

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.

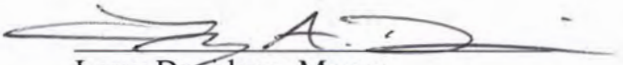
34. Compliance with this Agreed Order is not conditional on the receipt of any federal, state, or local funds.

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:

A handwritten signature in black ink, appearing to read "L. Davidson", written over a horizontal line.

Larry Davidson, Mayor
City of Livingston

9/5/23
Date

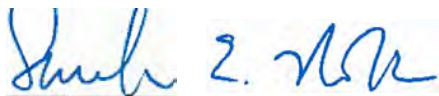
APPROVAL RECOMMENDED BY:



Natalie P. Bruner, Director
Division of Enforcement

09.06.2023

Date



Joseph A. Newberg, General Counsel
Office of Legal Services

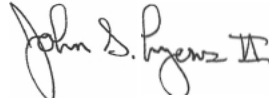
9/6/2023

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 dark ink, appearing to read "John S. Lyons II". The signature is fluid and cursive, with a large initial "J" and a stylized "L".

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

CERTIFICATE OF SERVICE

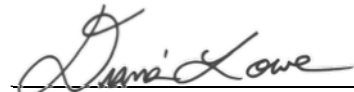
I hereby certify that a true and accurate copy of the foregoing **AGREED ORDER** was mailed, postage prepaid, to the following this 7th day of September, 2023.

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



Matthew G. Bevin
Governor

ENERGY AND ENVIRONMENT CABINET

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

Charles G. Snively
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:

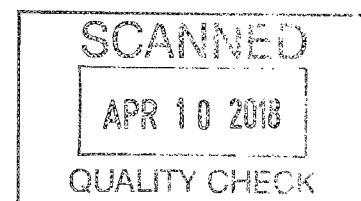
The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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



Matthew G. Bevin
Governor

ENERGY AND ENVIRONMENT CABINET

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

Charles G. Snively
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:

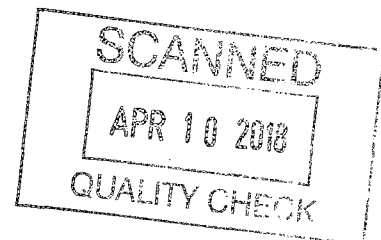
The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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



Matthew G. Bevin
Governor

ENERGY AND ENVIRONMENT CABINET

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 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**
AJ 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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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



Matthew G. Bevin
Governor

ENERGY AND ENVIRONMENT CABINET

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 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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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
300 Sower Boulevard
Frankfort, Kentucky 40601
www.water.ky.gov

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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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. Bevin
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 [REDACTED] or email at [REDACTED]

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 - 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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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 [REDACTED]

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
[REDACTED] (8:00 AM – 4:30 PM)
Ms. Beth Trent, Environmental Inspector

Issued By: 

Ms. Beth Trent, Environmental Inspector

Date: January 15, 2019

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



Matthew G. Bevin
Governor

ENERGY AND ENVIRONMENT CABINET

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

Charles G. Snively
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 [REDACTED] or email at [REDACTED]

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.

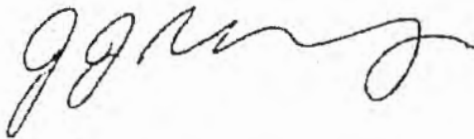
Violations of the above cited statutes and/or regulations are subject to a civil penalty. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and 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 [REDACTED] or email at [REDACTED]

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



Matthew G Bevin
Governor

ENERGY AND ENVIRONMENT CABINET

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:

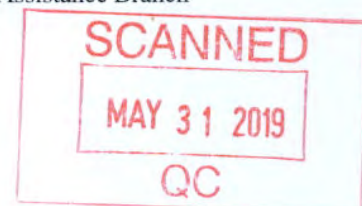
The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

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 [REDACTED] or email at [REDACTED]

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.

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 [REDACTED] or email at [REDACTED]

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 Snively
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:

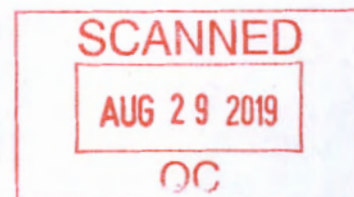
The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

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 [REDACTED] or email at [REDACTED]

Sincerely,

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.

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 [REDACTED] or email at [REDACTED]

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



Matthew G. Bevin
Governor

ENERGY AND ENVIRONMENT CABINET

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

Charles G. Snaveley
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:

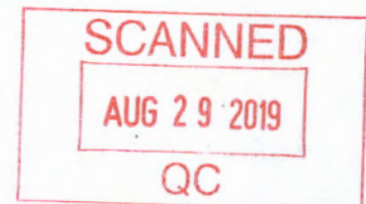
The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

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 [REDACTED] or email at [REDACTED]

Sincerely,

Kellee 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.

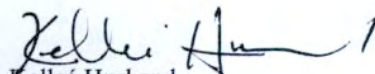
Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>.

If you have questions or need further information, write or call Corina Singleton at [REDACTED] or email at [REDACTED]

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



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

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 [REDACTED] or email at [REDACTED]

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.

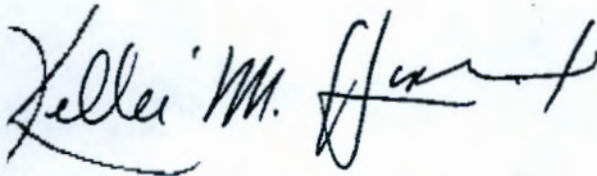
Violations of the above cited statutes and/or regulations are subject to a civil penalty. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and 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 [REDACTED] or email at [REDACTED]

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 [REDACTED].

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
[REDACTED] (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, [REDACTED]



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

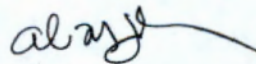
Dear Ms. Thomas:

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 [REDACTED] or email at [REDACTED]

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/>

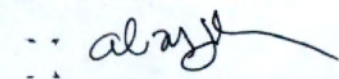
If you have questions or need further information regarding MOR Compliance contact Tekoyia Brown at [REDACTED] or email at [REDACTED]

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



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 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

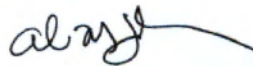
Dear Ms. Thomas:

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 [REDACTED] or email at [REDACTED]

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/>

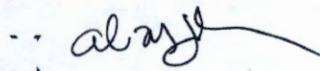
If you have questions or need further information regarding MOR Compliance contact Tekoyia Brown at [REDACTED] or email at [REDACTED]

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

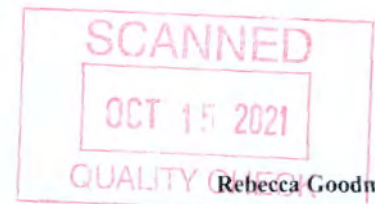
How Delivered: Certified/Registered #7020 0640 0000 2406 8296



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 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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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 [REDACTED]

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 AIO0000034096():

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
[REDACTED] (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



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

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 [REDACTED] or email at [REDACTED]

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.

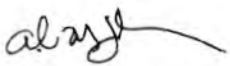
Violations of the above cited statutes and/or regulations are subject to a civil penalty. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and 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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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 [REDACTED] or email at [REDACTED]

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

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

Rebecca W. Goodman
SECRETARY

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 [REDACTED].

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

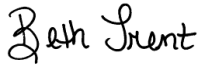
Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance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

[REDACTED] (8:00 AM – 4:30 PM)
[REDACTED]

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 [REDACTED]

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)]

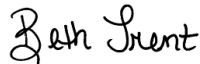
COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Water

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
[REDACTED] (8:00 AM – 4:30 PM)
[REDACTED]

Ms. Beth Trent, Environmental Inspector



Issued By: _____

Ms. Beth Trent, Environmental Inspector

Date: February 27, 2023

Signed by: Beth Trent,



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

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

Rebecca Goodman
SECRETARY

Anthony R. Hatton
COMMISSIONER

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 [REDACTED] or email at [REDACTED]

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

TEAM
KENTUCKY.

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**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 [REDACTED] or email at [REDACTED]

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
Signed by Alicia Jacobs
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 [REDACTED]
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 [REDACTED] or at [REDACTED]

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 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 (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
[REDACTED] (8:00 AM – 4:30 PM)
[REDACTED]

Ms. Beth Trent, Environmental Inspector

Beth Trent

Issued By: _____

Ms. Beth Trent, Environmental Inspector

Date: March 23, 2023
Signed By: Beth Trent

Rob Miller

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 [REDACTED]



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 [REDACTED] or email at [REDACTED]

Sincerely,

Alicia Jacobs
Branch Manager
Drinking Water Branch
Division of Water

C: Drinking Water Program files
Enclosure

@KentuckyEEC | EEC.KY.GOV

TEAM
KENTUCKY

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**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.

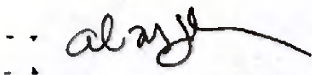
Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information regarding MOR Compliance contact Tekoyia Brown at [REDACTED] or email at [REDACTED]

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



CORRECTIVE ACTION PLAN

Case No. DOW 23-3-0071

Livingston Municipal Water Works

9226 Main Street, Suite 3
Livingston, Kentucky 40445

AI No. 30496
Activity No. 20230001



Corrective Action Plan

Case No. DOW 23-3-0071

In response to Case No. DOW 23-3-0071 where Livingston Municipal Water Works entered an Agreed Order on September 7th, 2023 with the Energy and Environment Cabinet: Livingston Municipal Water Works is aware of the ongoing violations dating back to March of 2018 and continuing through 2023. Livingston Municipal Water Works has since made Mayor Larry Davidson signatory on all MORs along with Class II Certified Operator Devon Shelton. As of September 14th, 2023, Livingston Municipal Water Works employs a properly certified operator for the distribution system. Attached to the Correction Action Plan, the Cabinet will find a Staffing Plan for Livingston Municipal Water Works. Remedial measures for findings may be found below.

- i. Plan to operate tank level to prevent overflow
 - Due to the altitude valve being inoperable, the City of Livingston is currently manually turning the water off and on at the master meter. The water operator Devon Shelton monitors the water usage daily to accurately fill the tank to prevent overflow and maintain accurate chlorine residuals in the tank to deliver quality water to our customers. When state funding is resumed and the City of Livingston can resume with the Cleaner Water Grant, we plan to install a functioning altitude valve to properly operate tank level to prevent overflow. The City of Livingston's hopes are to have necessary audits complete by December of 2023 which will begin the process of monies being available to the City of



Livingston. Due to the extenuating circumstances of forensic audits being completed and determinations being made on those findings, a date is unknown on when the City of Livingston will be in the clear to proceed fully. This will be dependent on the Department of Local Government's investigation timing.

