by continuous posting in conspicuous places within the area served by the PWS. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

As an alternative to the two methods listed above, the PWS may optionally provide notice to consumers by including the required language of the notice in the next CCR delivered to consumers by the PWS providing that the CCR meets the direct delivery requirements.

Submit proof of public notification and its certification within ten (10) days of executing public notification.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>.

If you have questions or need further information, write or call Rodney Ripberger at (502)782-7049 or email at Rodney.ripberger@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601



Issued By:

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: January 16, 2019

How Delivered: Certified/Registered #7009 1680 0000 9375 7345



ENERGY AND ENVIRONMENT CABINET

Matthew G Bevin
Governor

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Charles G Snavelly
Secretary

Anthony R Hatton
Commissioner

March 20, 2019

CERTIFIED MAIL: 7017 2620 0000 1925 5427
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

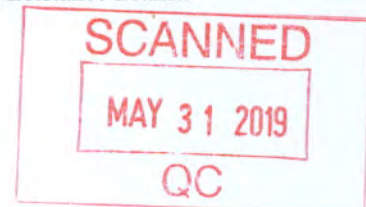
The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Kellee Husband at (502)782-6984 or email at kelleem.husband@ky.gov.

Sincerely,

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure



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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2019 - 807
Determination Date: 01/28/2019
Compliance Period: 10/01/2018 - 12/31/2018
Violation Type: 27 MONITORING, ROUTINE (DBP), MAJOR **Tier Level:** 3
PWS Facility: IDSE9083 IDSE - LIVINGSTON MUNICIPAL WATER WORKS
Contaminant: DBPS TTHM THAA

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:510, Section 1 TTHM THAA The public water system failed to submit an adequate number of DBP samples for the compliance period 10/01/2018 - 12/31/2018. Your system is required to collect 2 Routine Samples per Quarter. No samples were received by DOW.

Comments: Failed to submit 4th qtr. DBP's

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

Submit any overdue or unreported sampling analytical results, if available, for the compliance period 10/01/2018 - 12/31/2018

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:075 SECTION 2. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:075 SECTION 2] The specific public notification activities to be performed are listed below.

PWS must give notice to consumers, including other water systems you may provide water to, about a violation by mail delivery or hand delivery. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

If not all consumers can be notified by mail or hand delivery then the PWS must give notice to consumers about a violation by 1) publication in a newspaper of general circulation in the area served by the PWS or 2) by continuous posting in conspicuous places within the area served by the PWS. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

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Submit proof of public notification and its certification within ten (10) days of executing public notification.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>.

If you have questions or need further information, write or call Kellee Husband at (502)782-6984 or email at kelleem.husband@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601



Issued By:

Joe Uliasz
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: March 20, 2019

How Delivered: Certified/Registered #7017 2620 0000 1925 5427



ENERGY AND ENVIRONMENT CABINET

Matthew G Bevin
Governor

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Charles G Snavelly
Secretary

Anthony R Hatton
Commissioner

August 8, 2019

CERTIFIED MAIL: 7017 2620 0000 1952 7391
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

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.

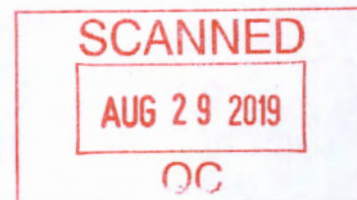
Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Kellee Husband at (502)782-6984 or email at kelleem.husband@ky.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kellee Husband".

Kellee Husband
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure



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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2019 - 822
Determination Date: 08/01/2019
Compliance Period: 04/01/2019 - 06/30/2019
Violation Type: 27 MONITORING, ROUTINE (DBP), MAJOR **Tier Level:** 3
PWS Facility: IDSE9083 IDSE - LIVINGSTON MUNICIPAL WATER WORKS
Contaminant: DBPS TTHM THAA

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:510, Section 1. TTHM THAA The public water system failed to submit an adequate number of DBP samples for the compliance period 04/01/2019 - 06/30/2019. Your system is required to collect 2 Routine Samples per Quarter. 1 samples were received by DOW.

Comments: Site 001 marked as special sample, should have been marked as routine, which caused a failure to submit violation.

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

Submit any overdue or unreported sampling analytical results, if available, for the compliance period 04/01/2019 - 06/30/2019

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:075 SECTION 2. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:075 SECTION 2] The specific public notification activities to be performed are listed below.

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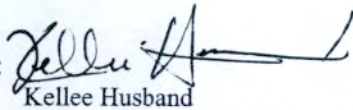
Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>.