- ii. Plan to secure the Master Meter pit to prevent public access
 - On September 22nd, 2023, Mayor Larry Davidson worked with an individual from Wood Creek Water District to install a lock on the Master Meter Pit to prevent public access. The lock was installed on that day, and a key was given to both Devon Shelton and the water operator for Wood Creek Water District.
- iii. Plan to ensure daily chlorine residuals are being monitored and maintained throughout the distribution system including:
 - a. Standard Operating Procedure for daily chlorine monitoring

The Standard Operating Procedure for daily chlorine monitoring is as follows:

 - Rotate between North, South, East, and West daily to ensure all locations have chlorine residuals within the Division of Water Guidelines
 - When testing Free chlorine, the individual will rinse out the test tube three (3) times with the water being used for the sample. The sample tube will then be filled to mark for that specific chlorine reader, the machine will be zeroed out, the Free chlorine packet is then added to the water and shaken up, the test tube is placed back in the chlorine sampler securely according to the machine, and the chlorine is immediately checked on the low setting.



- When testing Total chlorine, the individual will rinse out the test tube three (3) times with the water being used for the sample. The sample tube will then be filled to mark for that specific chlorine reader, the machine will be zeroed out, the Total chlorine packet is then added to the water and shaken up, the test tube is placed back in the chlorine sampler securely according to the machine, AFTER THREE (3) minutes – the chlorine is then checked on the low setting for that sample.

b. Training protocol for staff to ensure working knowledge

There are currently three (3) staff members who have been trained to take daily free and total chlorine readings. Two of the three individuals were trained by Dave Messer from the Division of Water, and the third individual is a Class II certified operator who is knowledgeable on the mentioned task. In the future, should Livingston Municipal Water Works have staff members who need to be trained on taking daily chlorine readings, Livingston Municipal Water Works will utilize Kentucky Rural Water and the Division of Water to ensure employees are properly trained.

iv. Initial report on the status of the City's tank rehab project including a plan for completion of the project

- The status of the City's tank rehab project is currently on hold due to funding being withheld from the city. Prior to 2021 – the City of Livingston had not completed an audit since 2009. The City of Livingston is currently working with



the Department of Local Government to resolve this issue. This includes completing an affidavit for 2017 and a forensic audit for 2019, and the City of Livingston does have an appointment with a CPA in October. The city does not have the funding to move forward with the project until the grant monies can be released to pay contractors. All state funding is being withheld from the City of Livingston until this is complete. Our hope is this will be complete by December of 2023 and the project can begin in January of 2024. The City of Livingston is staying in contact with contractors to relay the current situation.

- v. Initial report which addresses LCRR inventory requirements for the system
Livingston Municipal Water Works operator Devon Shelton is aware LCRR inventory is due by October of 2024 and will be working with Kentucky Rural Water to begin this process.
- vi. Schedule of each implementation for each remedial measure

Remedial Measure:	Date:
Operate Tank Level to Prevent Overflow	Complete/Summer 2024
Plan to Secure Master Meter Pit to Prevent Public Access	Complete
Plan to ensure Daily Chlorine Residual Monitoring	Complete
City Tank Rehab Project	Summer 2024
LCRR Inventory	September 2024



vii. Final compliance date

The City of Livingston and Livingston Municipal Water Works goal for final compliance is September of 2024 for all the above-named remedial measures. As of September 22nd, 2023 the Master Meter Pit has been secured in order to prevent public access. The current certified operator Devon Shelton has ensured daily chlorine readings are being monitored and submitted on the Monthly Operating Report and logs are kept in City Hall. Devon Shelton has been operating the tank and accurately preventing tank overflow with the his given tools, but our final compliance date for this remedial measure is Summer of 2024 pending the funding is released from the Department of Local Government. The same statement applies to the remedial measure for the City Tank Rehab Project. Finally, our goal for LCRR inventory is to be complete by September of 2024. Livingston Municipal Water Works, Mayor Larry Davidson, and Operator Devon Shelton are working to ensure the water works system remains in compliance and improving circumstances to better serve our customers.

City of Livingston

Livingston Municipal Water Works

Mayor Larry Davidson

**ENERGY AND ENVIRONMENT CABINET
KENTUCKY DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
Routine Distribution Inspection**

Site/Permit ID: KY1020253		Division: Water		Regional Office: London	
Site Name: Livingston Municipal Water			Program: Drinking Water		
Site Address: 313 South Main Street					
City: Livingston		State: KY	Zip: 40445	County: Rockcastle	
Inspection Type: Routine Distribution			Purpose: Comprehensive		AI #: 34096
Inspection Date: 9/30/25			Time: Start 2:20 PM End 4:50 PM		
Latitude: 37.2976			Longitude: -84.21528		
Coordinate Collection Method: G40-Without differential correction					Revision Code:
					112108
Drinking Water Data					
Plant Name: Livingston Municipal Water		Contact Name: Samantha Smoker, City Clerk Sandi Singleton, Mayor			
Phone No.: 606-453-2061		Fax No:		Email Address: <div style="background-color: black; height: 1.2em; width: 100%;"></div>	

I. Administrative Requirements

Comments: [The City has a contract in place to sale the drinking water distribution system to the consecutive system, Ky. American - Eastern Rockcastle Water, by the end of the year.](#)

[The system failed to submit a written response to the Division's July 2024 Sanitary Survey.](#)

[A written response to the Significant Deficiencies was due 11/22/24. The Division issued a Notice of Violation \(ENV20250003 on 1/21/25.](#)

[A written response to the Non-Significant Deficiencies was due 1/6/25. The Division issued a Notice of Violation \(ENV20250004 on 2/26/25.](#)

[The system failed to send consumer notifications of those affected by their lead service line inventory. The Division issued a Notice of Violation \(ENV20250019 on 8/21/25\).](#)

I. Compliance Status - Out of Compliance- No action taken

II. Operator Certification/Accreditation Requirements
--

Operator in Charge and on duty.

Operator Name	Plant Certification #	Distribution Certification #

--	--	--

Comments: The system is a Class I distribution system, it is not operated by a Certified Operator. Day to day system operation is performed by Jason Medley and City Clerk Samantha Smoker. The system has not had a Certified Operator since 5/10/24. The issue was referred to the Division of Enforcement, case # DOW 23-3-0071, on 3/22/23. The enforcement case was referred to the Office of Legal Services on 11/14/24.

II. Compliance Status - Out of Compliance- No action taken

III. Record Keeping Requirements

Comments: Daily chlorine monitoring data records are inadequate. This was documented in the July 2024 Sanitary Survey as a Non-Significant Deficiency and in the 2/25/25 inspection report. Jason Medley monitors chlorine daily within the system and types the results in his "Notes" app on his iphone. The date, free result, total result and direction within the system is listed in a table. The time of the analysis and the exact location should also be recorded.

The daily chlorine data on Mr. Medley's "Notes" app does not correlate with what was recorded & submitted on the MOR. Each table on the "Notes" app has 16 rows, thus the rows/date is not concurrent with the day of the month. For example, one table begins on July 21st and ends on August 5th (see attached photo) and the first row in the table was recorded as the data for August 1st on the MOR. A paper log should be maintained by Mr. Medley and separated by month.

III. Compliance Status - Out of Compliance- No action taken

IV. Reporting Requirements

Comments: Monitoring reports are not submitted as required. Monthly Operating Reports (MORs) are required to be received by the Division by the 10th of the month following the end of the monitoring period. At the time of the inspection, the system had not submitted the March, April, May, June, July or August 2025 MORs. Notices of Violation have been issued for the March (ENV20250009 & 10), April (ENV20250011 & 12), May (ENV20250013 & 14), June (ENV20250016 & 17) and July (ENV20250021 & 22). Those 6 MORs were printed and available for review at the time of the inspection, they were also submitted electronically into TEMPO on the day of the inspection by Mrs. Smoker. Proper MOR submittal is a requirement within the executed Agreed Order for case DOW 23-3-0071. The enforcement case was referred to the Office of Legal Services on 11/14/24.

IV. Compliance Status - Out of Compliance- No action taken

V. Operation & Maintenance/Performance Requirements		
Plant Type: <input type="checkbox"/> C <input type="checkbox"/> N <input checked="" type="checkbox"/> P	Service Connections: 153	Population Served: 412
Average Purchased MGD: 0.044		Max. Purchased MGD: Contract Amount MGD: 0.05
Source: Wood Creek Water		Seller PWSID: KY0630477 Multiple Sellers <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

RATING CODES: S1 = No Violations Observed; S2= No Violations Observed-but impending viol trends obs;
U1 = Out of Compliance-No action taken; U2= Out of Compliance-LOW non-recurrent Adm. or O & M;
U3= Out of Compliance-NOV Issued; NA = Not Applicable; NE = Not Evaluated. **(Add additional comments if U1-U3.)**

SELLER INFORMATION	Seller # 1	Name Wood Creek Water	PWSID# KY0630477 Contract Amount: 1.5 mg/month
	Seller # 2	Name	PWSID# Contract Amount:
	Seller # 3	Name	PWSID# Contract Amount:
	Seller # 4	Name	PWSID# Contract Amount:
	Seller # 5	Name	PWSID# Contract Amount:
STORAGE TANK INFORMATION	RATING	Equipment / Inspection Data	<input type="checkbox"/> Checking block means item is present:
	S2	a) Storage Tank 1 Size: 128,000	Screened Vent: <input checked="" type="checkbox"/> Overflow <input checked="" type="checkbox"/> Telemetry: <input type="checkbox"/>
		Name: Mahaffey Hill	Last Cleaned: 12/10/20 Coating condition: Good
		b) Storage Tank 2 Size:	Screened Vent: <input type="checkbox"/> Overflow <input type="checkbox"/> Telemetry: <input type="checkbox"/>
		Name:	Last Cleaned: Coating condition:
		c) Storage Tank 3 Size:	Screened Vent: <input type="checkbox"/> Overflow <input type="checkbox"/> Telemetry: <input type="checkbox"/>
		Name:	Last Cleaned: Coating condition:
		d) Storage Tank 4 Size:	Screened Vent: <input type="checkbox"/> Overflow <input type="checkbox"/> Telemetry: <input type="checkbox"/>
		Name:	Last Cleaned: Coating condition:
		e) Storage Tank 5 Size:	Screened Vent: <input type="checkbox"/> Overflow <input type="checkbox"/> Telemetry: <input type="checkbox"/>
		Name:	Last Cleaned: Coating condition:
		f) Storage Tank 6 Size:	Screened Vent: <input type="checkbox"/> Overflow <input type="checkbox"/> Telemetry: <input type="checkbox"/>
		Name:	Last Cleaned: Coating condition:
		g) Storage Tank 7 Size:	Screened Vent: <input type="checkbox"/> Overflow <input type="checkbox"/> Telemetry: <input type="checkbox"/>
		Name:	Last Cleaned: Coating condition:
		h) Storage Tank 8 Size:	Screened Vent: <input type="checkbox"/> Overflow <input type="checkbox"/> Telemetry: <input type="checkbox"/>
		Name:	Last Cleaned: Coating condition:
GENERAL INFORMATION	S1	j) Master meter <input checked="" type="checkbox"/>	Last Calibrated: 8/31/23 Recorder: <input type="checkbox"/>
		k) Flushing Schedule	<input type="checkbox"/> Yes <input type="checkbox"/> No/ Frequency:
	S1	l) Chlorine Test Kit <input checked="" type="checkbox"/>	Type: Hach DR300 Last calibrated 9/30/25
	S1	m) DPD reagent up-to-date	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	NI	n) Blow-off / Hydrants on dead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	S1	o) Monthly operating reports	<input checked="" type="checkbox"/> Daily Record Sheet <input checked="" type="checkbox"/> Agreement: <input type="checkbox"/>
	NI	p) Bacteriological monitoring	Samples per mo. 1 Records: <input type="checkbox"/>
BOOSTER PUMPS		q) <input type="checkbox"/> Booster pumps <input type="checkbox"/> Disinfection	Capacity Disinfection Type:
		r) <input type="checkbox"/> Booster pumps <input type="checkbox"/> Disinfection	Capacity Disinfection Type:
		s) <input type="checkbox"/> Booster pumps <input type="checkbox"/> Disinfection	Capacity Disinfection Type:
ON SITE OBSERVATIONS	S1	t) Site Data: City Hall	Cl. Free: 1.20 Total: 1.35 pH: Turbidity: 0.07
	S1	u) Site Data: Marathon kitchen	Cl. Free: 1.50 Total: pH: Turbidity: 0.09
	S1	v) Site Data: tank	Cl. Free: 1.07 Total: pH: Turbidity: 0.15
	S1	w) Site Data: Carloftis R. Home	Cl. Free: 1.49 Total: pH: Turbidity: 0.09
OTHER INFORMATION		x) Cross connection program	<input type="checkbox"/> Yes <input type="checkbox"/> No
		y) Water meter replacement	<input type="checkbox"/> Yes <input type="checkbox"/> No
		z) Valve exercise program	<input type="checkbox"/> Yes <input type="checkbox"/> No
	S2	aa) Is unaccounted for water	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes what is % loss?
		bb) Up to date distribution map	<input type="checkbox"/> Yes <input type="checkbox"/> No