If you have questions or need further information, write or call Kellee Husband at (502)782-6984 or email at kelleem.husband@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601

Issued By:



Kellee Husband
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: August 8, 2019

How Delivered: Certified/Registered #7017 2620 0000 1952 7391



ENERGY AND ENVIRONMENT CABINET

Matthew G. Bevin
Governor

Department for Environmental Protection
Division of Water
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Charles G. Snively
Secretary

Anthony R. Hatton
Commissioner

August 8, 2019

CERTIFIED MAIL: 7017 2620 0000 1952 7087
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

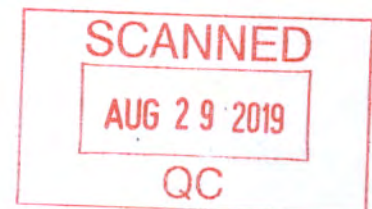
The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Corina Singleton at (502)782-5287 or email at Corina.singleton@ky.gov.

Sincerely,

Kelleé Husband
Drinking Water CTAB Acting Supervisor
Compliance & Technical Assistance Branch
Division of Water

C: Drinking Water Program files
Enclosure



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

NOTICE OF VIOLATION

To:

LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253

PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096

County: ROCKCASTLE

Violation Number: 2019 - 9673465

Determination Date: 02/15/2019

Violation Type: 71 CCR REPORT

Contaminant: 7000 CONSUMER CONFIDENCE RULE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:075, Section 1 CONSUMER CONFIDENCE RULE The public water system failed to submit the Consumer Confidence Report (CCR) to Department for Environmental Protection. The system was required to distribute the CCR to customers and submit a copy to the Kentucky Department for Environmental Protection by July 1. See "Comments" below for details specifying the nature of the violation:

Comments: Failure to deliver to the public and submit the calendar year 2017 CCR by the annual deadline of July 1st. The CCR was not delivered to the public until late July and was not submitted to the Primacy until mid October. Detail this violation in the next CCR's violation statement list.

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

This Notice of Violation must be discussed, detailing the nature of the violation, **in next year's CCR** that is due to the customers and the Department of Environmental Protection, Division of Water by July 1st, annually.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.


Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>.

If you have questions or need further information, write or call Corina Singleton at 502-782-5287 or email at corina.singleton@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601

Issued By:


Kelleé Husband
Drinking Water CTAB Supervisor
Compliance & Technical Assistance Branch
Division of Water

Date: August 8, 2019

How Delivered: Certified/Registered #7017 2620 0000 1952 7087



ENERGY AND ENVIRONMENT CABINET

Andy Beshear
Governor

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Rebecca Goodman
Secretary

Anthony R. Hatton
Commissioner

November 30, 2020

CERTIFIED MAIL: 7009 2820 0001 9910 3063
RETURN RECEIPT REQUESTED

JAMES POINDEXTER
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Poindexter:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

Sincerely,

Kellee Husband
Environmental Control Supervisor
Drinking Water Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:

LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253

PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096

County: ROCKCASTLE

Violation Number: 2021 - 9673469

Determination Date: 10/06/2020

Compliance Period: 08/01/2020 - 08/31/2020

Violation Type: MD MINIMUM DS RESIDUAL

PWS Facility: 1020253DS001 DISTRIBUTION - LIVINGSTON MUN WATER WORK

Contaminant: 0999 CHLORINE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:020 & 8:150 CHLORINE The public water system failed to report on the MOR an adequate number of results for disinfectant residual in the distribution system for the compliance period 08/01/2020 - 08/31/2020.

Comments: Failed to collect and report minimum daily chlorine residual samples throughout the distribution system (MOR p.7) on the day 31 for August 2020.

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

Submit the data, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation. If data isn't available, Collect and report all required samples for the next compliance period, and submit within 10 days after the next compliance period.

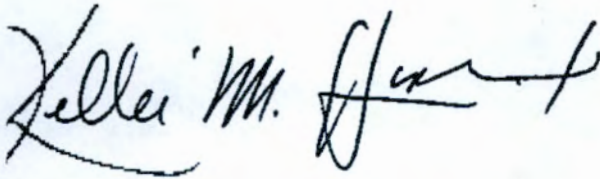
Violations of the above cited statutes and/or regulations are subject to a civil penalty. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and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

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information regarding MOR Compliance contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601



Issued By:

Kellee Husband
Environmental Control Supervisor
Drinking Water Branch
Division of Water

Date: November 30, 2020

How Delivered: Certified/Registered #7009 2820 0001 9910 3063

ANDY BESHEAR
GOVERNOR



REBECCA W. GOODMAN
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
875 SOUTH MAIN STREET
LONDON KY 40741

ANTHONY R. HATTON
COMMISSIONER

July 14, 2021

Email to Amanda Thomas, City Clerk
Return Receipt Requested

Dwane King, Mayor
City of Livingston
Livingston Municipal Water Works
313 Main St
Livingston, KY 40445

Re: Notice of Violation
AI ID: 34096
AI Name: Livingston Municipal Water Works
Activity ID: ENV20210001
PWSID No. KY1020253
Rockcastle County, KY

Dear Mayor:

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 myself or Rob Miller at 606-330-2080.

Sincerely,

 Recoverable Signature

Beth Trent

Ms. Beth Trent,
Environmental Inspector
Division of Water

Enclosure

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

NOTICE OF VIOLATION

To: Dwane King, Mayor
City of Livingston
Livingston Municipal Water Works
313 Main St
Livingston, KY 40445

AI Name: Livingston Municipal Water Works

AI ID: 34096

Activity ID: ENV20210001

Discovery ID: CIN20210003

County: Rockcastle

Enforcement Case ID:

Date(s) Violation(s) Observed: 07/14/2021

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

1 Violation Description for Subject Item AIOO0000034096():

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]

Description of Non Compliance:

The chlorine residual in the distribution system has not been monitored daily during June and July 2021, as required.

The system has not maintained a daily chlorine residual log.

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

The chlorine residual level within the public water system shall be monitored daily.

Monitoring records shall be completed at the time of sample collection and analysis and they must be maintained for review.

Within 7 days of receipt of this notice, please provide a written corrective action plan to the Inspector for review.

Failure to do so, or continued violation of this requirement, may subject you to the Division of Enforcement for the assessment of penalties. [401 KAR 8:020 Section 1]

2 Violation Description for Subject Item AIOO0000034096():

Operational procedures at [Class IA-D, IB-D, or IIB-D] water systems shall be conducted by or under the supervision of a certified water system operator who holds a valid combination or separate water treatment and distribution system operator certificate of the appropriate class and who is in direct responsible charge of the system. [401 KAR 8:030 Section 401 KAR 8:030(1)(2)b]

Description of Non Compliance:

The system has been without a Certified Operator since June 29, 2021. As of the time of this report, that equals 16 operational days.

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

The water distribution system shall be operated by or under the supervision of a distribution system operator certified in a class equal to or higher than the class of the distribution system.

Within 7 days of receipt of this notice, please provide a written corrective action plan to the Inspector for review.

Failure to do so, or continued violation of this requirement, may subject you to the Division of Enforcement for the assessment of penalties. [401 KAR 8:020 Section 1(3)(a)]

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
London Regional Office
875 S Main St
London, KY 40741
606-330-2080 (8:00 AM – 4:30 PM)
Ms. Beth Trent, Environmental Inspector

 Recoverable Signature

Beth Trent

Issued By: _____
Ms. Beth Trent, Environmental Inspector
Date: July 14, 2021
Signed By: Beth Trent

 Recoverable Signature

Rob Miller

Issued By: _____
Mr. Rob Miller, Environmental Control Supervisor
Date: July 14, 2021
Signed By: Rob Miller

How Delivered: email to Amanda Thomas, cityoflivingston@windstream.net



Andy Beshear
Governor

ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Rebecca Goodman
Secretary

Anthony R. Hatton
Commissioner

September 3, 2021

CERTIFIED MAIL: 7020 0640 0000 2406 8319
RETURN RECEIPT REQUESTED

AMANDA THOMAS
LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

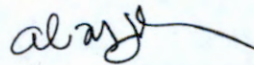
Dear Ms. Thomas:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

Sincerely,

 Recoverable Signature



Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:

LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253

PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096

County: ROCKCASTLE

Violation Number: 2021 - 9673472

Determination Date: 08/31/2021

Compliance Period: 06/01/2021 - 06/30/2021

Violation Type: OR MOR, FAILURE TO SUBMIT **PWS Facility:** 1020253DS001 DISTRIBUTION - LIVINGSTON
MUN WATER WORK

Contaminant: MOR MONTHLY OPERATING REPORT

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:020 MONTHLY OPERATING REPORT The public water system failed to submit the Monthly Operating Report for the compliance period 06/01/2021 - 06/30/2021.

Comments: System failed to submit MOR for June 2021 monitoring period.

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

Submit the data, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation. If data isn't available, Collect and report all required samples for the next compliance period, and submit within 10 days after the next compliance period.


Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

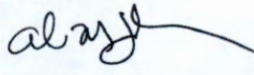
If you have questions or need further information regarding MOR Compliance contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Branch
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601

 Recoverable Signature

Issued By: _____



Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

Date: September 3, 2021

How Delivered: Certified/Registered #7020 0640 0000 2406 8319



ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Andy Beshear
Governor

Rebecca Goodman
Secretary

Anthony R. Hatton
Commissioner

September 3, 2021

CERTIFIED MAIL:7020 0640 0000 2406 8296
RETURN RECEIPT REQUESTED

AMANDA THOMAS
LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

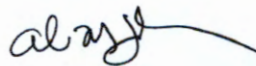
Dear Ms. Thomas:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

Sincerely,

 Recoverable Signature



Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2021 - 9673473
Determination Date: 08/31/2021
Compliance Period: 06/01/2021 - 06/30/2021
Violation Type: MD MINIMUM DS RESIDUAL
PWS Facility: 1020253DS001 DISTRIBUTION - LIVINGSTON MUN WATER WORK
Contaminant: 0999 CHLORINE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:020 & 8:150 CHLORINE The public water system failed to report on the MOR an adequate number of results for disinfectant residual in the distribution system for the compliance period 06/01/2021 - 06/30/2021.