Comments: The system purchases water from the Wood Creek Water District (KY0630477) and sells to Ky American Water - Eastern Rockcastle (KY1020288).

The 3" master meter was replaced by the seller on 8/31/23. The master meter pit was locked at the time of the inspection. Mr. Medley says the lock belongs to Wood Creek Water and they have no access the pit.

The system has one storage tank, there are no pump stations. The "Mahaffey Hill" tank is 13.99' in diameter, 110.92' tall and has a 6" overflow. Its exterior level gauge is accurate. To maintain customer pressure, the tank is operated at half to full. At the time of the inspection the gate to the tank was open, allowing public access. The tank should be properly secured. Vegetation has not been maintained within the tank's fencing, at the tank's overflow outlet or to the tank's sample spicket. The tank site should be maintained as to provide safe access.

Due to a faulty altitude valve, flow to the tank must be manually operated. A valve is located near the sewer plant that can be turned to either fill the tank or go to the City. The altitude valve should be repaired or replaced. Its replacement is part of an approved and funded project, WX21203014. The funds for the project have not been released to the City.

Water loss is not tracked. The calculation of water loss is addressed in the Agreed Order for enforcement case DOW 23-3-0071. The enforcement case was referred to the Office of Legal Services on 11/14/24. To effectively manage the system, water loss should be tracked.

V. Compliance Status - No violations obs- but impending viol trends obs

VI. Discharge/Emission Compliance

Comments:

VI. Compliance Status - Not Applicable

VII. Monitoring/Analyses Evaluation

Comments: The free & total chlorine residual is monitored at one location daily using a Hach DR300 by Jason Medley. Prior to the time of the inspection, the meter's calibration had not been verified with secondary standards since 6/20/24. The meter's calibration should be verified and recorded at least quarterly.

Fouser Environmental is the contract lab for the system.

The one required routine bacteriological sample was not collected in February or July 2025. The Division issued Notices of Violation (ENV20250008 & ENV20250020). Routine bacteriological sampling does not adequately represent the entire system; sampling points 36 & 38 have been repeated since October 2024.

DBPs are monitored at two locations within the system, one of the locations is the seller's master meter. Samples collected last August (8/15/24) were below the MCLs for both TTHMs & HAA5s. Samples were not collected in the 2Q25. The Division issued a Notice of Violation on 8/21/25 (ENV20250015).

Lead and Copper monitoring was not conducted in 2024, the Division issued a Notice of Violation (ENV20240009).

VII. Compliance Status - Out of Compliance- No action taken

VIII. Environmental /Health Impact

Work Site Hazard Assessment: ☒ ATTACHED ☐ REVIEWED

Comments:

VIII. Compliance Status – No violations observed

IX. Documentation

- ☐ Samples taken by DEP
- ☐ Samples taken by outside source
- ☒ Instrument readings taken by DEP regional office
- ☒ Photographs obtained by DEP
- ☐ Copies of records obtained by DEP
- ☒ Other documentation

Inspector: Beth Trent	Title: Environmental Inspector III	Date: 10/6/25
-----------------------	------------------------------------	---------------

 Recoverable Signature

X

Beth Trent

Signature: Signed by: Beth Trent

Comments: The system was referred to Enforcement, case # DOW 23-3-0071, on 3/22/23. The enforcement case was referred to the Office of Legal Services on 11/14/24. The system remains out of compliance. The City has a contract in place to sale the drinking water distribution system to the consecutive system, Ky. American - Eastern Rockcastle Water, by the end of the year.

Delivery Method: E-mail	Cert. Mail #: N/A
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AI 34096
KY1020253

Livingston Water
Drinking Water, Comprehensive
Purchaser Inspection

9/30/25

by Beth Trent (EEC)

August 2025
daily
chlorine
data

ALL WATER SYSTEMS				PWS ID: KY1020203 PLANT ID: 0							
				REPORT MONTH/YEAR: 08/2025							
				PAGE 7 OF 11							
CHEMICALS ADDED				TEST RESULTS							
DAY	CHLORINE BOOSTER LBS	CHLORINE BOOSTER LBS		TOTAL (1) AND FREE (2) CHLORINE RESIDUAL (ppm)							
				NORTH		EAST		WEST			
				T	F	T	F	T	F	T	F
1						1.63	1.41				
2								1.55	1.33		
3										1.70	1.64
4				1.54	1.45						
5						1.61	1.49				
6								1.50	1.45		
7										1.67	1.48
8				1.65	1.51						
9						1.49	1.37				
10								1.27	1.10		
11										1.39	1.24
12				1.77	1.53						
13						1.47	1.45				
14								1.33	1.26		
15										1.39	1.20
16				1.70	1.57						
17						1.39	1.28				
18								1.55	1.35		
19										1.75	1.57
20				1.42	1.24						
21						1.61	1.40				
22								1.53	1.35		
23										1.62	1.44
24				1.69	1.56						
25						1.56	1.40				
26								1.36	1.22		
27										1.55	1.43
28				1.63	1.50						
29						1.30	1.21				
30								1.32	1.19		
31										1.53	1.39
ENRGE			Average	1.63	1.48	1.51	1.38	1.43	1.28	1.58	1.42
AL			Total	1.42		1.30		1.27		1.39	
			Free								
			Minimum		1.24		1.21		1.10		1.20

Total # Chlorine Samples		7	7	6	6	6	6	6	6
# Less than 0.2 mg/L 0.2 mg/L		0	0	0	0	0	0	0	0

Number of Free Residuals	31	Minimum Monthly Free Residual	1.10
Number of Total Residuals	31	Minimum Monthly Total Residual	1.27
Total # Less than 0.2 mg/L	0		
Total # Less than 0.5 mg/L			

Disinfectant Chloramines? (Y/N)	N
Number of days of operation?	31



Reference Calibration Log

Date & Time	Standard 1	Standard 2	Standard 3	Signature
	$\pm .09 (.18)$	$\pm (.10) .88$	$\pm (.14) 1.61$	
June				
July				
August				
September	.19	.87	1.61	S. Smekel
October				
November				
December				
January				
February				
March				
April				
May				

LOT A4071
Exp. MAR-2026

Mahaffey Hill Tank

37.296634 -84.218010

13.99' in diameter

110.92' tall

6" overflow

128,000 ga

constructed 9/09



level
gauge



tank
overflow
outlet

Wood Creek
master meter
pit = locked



Total	Free	Date
S-1.63	1.41	21st
E- 1.55	1.33	22nd
W- 1.70	1.64	23rd
N -1.54	1.45	24th
S- 1.61	1.49	25th
E- 1.50	1.45	26th
W-1.67	1.48	27th
N- 1.65	1.51	28th
S- 1.49	1.37	29th
E-1.43	1.38	30th
W-1.70	1.66	31st
N-1.49	1.37	1st
S-1.27	1.10	2nd
E-1.39	1.24	3rd
W-1.77	1.53	4th
N-1.47	1.45	5th



Jason Medley's
daily chlorine log

he keeps the
record on the
“Notes” app
on his iphone

W-1.70	1.57
N- 1.39	1.28
S-1.55	1.35
E-1.75	1.57
W-1.42	1.24
N-1.61	1.40
S- 1.53	1.35
E-1.62	1.44
W-1.69	1.58
N-1.58	1.40
S-1.36	1.22
E-1.55	1.43
W-1.63	1.50

Chlorine ~~July~~/August 2025 August/September

Total	Free	Date
N -1.77	1.56	21st
S- 1.55	1.43	22nd
E- 1.66	1.50	23rd
W-1.83	1.51	24th
N- 1.74	1.59	25th
S- 1.72	1.49	26th
E-1.71	1.55	27th
W-1.73	1.64	28th
N-1.79	1.60	29th
S-1.65	1.49	30th
E-1.68	1.47	31st
W-1.77	1.57	1st
N-1.70	1.54	2nd
S-1.53	1.36	3rd
E-1.57	1.34	4th

W-1.70	1.55	5th
N- 1.48	1.30	6th
S-1.78	1.46	7th
E-1.75	1.62	8th
W-1.71	1.43	9th
N-1.68	1.52	10th
S- 1.58	1.39	11th
E-1.70	1.50	12th
W-1.72	1.53	13th
N-1.75	1.56	14th
S-1.75	1.40	15th
E-1.79	1.50	16th
W-1.60	1.42	17th
N-1.51	1.37	18th
S-1.40	1.28	19th
E-1.47	1.22	20th



AI 34096
KY1020253

Livingston Municipal Water Works Sanitary Survey

7/23/24

by Beth Trent (EEC)

Jason Medley's
most recent
Chlorine data

Chlorine 2024		
	Total.	Free.
N-	1.12	1.17
S-	.89	.85
E-	.51	.48
W-	.96	1.15
N-	1.10	1.14
S-	.92	.90
E-	.56	.50
W-	.91	1.02
N-		
S-		
E-		
W-		
N-		
S-		
E-		
W-		
N-		

E-	
new mor	
S-	.93
E-	.51
W-	1.06
N-	1.16
S-	2.08
E-	.60
W-	0.89
N-	1.12
S-	2.04
E-	.51
W-	.56
N-	1.18
S-	1.98
E-	.55
W-	.60
N-	1.08
S-	2.04
E-	.53

system's chlorine meter



hatch to the
Wood Creek
master meter
pit





interior of the
Wood Creek
master meter
pit



Mahaffey Hill Tank

N37.296634

W-84.218010

13.99' in diameter

110.92' tall

6" overflow

128,000 ga

constructed 9/09



tree is now touching
the tank



tank overflow



flapper
covering
the overflow



overgrown
vegetation
surrounding
the tank's
sample
location

the spicket
used to be
covered by
the road cone



DEFICIENCY SUMMARY

Livingston Municipal Water Works

(Ryan Reed – 7/19/2024) and (Beth Trent – 7/23/24)

CAPACITY DEVELOPMENT CONTACT: Ryan Reed

Significant Deficiencies:

- System should maintain a certified operator per 401 KAR 8:030. The previous certified operator quit in May 2024.