Comments: SDRD: Failed to collect and report minimum daily chlorine residual samples throughout the distribution system (MOR page 7) for the June 2021 monitoring period.

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

Submit the data, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation. If data isn't available, Collect and report all required samples for the next compliance period, and submit within 10 days after the next compliance period.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

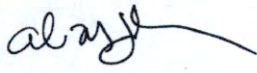
Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information regarding MOR Compliance contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Branch, Compliance Section
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601

 Recoverable Signature

-- 
--

Issued By: _____

Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

Date: September 3, 2021

How Delivered: Certified/Registered #7020 0640 0000 2406 8296



ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov



Andy Beshear
Governor

Rebecca Goodman
Secretary

Anthony R. Hatton
Commissioner

September 30, 2021

CERTIFIED MAIL:7020 0640 0000 2406 8784
RETURN RECEIPT REQUESTED

AMANDA THOMAS
LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Ms. Thomas:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

Sincerely,

Alicia Jacobs
Branch Manager
Compliance Section
Drinking Water Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2021 - 9673474
Determination Date: 09/27/2021
Compliance Period: 07/01/2021 - 07/31/2021
Violation Type: MD MINIMUM DS RESIDUAL
PWS Facility: 1020253DS001 DISTRIBUTION - LIVINGSTON MUN WATER WORK
Contaminant: 0999 CHLORINE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:020 & 8:150 CHLORINE The public water system failed to report on the MOR an adequate number of results for disinfectant residual in the distribution system for the compliance period 07/01/2021 - 07/31/2021.

Comments: SDRD: Failed to collect and report minimum daily chlorine residual samples throughout the distribution system (MOR p.7) on the day 1-7, 11, & 16-31 for July 2021.

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

Submit the data, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation. If data isn't available, submit an explanation and collect and report all required samples for the next compliance period, and submit within 10 days after the next compliance period.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.


Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information regarding MOR Compliance contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Branch
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601

Issued By: _____



Alicia Jacobs
Branch Manager
Compliance Section
Drinking Water Branch
Division of Water

Date: September 30, 2021

How Delivered: Certified/Registered #7020 0640 0000 2406 8784

ANDY BESHEAR
GOVERNOR



REBECCA W. GOODMAN
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
875 SOUTH MAIN STREET
LONDON KY 40741

ANTHONY R. HATTON
COMMISSIONER

October 11, 2021

Certified No. 7020 0640 0000 1685 0366
Return Receipt Requested

Livingston Municipal Water Works
PO Box 654
Livingston, KY 40445

Re: Notice of Violation
AI ID: 34096
AI Name: Livingston Municipal Water Works
Activity ID: ENV20210005
Rockcastle County, KY

Dear City of Livingston:

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 606-330-2080.

Sincerely,

 Recoverable Signature

Rob Miller

Mr. Rob Miller,
Environmental Control Supervisor
Division of Water

Enclosure

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

NOTICE OF VIOLATION

To: Livingston Municipal Water Works
PO Box 654
Livingston, KY 40445

AI Name: Livingston Municipal Water Works **AI ID:** 34096 **Activity ID:** ENV20210005
Discovery ID: CIV20210001 **County:** Rockcastle
Date(s) Violation(s) Observed: 10/08/2021

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

1 Violation Description for Subject Item AIOO0000034096():

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]

Description of Non Compliance:

Livingston Municipal Water Works is not providing adequate pressure to multiple customers on the far north end of the distribution system. Recommended Standards for Water Works (AKA 10 State Standards) Section 8.2.1 states "The system shall be designed to maintain a minimum pressure of 20 PSI at ground level at all points in the distribution system under all condition of flow." These standards are incorporated by reference in to 401 KAR 8:020. The system is not able to maintain a minimum pressure of 20 PSI at multiple locations in the north end of the distribution system.

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

Livingston Municipal Water Works shall provide the minimum required pressure (20 PSI) to all customer meters at all times. Within 14 days of the receipt of this notice they system shall restore the minimum pressure to all affected customers. Failure to do so will result in a referral to the Division of Enforcement.

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
London Regional Office
875 S Main St
London, KY 40741-1902
606-330-2080 (8:00 AM – 4:30 PM)
Mr. Rob Miller, Environmental Control Supervisor

 Recoverable Signature

Rob Miller

Issued By: _____

Mr. Rob Miller, Environmental Control Supervisor

Date: October 11, 2021
Signed By: Rob Miller

How Delivered: Certified Mail Certified/Registered # 7020 0640 0000 1685 0366



ENERGY AND ENVIRONMENT CABINET

Andy Beshear
Governor

Department for Environmental Protection
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

Rebecca Goodman
Secretary

Anthony R. Hatton
Commissioner

November 1, 2021

CERTIFIED MAIL: 7020 0640 0000 2406 8906
RETURN RECEIPT REQUESTED

AMANDA THOMAS
LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Ms. Thomas:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

Sincerely,

Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

C: Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2022 - 9673475
Determination Date: 10/06/2021
Compliance Period: 08/01/2021 - 08/31/2021
Violation Type: MD MINIMUM DS RESIDUAL
PWS Facility: 1020253TPA ROUNDSTONE CREEK WTP
Contaminant: 0999 CHLORINE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:020 & 8:150 CHLORINE The public water system failed to report on the MOR an adequate number of results for disinfectant residual in the distribution system for the compliance period 08/01/2021 - 08/31/2021.

Comments: SDRD: Failed to collect and report minimum daily chlorine residual samples throughout the distribution system (MOR p.7) on the day 01-08 for August 2021.

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

Submit the data, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation. If data isn't available, Collect and report all required samples for the next compliance period, and submit within 10 days after the next compliance period.

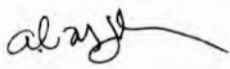
Violations of the above cited statutes and/or regulations are subject to a civil penalty. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and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

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information regarding MOR Compliance contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Branch
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601

Issued By: 

Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

Date: November 1, 2021

How Delivered: Certified/Registered #7020 0640 0000 2406 8906



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 Goodman
SECRETARY

Anthony R. Hatton
COMMISSIONER

November 30, 2022

CERTIFIED MAIL: 7020 0090 0002 2448 2541
RETURN RECEIPT REQUESTED

AMANDA THOMAS
LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Ms. Thomas:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Tekoyia Brown at (502)782-6902 or email at Tekoyia.brown@ky.gov.

Sincerely,

Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

C Drinking Water Program files
Enclosure

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2023 - 881
Determination Date: 11/10/2022
Compliance Period: 07/01/2022 - 09/30/2022
Violation Type: 27 MONITORING, ROUTINE (DBP), MAJOR **Tier Level:** 3
PWS Facility: IDSE9083 IDSE - LIVINGSTON MUNICIPAL WATER WORKS
Contaminant: DBPS TTHM THAA

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:510, Section 1 TTHM THAA The public water system failed to submit an adequate number of DBP samples for the compliance period 07/01/2022 - 09/30/2022. Your system is required to collect 2 Routine Samples per Quarter. No samples were received by DOW.

Comments: System failed to collect 3rd QTR 2022 DBP samples during peak historical month (August)

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

Submit any overdue or unreported sampling analytical results, if available, for the compliance period 07/01/2022 - 09/30/2022

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:075 SECTION 2. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:075 SECTION 2] The specific public notification activities to be performed are listed below.

PWS must give notice to consumers, including other water systems you may provide water to, about a violation by mail delivery or hand delivery. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

If not all consumers can be notified by mail or hand delivery then the PWS must give notice to consumers about a violation by 1) publication in a newspaper of general circulation in the area served by the PWS or 2) by continuous posting in conspicuous places within the area served by the PWS. The notice must be executed within one (1) year following receipt by the PWS of this Notice of Violation.

As an alternative to the two methods listed above, the PWS may optionally provide notice to consumers by including the required language of the notice in the next CCR delivered to consumers by the PWS providing that the CCR meets the direct delivery requirements.

Submit proof of public notification and its certification within ten (10) days of executing public notification.

Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.


Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>.

If you have questions or need further information, write or call Tekoyia Brown at (502)782-6902 or email at Tekoyia.brown@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Branch
Division of Water
Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601

Issued By: _____


Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

Date: November 30, 2022

How Delivered: Certified/Registered #7020 0090 0002 2448 2541



Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Rebecca W. Goodman
SECRETARY

DIVISION OF WATER
LONDON REGIONAL OFFICE
875 S. MAIN ST.
LONDON, KY 40741

Anthony R. Hatton
COMMISSIONER

January 20, 2023

Certified No.: 7022 0410 0003 4878 4468
Return Receipt Requested

Mayor Larry Davidson
Livingston Municipal Water Works
PO Box 654
Livingston, KY 40445

Re: Notice of Violation
AI ID: 34096
AI Name: Livingston Municipal Water Works
Activity ID: ENV20230001
Permit No.: KY1020253
Rockcastle County, KY

Dear Mayor Davidson:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered within the City's Drinking Water system. 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 606-231-1920.

Sincerely,

Ms. Beth Trent,
Environmental Inspector
Division of Water

Enclosure

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

NOTICE OF VIOLATION

To: Livingston Municipal Water Works
PO Box 654
Livingston, KY 40445

AI Name: Livingston Municipal Water Works **AI ID:** 34096 **Activity ID:** ENV20230001
Discovery ID: CIV20230001 **County:** Rockcastle
Enforcement Case ID:
Date(s) Violation(s) Observed: 01/18/2023

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

1 Violation Description for Subject Item AIOO0000034096():

Operational procedures at [Class ID] water systems shall be conducted by or under the supervision of a certified water system operator who holds a valid distribution system operator certificate of the appropriate class and who is in direct responsible charge of the system. [401 KAR 8:030(1)(3)(a)]

Description of Non Compliance:

Since December 29, 2022, the Class I distribution system has not been operated by a Certified Operator.