Non Significant Deficiencies:

- System should maintain compliance records per 401 KAR 8:020, Section 3(8).
- System should maintain an updated system map per 401 KAR 8:020, Section 3(11).
- System should maintain an O&M Manual per 401 KAR 8:020, Section 3(12).
- System should maintain a line break log per 401 KAR 8:150, Section 4(2)(h).

Recommendations:

- Consider the following:
 - Continuing efforts to improve the filing system
 - Contacting the CVADD for assistance
 - Providing the governing entity with documented information regarding technical, managerial, and financial operations of the water system
 - Having a documented description of each job classification with minimum position qualifications
 - Having documented policies and procedures governing human resources management
 - Ensuring the system has access to professional services for engineering, accounting, and legal counsel
 - Developing an asset management program (Please see the link to the Southwest Environmental Finance Center's Asset Management Switchboard: <https://swefcamswitchboard.unm.edu/am/>)
 - Having a documented preventive maintenance program
 - Notifying customers prior to performing scheduled maintenance
 - Providing educational activities to the public
 - Preparing an annual operating budget
 - Preparing an annual capital budget
 - Ensuring operators have input into the budget
 - Adding training and license funds into the budget
 - Ensuring the system has kept accounts payable payments less than 45 days past due
 - Performing an annual review to determine if the rates fully cover the expenses
 - Ensuring long-term needs are built into rate increases
 - Tracking water loss on a monthly basis
 - Providing regular safety training to employees
 - Reviewing the Emergency Response Plan (ERP)
 - Having a backup copy of the O&M Manual in a location other than the office

INSPECTOR CONTACT: Beth Trent

Significant Deficiencies:

- There is no Certified Operator for the system. This is a repetitive issue for the City. The last Certified Operator quit 5/10/24.

Non-Significant Deficiencies:

- Incorrect test procedure for measuring chlorine residuals.
- Inadequate record keeping of chlorine monitoring data.
- Compliance sampling for Total Coliform is not representative of the distribution system.

- Compliance monitoring at unapproved sites.
- Failed to secure the master meter pit, a condition of the Corrective Action Plan (CAP) / Agreed Order (AO) for DOW 23-3-0071.
- Failed to submit a revised BWA protocol to the Division of Enforcement as required per the CAP/AO for DOW 23-3-0071. The system was issued a “Notice of Revision” dated 11/28/23 requesting the revised document be submitted within 60 days (1/27/24).
- As required per the CAP/AO for DOW 23-3-0071, failed to submit a revised December 2023 water loss report and water loss reports for the 1st, 2nd and 3rd quarters of 2024.
-

Recommendations:

- Develop a documented leak detection program. Obtain leak detection equipment.
- When the hydrants are flushed, start at the beginning of the system and work outward and make sure to include all hydrants and dead ends and maintain flushing records.
- Identify all the system’s valves and exercise them routinely.
- Develop a written plan for customer meter testing and replacement.
- Install an altitude valve to operate the level of the storage tank.
- Clean the interior of the tank.
- Replace the worn numbers on the tank’s exterior level gauge.
- Remove the overgrown vegetation and trees around the tank and its sample spicket.
- Obtain supplies and spare parts for line breaks/repair.

SDWIS/STATE DATA FORM FOR SANITARY SURVEYS

1. PWSID # - [KY1020253](#)
2. AI # - [34096](#)
3. STATUS: (C) Completed
4. DATE OF VISIT: [July 1, 2024](#)
5. PRIMARY REASON: SNSV – SANITARY SURVEY
6. WS NOTIFICATION DATE: 10/8/2024

CATEGORY EVALUATION SUMMARY

7. SOURCE N - NO DEFICIENCIES/RECOMMENDATIONS
8. TREATMENT X - NOT EVALUATED
9. DISTRIBUTION SYSTEM M – MINOR DEFICIENCY (IES)
10. FINISHED WATER STORAGE R - RECOMMENDATION(S) MADE
11. PUMPS(fac, cntls, etc) N - NO DEFICIENCIES/RECOMMENDATIONS
12. M&R & DATA VERIFICATION M – MINOR DEFICIENCY (IES)
13. MANAGEMENT & OPERATIONS M – MINOR DEFICIENCY (IES)
14. OPERATOR COMPLIANCE S – SIGNIFICANT DEFICIENCY(IES)
15. SECURITY R - RECOMMENDATION(S) MADE
16. FINANCIAL R - RECOMMENDATION(S) MADE
17. Was there a system population change? Yes If so, what to what: 383 to 280
18. Have there been any new service connections or disconnections to a consecutive water system since the last sanitary survey? No If yes, please specify below.

SELECT
SELECT

19. Were there any changes to treatment as far as chemicals used? No If so, what:
20. Has this plant had a change in rated design capacity since the last SS? No
If so, from what to what: to
21. The system lacks Technical Capacity ☒ YES ☐ NO
22. The system lacks Financial Capacity ☒ YES ☐ NO
23. The system lacks Managerial Capacity ☒ YES ☐ NO

PARTIES PRESENT

[Rob Miller](#)

<NO_DATA_FOUND>

NOTE #6 IS THE DATE THE LETTER GOES OUT WITH DEFICIENCIES

KENTUCKY DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF WATER

Drinking Water Sanitary Survey

Managerial and Financial Assessment of Surface Water & Ground Water Systems

PWS ID: **KY1020253**Agency Interest Number: **34096****CIN20240001**AI Name: **LIVINGSTON MUNICIPAL WATER WORKS**County: **ROCKCASTLE**Regional Office: **LONDON**Capacity Development Inspection Start Date: **July 19, 2024** End Date: **July 19, 2024**

SYSTEM CONTACT INFORMATION

Full Name: Samantha Smoker			Title: City Clerk	
Phone Number: 606-453-2061	FAX Number: (606)-453-2061		E-Mail Address: [REDACTED]	
Mailing Address: PO BOX 654		City: LIVINGSTON	State: KY	Zip Code: 40445
Physical Address of Office: 9246 Main St (City Hall)				

DISTRIBUTION SYSTEM INFORMATION

Distribution Contact Person: Samantha Smoker	Title: City Clerk	Phone Number: (606)-453-2061
Distribution Class: ID-Pop. < 1,500	System Service Connections (meters): 162	
System Population: 280	Method to determine population: Serviceable population established by the Water Resource Information System (WRIS)	
Meters Served Outside Your System: 687	Consecutive Systems Population Served Calculated: 1,424	

WATER PURCHASED, SOLD, & EMERGENCY CONNECTIONS

WATER PURCHASED FROM:			Number of Master Meters	Amount Monthly (average)	Amount Available by Contract	
SYSTEM NAME	PWS ID #	AI #			Minimum	Maximum
Wood Creek Water District	11820	11820	1	1,004,067	Monthly	1,500,000 Monthly

PWS ID Number: [KY1020253](#)Agency Interest Number: [34096](#)

Avg Total Water Purchased Daily: 32,905 gallons	Maximum Total Water Purchased Daily: 45,497 gallons
---	---

WATER SOLD TO:			Number of Master Meters	Amount Monthly (average)	Amount Available by Contract	
SYSTEM NAME	PWS ID #	AI #			Minimum	Maximum
KY American Water - Eastern Rockcastle	KY1020288	34097	1	6,694	Daily	15,000 Daily

COMMENTS:

I. OPERATOR COMPLIANCE

Do the operators perform maintenance as well as distribution operations?	NA
Do you have contingency plans for replacing retiring system personnel?	NA
Who provides training/technical assistance for license renewal?	
What type of training is typically obtained?	
Does the system pay for registration, lodging and meals?	NA
Does the system allow operators to attend training on company time?	NA

Distribution System (shifts)	
How are weekends covered?	How are holidays covered?

OPERATOR CERTIFICATION			
LICENSEE NAME	LICENSEE AI #	TREATMENT LICENSE ID / TYPE	DISTRIBUTION LICENSE ID / TYPE
Samantha Smoker - OIT		/	/
Is the system staffed with appropriately certified operators? (Verify certification with DCA.)			No
COMMENTS: *System should maintain a certified operator per 401 KAR 8:030. System has not had a certified operator since Mr. Devon Shelton left May 2024.			

II. MONITORING, REPORTING & DATA VERIFICATION

PART A (Complete for all water systems.)
--

REPORTING ITEM – Information gathered from DWW	RETENTION TIME	
<i>Bacteriological</i> – <u>1</u> per month (See DWW)	5 Years	No
<i>Chlorine/Chloramines</i> – Free chlorine monthly with BACTs, daily for MORs, residual chlorine monthly	10 Years	No
<i>C-T Profiling Data</i>	See if doing/min 1 year	
<i>Individual Filter Turbidity Data</i> (Other than MOR)	3 Years	
<i>MORs</i> – Monthly (Turbidity Analysis)	1 Year	
<i>Lead & Copper</i> – <u>10</u> every 3 years (June to September)	12 Years	No
<i>Nitrate</i> – Annually	10 Years	
<i>Nitrite</i> – 1 sample in the 1 st 3 years of the 9 year compliance cycle	10 Years	
<i>Secondary/Corrosivity</i> – Annually	10 Years	
<i>Sodium</i> – annually; can be with SECs	10 Years	
<i>IOCs</i> (Inorganic Chemicals) – Annually	10 Years	
<i>SOCs</i> (Synthetic Organic Compounds) – >3300, 2 quarterly samples in 12 consecutive months in 3 years.	10 Years	
<i>VOCs</i> (Volatile Organic Chemicals) – Annually	10 Years	
<i>TOCs</i> (Total Organic Carbon) – Monthly, Raw TOC/Alkalinity & CFE TOC	10 Years	
<i>TTHM & HAA5</i> 2 per Quarter (see DWW)	10 Years	No
<i>Asbestos</i> – 1 sample in the 1 st 3 years of the 9 year compliance cycle (SOC) *Check for Waiver (only purchasers can have waiver)*	Begin 2011/2013	
<i>RADs</i> (Radionuclides) – Every 6 years	See if conducting	
<i>LT2 Cryptosporidium and E.coli Plan</i> – 3 years after bin classification (see rule - first one is April 2009)	3 Years	
<i>LT2 Source Water Monitoring Avoidance</i>	3 Years	
<i>LT2 Toolbox Treatment Monitoring Results</i>	3 Years	
<i>Stage 2 IDSE Sampling Plan or 40/30 Certification</i>	10 years	
<i>Stage 2 IDSE Report</i>	10 years	
<i>Bromate</i> (Only used on systems treating with Ozone)	10 Years	
<i>Chlorine Dioxide</i>	10 Years	
<i>Chlorite</i> (Only used on systems treating with Chlorine Dioxide)	10 Years	
<i>Dioxin</i> – w/SOCs if required *Check for Waiver*	10 Years	
<i>Data Summaries</i> (if actual data not retained)	12 Years	
<i>NOVs</i> (Notices of Violation)	10 Years	
<i>Sanitary Surveys</i> (every 3 years)	10 Years	
<i>CCR</i> (Consumer Confidence Report) – Annually by July 1 (by April 1 to consecutive systems)	Current one on file	
Does the system maintain a current sampling plan for BacTs?	Updated:	
Does the system maintain a current sampling plan for LCR?	Updated:	

Does the system maintain a current sampling plan for DBPs?	Updated:	
Does the system have an up-to-date map of distribution assets? (Map shall show a minimum of all line sizes, cutoff valves, fire hydrants, flush hydrants, tanks, booster pumps, chlorination stations, connections to emergency or alternative sources, wholesale customer master meters, & the type of piping material in the distribution system and its location.)	Updated:	No

Does the system maintain compliance records as required? (answer for both Parts A & B)	No
COMMENTS: *System should maintain compliance records per 401 KAR 8:020, Section 3(8). *System should maintain an updated system map per 401 KAR 8:020, Section 3(11). Consider the following: Continuing efforts to improve the filing system; Contacting the CVADD for assistance	

III. MANAGEMENT & OPERATIONS

What professional organizations does the water system belong to? <u>KRWA</u>	
Is the system subject to Public Service Commission regulations?	No
Does the system attend Water Management Council meetings of the Area Development District?	Yes
Does the system have a governing entity?	Yes
What is the name of the system's Mayor? <u>Sandi Singleton</u>	
What is his or her mailing address? <u>Same as system</u>	
How often does the governing body meet? <u>Monthly</u>	
Do operators attend these meetings?	NA
Is the governing entity provided with documented information regarding technical, managerial, and financial operations of the water system? (Inspect)	No
Is the governing entity familiar with water treatment/distribution?	Yes
Does the system offer continuing education opportunities for members of the governing entity?	No
Does the governing entity visit the water plant?	
How often?	
Does the system have regular staff meetings?	Yes
How often? Daily	
Who is involved? <u>City Staff (No Certified Operator)</u>	
Does the system have a documented strategic plan (mission statement, goals and objectives)? (Inspect)	Yes
Does the system have a defined organizational structure?	Yes
Does the system have a documented description of each job classification with minimum position qualifications? (Inspect)	No
Does the system have documented policies and procedures governing human resource management (such as an employee handbook)?	No
Does the system periodically review its insurance coverage is in place for liability, property, automobiles, directors, and officers?	Yes

Does the system have a documented policy for delegation of authority such as signing agreements, contracts, resolutions, easements, etc.?	Yes
Does the system have a documented procurement policy for purchasing supplies?	Yes
Does the system have professional services available under a current contract, retainer, or other similar arrangement for engineering, accounting, and legal counsel?	No
Does the system have an asset management program?	No
Does the system have a documented preventive maintenance program?	No
Does the system have a capital improvement plan? (Inspect)	Yes
How many years does the plan cover?	
Does the system have a documented policy governing water main extensions? (Inspect)	Yes
Are chemicals inventoried?	NA
Are distribution materials inventoried? Tracking Sheet	Yes
Is there a bid process for chemicals, pipe, or large item purchases?	Yes
Does the system have rules and regulations governing the provision of service? (Inspect)	Yes
Does the system make available in a public place the rules, rates, and regulations? (Inspect)	Yes
Does the system provide 24-hour service response for customers?	Yes
Does the system notify customers prior to performing scheduled maintenance?	No
Does the system log customer complaints and track resolution?	Yes
Does the system provide any educational activities to the public?	No
Who is responsible for providing this?	
What types of educational activities are done?	
Does the system have sufficient O & M manuals? (Inspect) (O & M manuals shall include: a detailed design of the plant, daily operating procedures, a schedule of testing requirements designating who is responsible for the tests, and safety procedures for operation of the facility – including storage and inventory requirements for materials and supplies.) How are the operators made aware of O & M procedures?	No
Has the system received any NOV's for MCLs in the last 3 years? If yes, answer the following:	Yes
If more than one NOV, were any for the same contaminant?	Yes
Was a public notice issued when required?	Yes
What remedial measures did the system take to prevent future occurrences of these violations? Agreed Order (No Certified Operator)	
Does the system maintain a log of all breaks or ruptures per 401 KAR 8:150, Section 4? (Inspect)	No
Is the system operating at or above 85% of water available through purchase contracts?	No
If system's average daily demand exceeds 85% of available water through purchase contracts, does system have a plan for obtaining additional water, including cost and timeframes to address the needed additional water?	
If applicable, describe plan for obtaining additional water:	

COMMENTS: *System should maintain an O&M Manual per 401 KAR 8:020, Section 3(12).

*System should maintain a line break log per 401 KAR 8:150, Section 4(2)(h).

Consider the following: Providing the governing entity with documented information regarding technical, managerial, and financial operations of the water system; Having a documented description of each job classification with minimum position qualifications; Having documented policies and procedures governing human resources management; Ensuring the system has access to professional services for engineering, accounting, and legal counsel; Developing an asset management program (Please see the link to the Southwest Environmental Finance Center's Asset Management Switchboard: <https://swefcamswitchboard.unm.edu/am/>); Having a documented preventive maintenance program; Notifying customers prior to performing scheduled maintenance; Providing educational activities to the public;

IV. FINANCIAL

Does the system prepare an annual operating budget? (Provide summary)	No
Does the system prepare an annual capital budget? (Inspect)	No
Who prepares the budget? <u>City Clerk</u>	
Do the operators have input into the budget?	NA
Are training and license funds built into the budget?	NA
Does the governing entity review and approve the budget?	NA
Does the system prepare regular monthly reports to show variances between budgeted and actual revenue and expenses? (Inspect)	NA
Does the system maintain its financial records utilizing the Kentucky Uniform System of Accounting or a comparable system? (Inspect)	NA
Are financial statements audited by a CPA as required? (Inspect)	No
(Water districts, special districts – i.e. regional water commissions and cities have specific requirements.)	
Does the system employ a method for depreciation of system assets?	No
Is the system operating at a retained earnings surplus?	NA
(Retained earnings is the net income that is available at the end of the year and available for transfer.)	
Is the current debt-to-equity ratio below 1.0?	NA
(The debt-to equity ratio for any given year is computed by dividing total liabilities by total equity.)	
Does the water system meet a debt coverage ratio needed for bond ordinances, loan agreements, and bond requirements? A typical value is 1.2.	NA
(Debt coverage ratio is computed by dividing cash available for debt service (net income with annual interest, depreciation, amortization, and other non-cash items added back) by debt service requirements for the year.)	
Does the water system revenue go to meet other expenses (i.e. electric, sewer or garbage)?	Yes
Is there a documented policy for delinquent accounts?	Yes
What is it? <u>Per City Ordinance</u>	
For accounts payable, has the system kept payments less than 45 days past due over the last 12 months?	No
Does the system write-off bad debt annually?	No
Where does the system typically go for financial assistance? <u>USDA RD</u>	
Does the system have any long-term debts?	Yes

Is the system current on all debt service payments (if applicable)?	Yes
Is the system meeting reserve account requirements (if applicable)?	Yes
Is there an approved* rate structure in place? (Provide copy of rate sheet.) (*Approved by governing entity/PSC as applicable.)	Yes
What are the dates of the system's last 2 non-pass-through rate increases?	<u>2,012</u>
What are the dates of the system's last 2 non-pass-through rate increases?	<u>2,017</u>
Does the system perform a review annually to determine if the rates fully cover the expenses?	No
Are long-term needs built into rate increases?	No
Do rates promote conservation in time of drought?	No
COST OF WATER PRODUCED, PURCHASED AND SOLD	
Purchasers	What is the highest wholesale price you pay per 1,000 gallons of water? \$ 3.53
	What is the lowest wholesale price you pay per 1,000 gallons of water? \$
Sellers	What is your highest wholesale price which you charge per 1,000 gallons of water? \$ 3.53
	What is your lowest wholesale price which you charge per 1,000 gallons of water? \$ format:"#0.00"
WATER LOSS	
Does the system track water loss on a monthly basis?	No
Report water loss for the past year as a percentage of total water produced/purchased in gallons and as a dollar value (use \$1.50 as an example if cost to produce water is unknown).	% gallons \$
COMMENTS: *The city has no formal budget. The city's last financial audits were 2021 and 2009. Addressing Water Loss: KRWA Leak Detection; Valves Replacement; Meter Replacement; Targeted Line Replacement; Consider the following: Preparing an annual operating budget; Preparing an annual capital budget; Ensuring operators have input into the budget; Adding training and license funds into the budget; Ensuring the system has kept accounts payable payments less than 45 days past due; Performing an annual review to determine if the rates fully cover the expenses; Ensuring long-term needs are built into rate increases; Tracking water loss on a monthly basis	

V. SECURITY

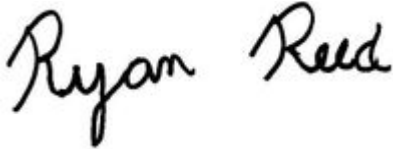
Does the system have a documented safety policy?	Yes
Does the system provide regular safety training to its employees?	No
Is the utility a member of the Local Emergency Planning Committee?	Yes
Does the system have an updated Emergency Response Plan that is reviewed annually? (Inspect)	No
Are there safeguards on water plant operations when operators may be doing work outside on the plant grounds?	