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

Immediately begin operating the distribution system under the supervision of a Class ID (or higher) Certified Operator.

Within 14 days of receipt of this notice, notify the Inspector in writing of the actions taken to achieve compliance.

Other actions as determined by the Division of Enforcement. [401 KAR 8:030 Section 1(3)(a)]

2 Violation Description for Subject Item AIOO0000034096():

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]

Description of Non Compliance:

Since December 29, 2022, no daily chlorine monitoring has been conducted by the Class I distribution system.

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

Immediately begin monitoring the chlorine residual daily within the distribution.

Within 14 days of receipt of this notice, notify the Inspector in writing of the actions taken to achieve compliance.

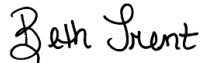
Other actions as determined by the Division of Enforcement. [401 KAR 8:020 Section 1]

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

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, call or email the undersigned:

Division of Water
London Regional Office
875 S Main St
London, KY 40741
606-330-2080 (8:00 AM – 4:30 PM)
beth.trent@ky.gov
Ms. Beth Trent, Environmental Inspector



Issued By: _____
Ms. Beth Trent, Environmental Inspector

Date: January 20, 2023
Signed By: Beth Trent



Issued By: _____
Mr. Rob Miller, Environmental Control Supervisor

Date: January 20, 2023
Signed By: Rob Miller

How Delivered: USPS – Certified Mail with return receipt
Certified/Registered # 7022 0410 0003 4878 4468



Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

LONDON REGIONAL OFFICE
875 SOUTH MAIN STREET
LONDON, KY, 40741

Rebecca W. Goodman
SECRETARY

Anthony R. Hatton
COMMISSIONER

February 27, 2023

Email delivery
Return Receipt Requested

Mayor Larry Davidson
Livingston Municipal Water Works
PO Box 654
Livingston, KY 40445

Re: Notice of Violation
AI ID: 34096
AI Name: Livingston Municipal Water Works
Activity ID: ENV20230002
Permit No.: KY1020253
Rockcastle County, KY

Dear Mayor Davidson:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed SECOND Notice of Violation for violations discovered within the City's Drinking Water system. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Your cooperation and immediate attention to this matter is appreciated. If you have any questions, please contact me by email or at 606-330-2080.

Sincerely,

Ms. Beth Trent,
Environmental Inspector
Division of Water

Enclosure

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

SECOND NOTICE OF VIOLATION

To: Livingston Municipal Water Works
313 Main St / PO Box 654
Livingston, KY 40445

AI Name: Livingston Municipal Water Works **AI ID:** 34096 **Activity ID:** ENV20230002
Discovery ID: CIV20230002 **County:** Rockcastle
Enforcement Case ID:
Date(s) Violation(s) Observed: 02/27/2023

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

1 Violation Description for Subject Item AIOO0000034096():

Operational procedures at [Class IA-D, IB-D, or IIB-D] water systems shall be conducted by or under the supervision of a certified water system operator who holds a valid combination or separate water treatment and distribution system operator certificate of the appropriate class and who is in direct responsible charge of the system. [401 KAR 8:030 Section 401 KAR 8:030(1)(2)b]

Description of Non Compliance:

Since December 29, 2022, the Class I distribution system has not been operated by a Certified Operator. A Notice of Violation (NOV) was issued on January 20, 2023 (ENV20230001) for not having a Certified Operator to operate the system and for not performing daily chlorine monitoring within the distribution system. The NOV required a written response within 14 days of receipt of the NOV. The City submitted a late response dated February 17, 2023 that was insufficient (see the attachment). The system remains in violation of 401 KAR 8:030 Section 1(3)(a). The matter has been referred to the Division of Enforcement and should be immediately addressed.

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

Immediately begin operating the distribution system under the supervision of a Class ID (or higher) Certified Operator.

Within 14 days of receipt of this notice, notify the Inspector in writing of the actions taken to achieve compliance.

Other actions as determined by the Division of Enforcement. [401 KAR 8:030 Section 1(3)(a)]

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

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, email or call the undersigned:

Division of Water
London Regional Office
875 S Main St
London, KY 40741
606-330-2080 (8:00 AM – 4:30 PM)
beth.trent@ky.gov
Ms. Beth Trent, Environmental Inspector

Beth Trent

Issued By: _____

Ms. Beth Trent, Environmental Inspector

Date: February 27, 2023
Signed by: Beth Trent

Rob Miller

Issued By: _____

Mr. Rob Miller, Environmental Control Supervisor

Date: February 27, 2023
Signed by: Rob Miller

How Delivered: email to Samantha Stoker, City Clerk

Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION



Rebecca Goodman
SECRETARY
Anthony R. Hatton
COMMISSIONER

300 Sower Boulevard
Frankfort, Kentucky 40601
Phone: (502) 564-2150
Fax: 502-564-4245
March 7, 2023

CERTIFIED MAIL: 7020 0640 0000 2406 5370
RETURN RECEIPT REQUESTED

AMANDA THOMAS
LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Ms. Thomas:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