Does the plant ever disable the telemetry/SCADA system and run on manual?	NA
Has the system developed procedures for securing computer/SCADA usage?	NA
Are backup copies of O & M manuals maintained in a location other than the water plant?	No
Is the purchased water source equipped with emergency standby power generation or is there a secondary source of power? (e.g. contracts in place with suppliers for emergency generators or dual electrical feed)	NA
Are backup emergency generators exercised regularly?	NA
Is other backup equipment exercised regularly?	NA
Have arrangements been made with outside contractors, other utilities, etc. to provide needed emergency equipment?	Yes
COMMENTS: Consider the following: Providing regular safety training to employees; Reviewing the Emergency Response Plan (ERP); Having a backup copy of the O&M Manual in a location other than the office	

DOCUMENTATION

- Copies of records obtained by DEP

OVERALL COMPLIANCE STATUS**Out of Compliance -- Verbal Notice Given (non-recurrent deficiency noted or violation corrected at time of inspection)**

	Date: September 20, 2024
CDPM: Ryan Reed	Title: Environmental Scientist

Drinking Water Sanitary Survey

TECHNICAL INSPECTION OF SURFACE DISTRIBUTION-ONLY SYSTEM OPERATIONS

PWS ID: KY1020253

Agency Interest Number: 34096

AI Name: LIVINGSTON MUNICIPAL WATER WORKS

County: ROCKCASTLE

Office Latitude: 37.297603 Office Longitude: -84.215322

CIN20240001

CTAB Inspection Date(s): July 23, 2024

SOURCE

Does the system perform water quality monitoring in accordance with the approved DOW schedule for this facility? Yes

Are there any unaddressed process factors that limit the purchased water contracted amount in the last 10 years? No

Is the system(s) you purchase from drought-vulnerable? No

Describe any water quality monitoring done on the water at the master meter: Quarterly TTHMs and HAA5s, free and total chlorine

List any chemicals fed at the master meters: none

If multiple sources are available, is the one in use considered to be the best in terms of water quality? Yes

Is purchased water flow measured? Yes

When was the meter last calibrated? August 31, 2023

COMMENTS: The system has not had a Certified Distribution Operator since 5/10/24. This is a repetitive issue with the system.

Fouser Environmental is the contract lab for the system. Presently, citizen Jason Medley is monitoring the daily chlorine residual. His test procedures have been incorrect and he keeps the data on the "Notes" app on his phone (see the attached photos).

Compliance sampling for Total Coliform is not representative of the distribution system. Since November 2023, only one of the 43 approved locations have been sampled. A second site, 003, was sampled but it is not a DOW approved site.

The 3" Wood Creek master meter is calibrated by the seller. The hatch to the meter vault was unlocked and laying on the ground during the inspection. A secure meter pit was a requirement of the Corrective Action Plan (CAP)/Agreed Order (AO) for DOW 23-3-0071.

DISTRIBUTION SYSTEM

Does the system have standard specifications for design and construction of the distribution system? Yes

Does the system prohibit new connections where pressure on the discharge side of the meter will be <30 psi? Yes

Is the system able to meet minimum pressure requirements of DOW and/or other regulating authority? Yes

Does the system have a documented leak detection program? No

Does the distribution system have a sufficient number of valves to isolate portions of the system (for leak detection, maintenance, etc.)? Yes

If there are separate distribution system areas, are they interconnected with each other?	NA
How many pressure zones are there?	<u>1</u>
What is the range of distribution pressures?	<u>85-110</u>
Do any distribution areas require reduced pressure valves?	Yes
What piping materials are included in the distribution system?	<u>PVC</u>
Does the system have a program for flushing water mains?	Yes
Describe the process for sterilizing new mains/main breaks:	<u>flush and sample</u>
What types of on-line instrumentation are located at booster or pump stations and tanks?	<u>none</u>
Does the system have a documented program for exercising distribution system valves?	No
Does the system have a documented program for regular testing of water meters including raw water, distributed and customer?	No
Is there a water meter replacement program?	No
Are there main break/emergency notification procedures?	Yes
Does the system have a documented procedure for issuing a boil water advisory and a consumer advisory? The procedure shall identify when (how soon after the occurrence) and how the system shall notify the affected health department, to whom that notification shall be made both during and after normal business hours, and procedures for issuing the advisory to the public. The public notification shall include instructions for the public (including how to properly boil water) and an explanation of steps being taken to correct the problem.	Yes
Describe how the decision is made to issue a Boil Water Advisory: <u>line break</u>	
Does the system have a cross-connection control program? Is the cross-connection control program documented in writing?	Yes Yes
Does a certified tester test the backflow prevention devices on a regular basis?	No
Has a calibrated hydraulic model been developed for the system?	No
COMMENTS: The system has been without a Certified Distribution Operator since 5/10/24. This is a repetitive issue with the City. Rural Community Assistance Partnership developed an Operation and Maintenance Manual for the system in July 2021. The manual includes forms for all the programs listed above. None of the programs have been implemented. Kentucky Rural Water has provided leak detection assistance to the system in the past. The system should develop and implement a leak detection program and obtain leak detection equipment. As a requirement of the CAP/AO for DOW 23-3-0071, quarterly water loss reports (revised December 2023, 1st, 2nd & 3rd quarters of 2024) have not been submitted to the Division of Enforcement and they were not available during the inspection. The system's "flushing program" consists of the fire department chief flushing hydrants twice/year. When the hydrants are flushed, start at the beginning of the system and work outward and make sure to include all hydrants and dead ends and maintain flushing records. The system should identify all their valves and exercise them routinely. Customer meter testing is performed upon request. The system should develop a written plan for customer meter testing and replacement. As a requirement of CAP/AO for DOW 23-3-0071, the system's BWA Protocol was submitted on 11/6/23 for review. The Division provided comments on the changes that needed to be made. The system was notified on 11/28/23 to revise and resubmit within 60 days. A revised version was never received, and the Protocol could not be produced during the inspection.	

DISTRIBUTION STORAGE FACILITIES									
LOCATION			VOLUME (gallons)	TANK TYPE	OVERFLOW		LAST CLEANED/ INSPECTED	TELEME -TRY	% TURNOVER (Per Day)
ROAD/AREA	LAT.	LONG.			SCREEN/ FLAPPER	>10' FROM TANK			
Mahaffey Hill	37.296634	-84.21801	128,000	Standpipe	Yes	Yes	December 10, 2020	No	20

Are all storage tanks professionally inspected at least every 5 years (including interior, coating systems, & piping)? **Yes**

How often are tanks: INSPECTED no schedule and CLEANED no schedule?

Are all storage tanks and water plants equipped with hatches, covers, screens, vandal guards and locks and all tank sites fenced for security? **Yes**

Are all hatches, screens, and overflows on the storage tanks checked at least monthly? **No**

Is there corrosion protection in the tanks? **No**

COMMENTS: The Mahaffey Hill tank is 13.99' in diameter, 110.92' tall and has a 6" overflow. The inlet is at the top of the tank. It has an operable exterior level gauge, but the numbers are worn off.

It was inspected by Complete Restoration in December of 2020. Per the report's recommendation, the sediment and debris should be removed from the interior of the tank.

An altitude valve should be installed to operate the tank level.

The system has an approved and overfunded tank rehab project (WX21203014). They are awaiting the allocation of funds.

Overgrown vegetation and trees should be cut back from around the tank and its sample spicket.

DISTRIBUTION SAMPLING (a minimum of N, S, E, W)					
SITE	CHLORINE		pH	TURBIDITY	OTHER
	FREE	TOTAL			
City Hall	1.02	1.17		0.18	
Riverside Gardens	1.26			0.19	
residence near the top of White Star Hill	1.23			0.19	
tank	0.95				

Is the system maintaining the required chlorine (0.2 mg/l) / chloramine (0.5 mg/l) residuals in the distribution system? **Yes**




COMMENTS:

The sample site at the tank was not a good stream, therefore a turbidity reading would not have been an accurate representation of the water quality/clarity.

MAINTENANCE	
Is office housekeeping adequate?	Yes
Is distribution storage housekeeping adequate?	Yes
Are adequate supplies of spare parts kept on hand?	No
Are needed tools available?	No
If not, is preventive maintenance performed?	No

Is a lock-out/tag-out system used for electrical repairs?	No
What is the general condition of operating equipment?	<u>ok</u>
COMMENTS: Supplies and spare parts are borrowed from a neighboring system or KRWA.	

DOCUMENTATION
<ul style="list-style-type: none"> • Photographs obtained by DEP • Copies of records obtained by DEP • Other documentation • Instrument readings taken by DEP

OVERALL TECHNICAL COMPLIANCE STATUS		
Out of Compliance -- Verbal Notice Given (non-recurrent deficiency noted or violation corrected at time of inspection)		
<table border="1"> <tr> <td>  </td> <td>DATE: August 1, 2024</td> </tr> </table>		DATE: August 1, 2024
	DATE: August 1, 2024	
INSPECTOR: Beth Trent TITLE: Environmental Scientist Advisor		

NAME:	Livingston Municipal Water Works
COUNTY:	Rockcastle
PWSID:	KY1020253
AI:	34096
Rated Design Capacity (gpm):	
Rated Design Filtration Rate (gpm/ft²):	
Number of Filters:	
Area per Filter (ft²):	
Total Area of Filters (ft²):	
Source:	
Allowable Draw (gpd):	

Notes:

	Month	Number of Days Operated per Month	Total Production (gal)	Average Daily Production (gpd)	Peak Production (gpd)			Average Length of Plant Operation per Day (hr)
	July-23	31	0	0	0			0.0
	August-23	31	0	0	0			0.0
	September-23	30	0	0	0			0.0
	October-23	31	0	0	0			0.0
	November-23	30	0	0	0			0.0
	December-23	31	0	0	0			0.0
	January-24	31	0	0	0			0.0
	February-24	29	0	0	0			0.0
	March-24	31	0	0	0			0.0
	April-24	30	0	0	0			0.0
	May-24	31	0	0	0			0.0
	June-24	30	0	0	0			0.0

NAME: Livingston Municipal Water Works
COUNTY: Rockcastle
PWSID: KY1020253
AI: 34096
Rated Design Capacity (gpm): 0
Rated Design Filtration Rate (gpm/ft²): 0
Number of Filters: 0
Area per Filter (ft²): 0
Total Area of Filters (ft²): 0
Source: 0
Allowable Draw (gpd): 0

Please enter the name, PWSID #, and AI# for each system that sells water to your system. Add or delete cells to reflect the correct number of systems that your systems buys water from. This sheet will print to fit on a single page.

			WOOD CREEK WATER DISTRICT KY0630477				Total Water Sold (gal)	
Month	Number of Days Operated per Month		Monthly Purchase (gal)	Average Daily Purchase (gpd)	Monthly Purchase (gal)	Average Daily Purchase (gpd)	Total Monthly Purchase (gal)	Total Daily Purchase (gal)
	July-23	31	1,087,500	35,081	0	0	1,087,500	35,081
	August-23	31	1,077,300	34,752	0	0	1,077,300	34,752
	September-23	30	1,138,600	37,953	0	0	1,138,600	37,953
	October-23	31	1,169,200	37,716	0	0	1,169,200	37,716
	November-23	30	893,800	29,793	0	0	893,800	29,793
	December-23	31	751,300	24,235	0	0	751,300	24,235
	January-24	31	981,900	31,674	0	0	981,900	31,674
	February-24	29	834,200	28,766	0	0	834,200	28,766
	March-24	31	705,400	22,755	0	0	705,400	22,755
	April-24	30	866,500	28,883	0	0	866,500	28,883
	May-24	31	1,410,400	45,497	0	0	1,410,400	45,497
	June-24	30	1,132,700	37,757	0	0	1,132,700	37,757
		Total	12,048,800	394,862	0	0	12,048,800	394,862
		Average	1,004,067	32,905	0	0	1,004,067	32,905

NAME: Livingston Municipal Water Works
COUNTY: Rockcastle
PWSID: KY1020253
AI: 34096

Rated Design Capacity (gpm): 0

Rated Design Filtration Rate
(gpm/ft²): 0

Number of Filters: 0

Area per Filter (ft²): 0

Total Area of Filters (ft²): 0

Source: 0

Allowable Draw (gpd): 0

	Month	Number of Days Operated per Month	KENTUCKY AMERICAN WATER - EASTERN ROCKCA	
			KY1020288	
			Monthly Sales (gal)	Average Daily Sales (gpd)
	July-23	31	665,978	21,483
	August-23	31	193,785	6,251
	September-23	30	166,700	5,557
	October-23	31	163,400	5,271
	November-23	30	163,400	5,447
	December-23	31	171,700	5,539
	January-24	31	170,000	5,484
	February-24	29	162,900	5,617
	March-24	31	162,900	5,255
	April-24	30	95,550	3,185
	May-24	31	95,500	3,081
	June-24	30	244,929	8,164
		Total	2,456,742	80,333
		Average	204,729	6,694

COW (Jan-Dec 2011) Sales

NAME: Livingston Municipal Water Works
COUNTY: Rockcastle
PWSID: KY1020253
AI: 34096
Rated Design Capacity (gpm): 0
Rated Design Filtration Rate (gpm/ft²): 0
Number of Filters: 0
Area per Filter (ft²): 0
Total Area of Filters (ft²): 0
Source: 0
Allowable Draw (gpd): 0

Notes: To estimate water loss you will need to get extra information from the system. Please see comments below for more information. Please note that the Public Service Commission (PSC) requires the systems it regulates to calculate water loss, so you may not need to use this sheet for all water systems.

0	Month	Total Production (gal)	Total Monthly Purchase (gal)	Total System Volume (gal)	Total Amount Metered (gal)	Plant Usage (gal)	Fire Department Usage (gal)	Known Water Consumption (gal)	Unaccounted Water (gal)	Percent Unaccounted Water (%)
0	July-23	0	1,087,500	1,087,500				0	1,087,500	100.0
0	August-23	0	1,077,300	1,077,300				0	1,077,300	100.0
0	September-23	0	1,138,600	1,138,600				0	1,138,600	100.0
0	October-23	0	1,169,200	1,169,200				0	1,169,200	100.0
0	November-23	0	893,800	893,800				0	893,800	100.0
0	December-23	0	751,300	751,300				0	751,300	100.0
0	January-24	0	981,900	981,900				0	981,900	100.0
0	February-24	0	834,200	834,200				0	834,200	100.0
0	March-24	0	705,400	705,400				0	705,400	100.0
0	April-24	0	866,500	866,500				0	866,500	100.0
0	May-24	0	1,410,400	1,410,400				0	1,410,400	100.0
0	June-24	0	1,132,700	1,132,700				0	1,132,700	100.0
Total		0	12,048,800	12,048,800	0	0	0	0	12,048,800	
Average		0	1,004,067	1,004,067	#DIV/0!	#DIV/0!	#DIV/0!	0	1,004,067	100.0

NAME: Livingston Municipal Water Works
COUNTY: Rockcastle
PWSID: KY1020253
AI: 34096
Rated Design Capacity (gpm): 0
Rated Design Filtration Rate (gpm/ft²): 0
Number of Filters: 0
Area per Filter (ft²): 0
Total Area of Filters (ft²): 0
Source: 0
Allowable Draw (gpd): 0

Notes: This sheet will fit on one page when printed.

85% of Rated Design Capacity	(gpm)	(gpd)
	0	0

	Month	Number of Days Operated per Month	Total Production (gal)	Average Daily Production (gpd)	Average Length of Plant Operation per Day (hr)	Average Daily Production Rate (gpm)	Rated Design Capacity (gpm)	Ratio of System Production to Rated Design Capacity (%gpm)	Rated Design Capacity (gpd)	Ratio of System Production to Rated Design Capacity (%gpd)
	July-23	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	August-23	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	September-23	30	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	October-23	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	November-23	30	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	December-23	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	January-24	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	February-24	29	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	March-24	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	April-24	30	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	May-24	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	June-24	30	0	0	0.0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
	Total		0							
	Average		0	0	0.0	#DIV/0!		#DIV/0!		#DIV/0!

NAME: Livingston Municipal Water Works
COUNTY: Rockcastle
PWSID: KY1020253
AI: 34096

Rated Design Capacity (gpm): 0
Rated Design Filtration Rate
(gpm/ft²): 0
Number of Filters: 0
Area per Filter (ft²): 0
Total Area of Filters (ft²): 0
Source: 0
Allowable Draw (gpd): 0

Notes: This sheet will fit on one page when printed.

85% of Rated Design Capacity	(gpm)	(gpd)
	0	0

	Month		Peak Production (gpd)		Peak Production (gpm)	Rated Design Capacity (gpm)	Ratio of System Production to Rated Design Capacity on Peak Day (%gpm)	Rated Design Capacity (gpd)	Ratio of System Production to Rated Design Capacity on Peak Day (%gpd)
	July-23		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	August-23		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	September-23		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	October-23		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	November-23		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	December-23		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	January-24		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	February-24		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	March-24		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	April-24		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	May-24		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	June-24		0		#DIV/0!	0	#DIV/0!	0	#DIV/0!
	Total		0						
	Average		0	#DIV/0!	#DIV/0!		#DIV/0!		#DIV/0!

NAME: Livingston Municipal Water Works
COUNTY: Rockcastle
PWSID: KY1020253
AI: 34096
Rated Design Capacity (gpm): 0
Rated Design Filtration Rate (gpm/ft²): 0
Number of Filters: 0
Area per Filter (ft²): 0
Total Area of Filters (ft²): 0
Source: 0
Allowable Draw (gpd): 0

Notes:

In the tables below, enter the number of hypothetical operating hours for which you would like to evaluate plant capacity and filter capacity. The water system may only need to operate one or two more hours a day to bring their capacities below 85%, for example. **The first table is for estimating the effect of longer operating hours on the plant capacity, and the second is for estimating extended operating hours on filter capacity.**

85% of Design Capacity (gpm):	(gpm)	(gpd)
	0	0

Plant Capacity:

	Month	Average Daily Production (gpd)	Time Operated per Day (hr)	Daily Production Rate (gpm)	Rated Design Capacity (gpm)	Ratio of System Production to Design Capacity (%)
	July-23	0	0.0	#DIV/0!	0	#DIV/0!
	August-23	0	0.0	#DIV/0!	0	#DIV/0!
	September-23	0	0.0	#DIV/0!	0	#DIV/0!
	October-23	0	0.0	#DIV/0!	0	#DIV/0!
	November-23	0	0.0	#DIV/0!	0	#DIV/0!
	December-23	0	0.0	#DIV/0!	0	#DIV/0!
	January-24	0	0.0	#DIV/0!	0	#DIV/0!
	February-24	0	0.0	#DIV/0!	0	#DIV/0!
	March-24	0	0.0	#DIV/0!	0	#DIV/0!
	April-24	0	0.0	#DIV/0!	0	#DIV/0!
	May-24	0	0.0	#DIV/0!	0	#DIV/0!
	June-24	0	0.0	#DIV/0!	0	#DIV/0!
Average		0	0.0	#DIV/0!		#DIV/0!

Filter Capacity: _____

	Month	Average Daily Production (gpd)	Time Operated per Day (hr)	Daily Production Rate (gpm)	Total Area of Filter(s) in Use (ft ²)	Average Flow Applied to Filter(s) (gpm/ft ²)	Rated Design Filtration Rate (gpm/ft ²)	Ratio of Filter Use to Design Filtration Rate (%)
	July-23	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	August-23	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	September-23	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	October-23	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	November-23	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	December-23	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	January-24	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	February-24	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	March-24	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	April-24	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	May-24	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	June-24	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	Average	0	0.0	#DIV/0!		#DIV/0!		#DIV/0!

NAME: Livingston Municipal Water Works
COUNTY: Rockcastle
PWSID: KY1020253
AI: 34096
Rated Design Capacity (gpm): 0
Rated Design Filtration Rate (gpm/ft²): 0
Number of Filters: 0
Area per Filter (ft²): 0
Total Area of Filters (ft²): 0
Source: 0
Allowable Draw (gpd): 0

Notes:

85% of Rated Design Capacity		(gpm)
		(gpd)
		0
		0

	Month	Number of Days Operated per Month	Total Production (gal)	Average Daily Production (gpd)	Average Length of Plant Operation per Day (hr)	Daily Production Rate (gpm)	Total Area of Filter(s) in Use (ft ²)	Average Flow Applied to Filter(s) (gpm/ft ²)	Design Filtration Rate (gpm/ft ²)	Ratio of Filter Use to Design Filtration Rate (%)
	July-23	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	August-23	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	September-23	30	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	October-23	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	November-23	30	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	December-23	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	January-24	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	February-24	29	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	March-24	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	April-24	30	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	May-24	31	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	June-24	30	0	0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
Total			0							
Average			0	0	0.0	#DIV/0!		#DIV/0!		#DIV/0!

NAME: Livingston Municipal Water Works
COUNTY: Rockcastle
PWSID: KY1020253
AI: 34096
Rated Design Capacity (gpm): 0
Rated Design Filtration Rate (gpm/ft²): 0
Number of Filters: 0
Area per Filter (ft²): 0

Total Area of Filters (ft²): 0
Source: 0
Allowable Draw (gpd): 0

Notes:

85% of Rated Design Capacity	(gpm)	(gpd)
	0	0

	Month		Peak Production (gpd)	0.00	Peak Production (gpm)	Area of Filter(s) in Use on Peak Day (ft ²)	Flow Applied to Filter(s) on Peak Day (gpm/ft ²)	Design Filtration Rate (gpm/ft ²)	Ratio of Filter Use to Design Filtration Rate (%)
	July-23		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	August-23		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	September-23		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	October-23		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	November-23		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	December-23		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	January-24		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	February-24		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	March-24		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	April-24		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	May-24		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	June-24		0	0.0	#DIV/0!	0	#DIV/0!	0.00	#DIV/0!
	Total		0						
	Average		0	0.0	#DIV/0!	0	#DIV/0!		#DIV/0!