Sincerely,

Recoverable Signature

Alicia Jacobs
Branch Manager
Signed by: Alicia Jacobs
Drinking Water Branch
Division of Water

C: Drinking Water Program files
Enclosure

@KentuckyEEC | EEC.KY.GOV



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

NOTICE OF VIOLATION

To:

LIVINGSTON MUNICIPAL WATER WORKS
P.O. BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253

PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096

County: ROCKCASTLE

Violation Number: 2023 - 9673478

Determination Date: 02/10/2023

Compliance Period: 12/01/2022 - 12/31/2022

Violation Type: OR MOR, FAILURE TO SUBMIT

PWS Facility: 1020253DS001 DISTRIBUTION - LIVINGSTON MUN WATER WORK

Contaminant: MOR MONTHLY OPERATING REPORT

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:020 MONTHLY OPERATING REPORT The public water system failed to submit the Monthly Operating Report for the compliance period 12/01/2022 - 12/31/2022.

Comments: System failed to submit MOR 10 days after the monitoring period.

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

Submit the data, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation. If data isn't available, Collect and report all required samples for the next compliance period, and submit within 10 days after the next compliance period.


Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information regarding MOR Compliance contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Branch
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601

 Recoverable Signature



Issued By: _____

Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

Date: March 7, 2023

How Delivered: Certified/Registered #7020 0640 0000 2406 5370



Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

LONDON REGIONAL OFFICE
875 SOUTH MAIN STREET
LONDON, KY, 40741

Rebecca W. Goodman
SECRETARY

Anthony R. Hatton
COMMISSIONER

March 23, 2023

Email delivery to City Hall at cityoflivingston@windstream.net
Return Receipt Requested

Mayor Larry Davidson
Livingston Municipal Water Works
PO Box 654
Livingston, KY 40445

Re: Notice of Violation
AI ID: 34096
AI Name: Livingston Municipal Water Works
Activity ID: ENV20230003
Permit No.: KY1020253
Rockcastle County, KY

Dear Mayor Davidson:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed (third) Notice of Violation for violations discovered within the City's Drinking Water system. 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 by email at beth.trent@ky.gov or at 606-330-2080.

Sincerely,

Ms. Beth Trent,
Environmental Inspector
Division of Water

Enclosure

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

NOTICE OF VIOLATION

To: Livingston Municipal Water Works
313 Main St / PO Box 654
Livingston, KY 40445

AI Name: Livingston Municipal Water Works
Discovery ID: CIN20230001
Enforcement Case ID:
Date(s) Violation(s) Observed: 03/08/2023

AI ID: 34096 **Activity ID:** ENV20230003
County: Rockcastle

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

1 Violation Description for Subject Item AIOO0000034096():

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]

Description of Non Compliance:

MORs are not submitted on time with a valid, authorized signature.

The system is not operated effectively.

The Wood Creek Water master meter pit is located beside of Hwy 25. Upon arrival a lock was present but the lid was open and the pit was accessible to the public.

Upon arrival, the tank was overflowing at a high rate. The 111' overflow pipe was leaking water at every seam. The tank's concrete foundation was wet. The ground around the tank was wet. Ice was present on the fence and ground indicating the overflow had been occurring since the pre-dawn hours that had below freezing temperatures.

The inspection was prompted due to the report of a low chlorine residual near the end of the consecutive system on 3/8/23. The consecutive system began flushing to try to get the chlorine residual up. No chlorine monitoring occurred in Livingston in the 4 days preceding the report. Free chlorine on 2/3/23 was 0.48 mg/l. During the inspection, Livingston's tank overflow had a residual of 0.78 mg/l and water going in to the tank was 1.36 mg/l free indicating stratification of the tank.

System monitoring is not performed accurately or as required. The January 2023 MOR indicates that the system monitored the chlorine residual 6 of the 31 days. For those 6 monitoring events, major gaps exist between the free and the total chlorine readings: 1.26, 1.19, 1.18, 1.35, 0.82 & 0.53. The February 2023 MOR indicates that the system monitored the chlorine residual 23 of the 28 days. A comment was attached to the MOR that stated "March 4th through 8th, an error with the chlorine testor was occurring resulting in inaccurate readings. The issue was resolved on the 9th and accurate readings are provided." Major gaps exist between the free and total readings again in February, the largest gap was 1.19 on 2/2/23. Mr. Medley needs more training in chlorine test methods. Zero routine bacteriological samples were collected in January 2023. (Two were collected in February 2023.)

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

Submit monitoring records as required. MORs must be signed by the principal executive authority and received by the 10th of the month following the end of the monitoring period.

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

Secure the master meter pit to prevent public access.

Operate the tank level to prevent overflow.

Maintain the tank level to have an adequate chlorine residual to ensure the minimum chlorine residual is maintained throughout the system.

Monitor the chlorine residual in the distribution daily.

Accurately monitor the chlorine residual in the system.

Collect one, routine bacteriological sample per month.

Within 14 days of receipt of this notice, notify the Inspector in writing of the actions taken to achieve compliance.

Other actions as determined by the Division of Enforcement. [401 KAR 8:020 Section 1]

2 Violation Description for Subject Item AIO0000034096():

Operational procedures at [Class IA-D, IB-D, or IIB-D] water systems shall be conducted by or under the supervision of a certified water system operator who holds a valid combination or separate water treatment and distribution system operator certificate of the appropriate class and who is in direct responsible charge of the system. [401 KAR 8:030 Section (1)(3)a]

Description of Non Compliance:

Since December 29, 2022, the Class I distribution system has not been operated by a Certified Operator. Aaron Douglas Medley began working in the distribution system on 1/23/23. ENV20230001 was issued for the Violation on 1/18/23. ENV20230002 was issued for the Violation on 2/27/23. The issue was referred to the Division of Enforcement, case # DOW 23-3-0071, on 3/22/23.

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

Immediately begin operating the distribution system under the supervision of a Class ID (or higher) Certified Operator.

Within 14 days of receipt of this notice, notify the Inspector in writing of the actions taken to achieve compliance.

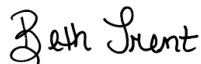
Other actions as determined by the Division of Enforcement. [401 KAR 8:030 Section 1(3)(a)]

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


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, email or call the undersigned:

Division of Water
London Regional Office
875 S Main St
London, KY 40741
606-330-2080 (8:00 AM – 4:30 PM)
beth.trent@ky.gov
Ms. Beth Trent, Environmental Inspector



Issued By: _____
Ms. Beth Trent, Environmental Inspector
Date: ~~March 23, 2023~~
Signed By: Beth Trent



Issued By: _____
Mr. Rob Miller, Environmental Control Supervisor
Date: ~~March 23, 2023~~
Signed By: Rob Miller

How Delivered: E-mail delivery to City Hall to cityoflivingston@windstream.net



Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

300 Sower Boulevard
Frankfort, Kentucky 40601
Phone: (502) 564-2150
Fax: 502-564-4245
April 18, 2023

Rebecca Goodman
SECRETARY

Anthony R. Hatton
COMMISSIONER

CERTIFIED MAIL: 7021 2720 0000 8942 7647
RETURN RECEIPT REQUESTED

LARRY DAVIDSON
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

Re: **NOTICE OF VIOLATION**
AI ID: 34096
PWSID: KY1020253
PWS NAME: LIVINGSTON MUNICIPAL WATER
WORKS
COUNTY: ROCKCASTLE

Dear Mr. Davidson:

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.

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

Sincerely,

Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

C: Drinking Water Program files
Enclosure

@KentuckyEEC | EEC.KY.GOV

TEAM
KENTUCKY.

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

NOTICE OF VIOLATION

To:
LIVINGSTON MUNICIPAL WATER WORKS
PO BOX 654
LIVINGSTON, KY 40445

PWSID: KY1020253
PWS Name: LIVINGSTON MUNICIPAL WATER WORKS **AI ID:** 34096
County: ROCKCASTLE
Violation Number: 2023 - 9673481
Determination Date: 04/11/2023
Compliance Period: 02/01/2023 - 02/28/2023
Violation Type: MD MINIMUM DS RESIDUAL
PWS Facility: 1020253DS001 DISTRIBUTION - LIVINGSTON MUN WATER WORK
Contaminant: 0999 CHLORINE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1]
This is to advise that you are in violation of the provision(s) cited below:

Description of Non Compliance:

401 KAR 8:020 & 8:150 CHLORINE The public water system failed to report on the MOR an adequate number of results for disinfectant residual in the distribution system for the compliance period 02/01/2023 - 02/28/2023.

Comments: SDRD: Failed to collect and report minimum daily chlorine residual samples throughout the distribution system (MOR p.7) on the days 4-8 for February 2023.

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

Submit the data, if available, to the Division of Water within thirty (30) days of receipt of this Notice of Violation. If data isn't available, Collect and report all required samples for the next compliance period, and submit within 10 days after the next compliance period.

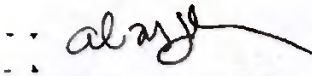
Violations of the above cited statutes and/or regulations are subject to a civil penalty. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and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

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information regarding MOR Compliance contact Tekoyia Brown at (502)782-6902 or email at tekoyia.brown@ky.gov.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Branch
Division of Water, Department for Environmental Protection
300 Sower Boulevard
Frankfort, KY 40601

Issued By: 
Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

Date: April 18, 2023

How Delivered: Certified/Registered #7021 2720 0000 8942 7647