NAME: Livingston Municipal Water Works
COUNTY: Rockcastle
PWSID: KY1020253
AI: 34096

Rated Design Capacity (gpm): 0
Rated Design Filtration Rate (gpm/ft²): 0
Number of Filters: 0
Area per Filter (ft²): 0

Total Area of Filters (ft²): 0
Source: 0
Allowable Draw (gpd): 0

Notes:
This sheet is for internal CD information only. Water withdrawal is permitted and tracked by the Water Quantity Management Section (WQMS) of the Watershed Management Branch. They handle any overages. Overages may not be critical. Please do not contact the water system with the information in this worksheet, but rather forward questions to WQMS and let them address through their normal procedures. **If the allowable draw varies during the year, enter the monthly amounts directly into the table below.**

85% of Rated Design Capacity	(gpm)	(gpd)
	0	0

	Month	Number of Days Operated per Month	Total Production (gal)	Average Daily Production (gpd)	Allowable Draw (gpd)	Ratio of Production to Allowable Draw (%)	Source Water Remaining (gpd)
	July-23	31	0	0	0	#DIV/0!	0
	August-23	31	0	0	0	#DIV/0!	0
	September-23	30	0	0	0	#DIV/0!	0
	October-23	31	0	0	0	#DIV/0!	0
	November-23	30	0	0	0	#DIV/0!	0
	December-23	31	0	0	0	#DIV/0!	0
	January-24	31	0	0	0	#DIV/0!	0
	February-24	29	0	0	0	#DIV/0!	0
	March-24	31	0	0	0	#DIV/0!	0
	April-24	30	0	0	0	#DIV/0!	0
	May-24	31	0	0	0	#DIV/0!	0
	June-24	30	0	0	0	#DIV/0!	0
Total			0				
Average			0	0		#DIV/0!	0

From: [Anne E Trout](#)
To: [Molly M Van Over](#)
Subject: FW: Livingston Municipal Water Works Documentation
Date: Thursday, December 4, 2025 3:04:28 PM


DR1-2 docs

Anne E. Trout
Vice President- General Counsel
Indiana American Water Company
Kentucky American Water Company
Tennessee American Water Company
2300 Richmond Road
Lexington, Kentucky 40502
Anne.Trout@amwater.com

From: Sulfridge, Alexis (EEC) [REDACTED]
Sent: Monday, December 1, 2025 1:54 PM
To: Alicia M Jacobs <Alicia.Jacobs@amwater.com>; Andy A Lewis <William.Lewis@amwater.com>
Cc: Sharon Miller <Sharon.Miller@amwater.com>; Anne E Trout <Anne.Trout@amwater.com>
Subject: Livingston Municipal Water Works Documentation

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Hi everyone,

As we discussed at today's meeting, I have collected the executed Agreed Order, Corrective Action Plan, and recent inspection and sanitary survey documentation all together. However, I am having some problems with file size restrictions.

I will work with my IT folks this week (weather permitting) and get those documents sent to you ASAP. I called Judge Holbrook (left a message) and Mayor Singleton and I believe that it would be best for Kentucky American to get ahold of Judge Holbrook directly regarding the funds for the tank repair. Mayor Singleton informed me that the money is ready for at least the replacement of the altitude meter, but she isn't sure what the hold up is.

I will be back in touch when I can get these files through to you all.

Please let me know if you have any questions or concerns. Thank you,

Alexis Sulfridge (she/her)
Environmental Enforcement Specialist
Department for Environmental Protection
Division of Enforcement
300 Sower Blvd. 3rd Floor
Frankfort, Kentucky 40601



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From: [Anne E Trout](#)
To: [Molly M Van Over](#)
Subject: FW: Livingston Municipal Water Works Documentation
Date: Thursday, December 4, 2025 3:04:17 PM

DR1-2 docs

Anne E. Trout
Vice President- General Counsel
Indiana American Water Company
Kentucky American Water Company
Tennessee American Water Company
2300 Richmond Road
Lexington, Kentucky 40502
Anne.Trout@amwater.com

From: Alicia M Jacobs <Alicia.Jacobs@amwater.com>
Sent: Monday, December 1, 2025 4:27 PM
To: Sulfridge, Alexis (EEC) [REDACTED] Andy A Lewis <William.Lewis@amwater.com>
Cc: Sharon Miller <Sharon.Miller@amwater.com>; Anne E Trout <Anne.Trout@amwater.com>
Subject: Re: Livingston Municipal Water Works Documentation

Thanks, Alexis! It looks like we can open the files.

I can serve as the lead POC for KY American.

Alicia

From: Sulfridge, Alexis (EEC) [REDACTED]
Sent: Monday, December 1, 2025 2:59 PM
To: Alicia M Jacobs <Alicia.Jacobs@amwater.com>; Andy A Lewis <William.Lewis@amwater.com>
Cc: Sharon Miller <Sharon.Miller@amwater.com>; Anne E Trout <Anne.Trout@amwater.com>
Subject: Livingston Municipal Water Works Documentation

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Hi everyone,

Let's try this again, here is a zip file containing the executed Agreed Order, Corrective Action Plan, and the most recent inspection report and sanitary survey for Livingston Municipal Water Works. Please let me know if there are any issues with the files.

I will follow up with the City of Livingston to try to get an updated Corrective Action Plan. If you will let me know who would like to be the lead point of contact for Kentucky American, I will follow up after the new year to schedule a follow up meeting, if necessary, to discuss next steps.

Feel free to reach out to me with any questions or concerns. Thank you,

-Alexis

From: Sulfridge, Alexis (EEC)

Sent: Monday, December 1, 2025 1:54 PM

To: alicia.jacobs@amwater.com; william.lewis@amwater.com

Cc: sharon.miller@amwater.com; anne.trout@amwater.com

Subject: Livingston Municipal Water Works Documentation

Hi everyone,

As we discussed at today's meeting, I have collected the executed Agreed Order, Corrective Action Plan, and recent inspection and sanitary survey documentation all together. However, I am having some problems with file size restrictions.

I will work with my IT folks this week (weather permitting) and get those documents sent to you ASAP. I called Judge Holbrook (left a message) and Mayor Singleton and I believe that it would be best for Kentucky American to get ahold of Judge Holbrook directly regarding the funds for the tank repair. Mayor Singleton informed me that the money is ready for at least the replacement of the altitude meter, but she isn't sure what the hold up is.

I will be back in touch when I can get these files through to you all.

Please let me know if you have any questions or concerns. Thank you,

Alexis Sulfridge (she/her)
Environmental Enforcement Specialist
Department for Environmental Protection
Division of Enforcement
300 Sower Blvd. 3rd Floor

Frankfort, Kentucky 40601



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FW: American Water - Livingston enforcement discussion

Organizer Marshall, Sarah (EEC) [REDACTED]
Meeting time Mon 12/1/2025 11:00 AM - 12:00 PM
Location EEC Conf Rm 316 (Sower)
My response Not yet responded
Required attendees Marshall, Sarah (EEC), Andy A Lewis, Sharon Miller, Anne E Trout, Bryant, Shannon M (EEC), Bell, Jarrod C (EEC), Alicia M Jacobs, Webb, John S (EEC), Stewart, Kevin R (EEC), Kejzlar, Philip E (EEC)
Optional attendees Saunier, Kathleen M (EEC), robertl.miller [REDACTED] Cleveland, Daniel C (EEC), Carlton, John (EEC)
Message sent Wed 11/26/2025 10:24 AM

 1 attachment (20 KB)

image001.png;

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-----Original Appointment-----

From: Marshall, Sarah (EEC) [REDACTED]
Sent: Tuesday, October 28, 2025 9:35 AM
To: Marshall, Sarah (EEC); Sharon Miller; Andy A Lewis; Anne E Trout; Bryant, Shannon M (EEC); Bell, Jarrod C (EEC); Alicia M Jacobs; Webb, John S (EEC); Stewart, Kevin R (EEC); Kejzlar, Philip E (EEC)
Cc: Saunier, Kathleen M (EEC); robertl.miller [REDACTED] Cleveland, Daniel C (EEC); Carlton, John (EEC)
Subject: American Water - Livingston enforcement discussion
When: Monday, December 1, 2025 11:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: EEC Conf Rm 316 (Sower)

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Rescheduling for December 1st from 11:00 am – 12:00 pm.

At the request of Alicia Jacobs, this meeting is to discuss American Water's upcoming acquisition of Livingston, for AW to meet new DOW Director Sarah Marshall, and to discuss with DOW and DENF required steps for AW to bring Livingston into compliance upon acquisition. Per Alicia, Livingston has signed an Agreement to Purchase with AW. AW plans to have counsel present at this meeting. Some EEC staff may appear virtually.



John H. Carlton | Administrative Specialist Senior
Kentucky Division of Water | Director's Office
300 Sower Blvd., 3rd Floor | Frankfort, Kentucky 40601
Office: (502) 782-1646 [REDACTED]

From: Alicia M Jacobs Alicia.Jacobs@amwater.com
Sent: Tuesday, October 28, 2025 7:58 AM
To: Carlton, John (EEC) [REDACTED]
Cc: Sharon Miller Sharon.Miller@amwater.com; Andy A Lewis William.Lewis@amwater.com; Anne E Trout Anne.Trout@amwater.com
Subject: Re: KY American Water Meeting.

Hi John –

It looks like we have availability for the Nov 10th time from 11am–12pm.

Thank you for coordinating, we will look forward to the invite.

– Alicia

From: Carlton, John (EEC) [REDACTED]
Sent: Monday, October 27, 2025 2:14 PM
To: Alicia M Jacobs <Alicia.Jacobs@amwater.com>
Subject: RE: KY American Water Meeting.

Hi, Alicia.

Below are the dates and times we have available for a one hour meeting here at EEC – some staff may appear virtually:

- Monday, Nov 10 – 11:00 am – 12:00 pm
- Friday, Nov 14 – 2:00 pm – 3:00 pm
- Monday, Dec 1 – 11:00 am – 12:00 pm

Please let me know ASAP if any of these work for you all.

Thanks,



John H. Carlton | Administrative Specialist Senior
Kentucky Division of Water | Director's Office
300 Sower Blvd., 3rd Floor | Frankfort, Kentucky 40601
Office: (502) 782-1646 [REDACTED]

From: Alicia M Jacobs <Alicia.Jacobs@amwater.com>
Sent: Friday, October 24, 2025 2:20 PM
To: Carlton, John (EEC) [REDACTED]
Subject: KY American Water Meeting.

Hi John -

We have had some movement in the Eastern Rockcastle Co area and would like to meet with Director Marshall and DOW and Enforcement staff to discuss the situation in Livingston. Please give me a call when you have time to discuss setting something up.

Thanks!

Alicia

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Meeting ID: 255 143 289 190 41

Passcode: ZX9bc2Kd

Dial in by phone

[+1 502-632-6289,,846744034#](#) United States, Louisville

[Find a local number](#)

Phone conference ID: 846 744 034#

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