

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

ELECTRONIC APPLICATION OF NORTHERN KENTUCKY )  
WATER DISTRICT FOR ACCREDITATION AND APPROVAL OF ) **CASE NO. 2026-0068**  
A PROPOSED WATER DISTRICT MANAGEMENT TRAINING )  
PROGRAM )

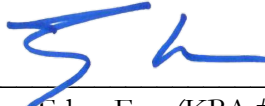
**NOTICE OF FILING – FINAL REPORT**

Pursuant to the Public Service Commission’s April 21, 2026 Order, Northern Kentucky Water District (“NKWD”) and Stoll Keenon Ogden PLLC give notice of their filing of the following documents concerning the water district management training program that is the subject of their application in this proceeding:

1. A sworn statement attesting that the proposed course of instruction entitled “Northern Kentucky Water Training 2026” was conducted on April 29, 2025 and that the materials found at Tab 4 of this Notice were provided to each attendee (Exhibit A);
2. A description of all changes in the presenters and the proposed curriculum that occurred after the submission of the application for accreditation (Exhibit B);
3. The name of each attending water district commissioner, his or her water district and the number of hours that he or she attended (Exhibit C);
4. The materials provided to each program attendee (Exhibit D) and;
5. Approval of the program for continuing legal education accreditation by the Kentucky Bar Association (Exhibit E); and
6. Approval of the program for accreditation by the Kentucky Board of Certification of Water Treatment and Distribution Systems Operators (Exhibit F).

**Dated: May 5, 2026**

RESPECTFULLY SUBMITTED:



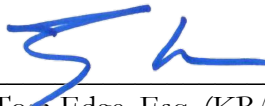
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Telephone: (859) 358-3187  
***Counsel for Stoll Keenon Ogden PLLC***

### **CERTIFICATE OF SERVICE**

In accordance with 807 KAR 5:001, Section 8, I certify that this document was submitted electronically to the Public Service Commission on May 5, 2026 and that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding.



---

Tom Edge, Esq. (KBA #95534)



**EXHIBIT A**





**EXHIBIT B**

## **DESCRIPTION OF PROGRAM CHANGES**

No changes in the program curriculum occurred after the submission of the Applicant's application for accreditation. Mr. Edge presented the first of the two customer service breakout sessions on behalf of Mr. Parritt due to delays in his arrival. Presenters revised the presentations submitted with the Application. A copy of the final version of each presentation is found in Exhibit D.



**EXHIBIT C**

**WATER DISTRICT COMMISSIONERS ATTENDING  
NORTHERN KENTUCKY WATER TRAINING PROGRAM  
(BY NAME)**

<b>Last Name</b>	<b>First Name</b>	<b>Water District</b>	<b>Hrs</b>
Alexander	Tim	Boone County Water District	6.0
Bingham	Rodger	Bullock Pen Water District	6.0
Campbell	Paul	North Mercer Water District	6.0
Cobb	Lisa	East Pendleton County Water District	6.0
Given	Chuck	Bullock Pen Water District	6.0
Gunkel	Keith	East Pendleton County Water District	6.0
Henson	Greg	North Mercer Water District	6.0
Holland	Gary	Northern Kentucky Water District	6.0
Jones	Michael	North Mercer Water District	6.0
Koester	Joe	Northern Kentucky Water District	6.0
Lange	Jody	Northern Kentucky Water District	6.0
Logan	Terry	East Pendleton County Water District	6.0
Macke	Fred	Northern Kentucky Water District	6.0
Parsons	Jim	Boone County Water District	6.0
Pinkston	Lee Todd	North Mercer Water District	6.0
Slaughter	Bryan	Bullock Pen Water District	6.0
Sullivan	Raymond	North Mercer Water District	6.0
Wagner	Doug	Northern Kentucky Water District	6.0
Walton	Andrea	Bullock Pen Water District	6.0
Wiechman	Tom	Boone County Water District	6.0
Winnike	Nick	Northern Kentucky Water District	6.0



**EXHIBIT D**

# WELCOME

## 2026 NORTHERN KENTUCKY WATER UTILITY TRAINING

1

# HOT LEGAL TOPICS

April 29, 2026

Damon R. Talley  
Stoll Keenon Ogden PLLC  
[damon.talley@skofirm.com](mailto:damon.talley@skofirm.com)

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## DISCUSSION TOPICS

1. PSC Filings
2. 2026 General Assembly
3. Notable PSC Orders
4. Minutes



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## DISCUSSION TOPICS

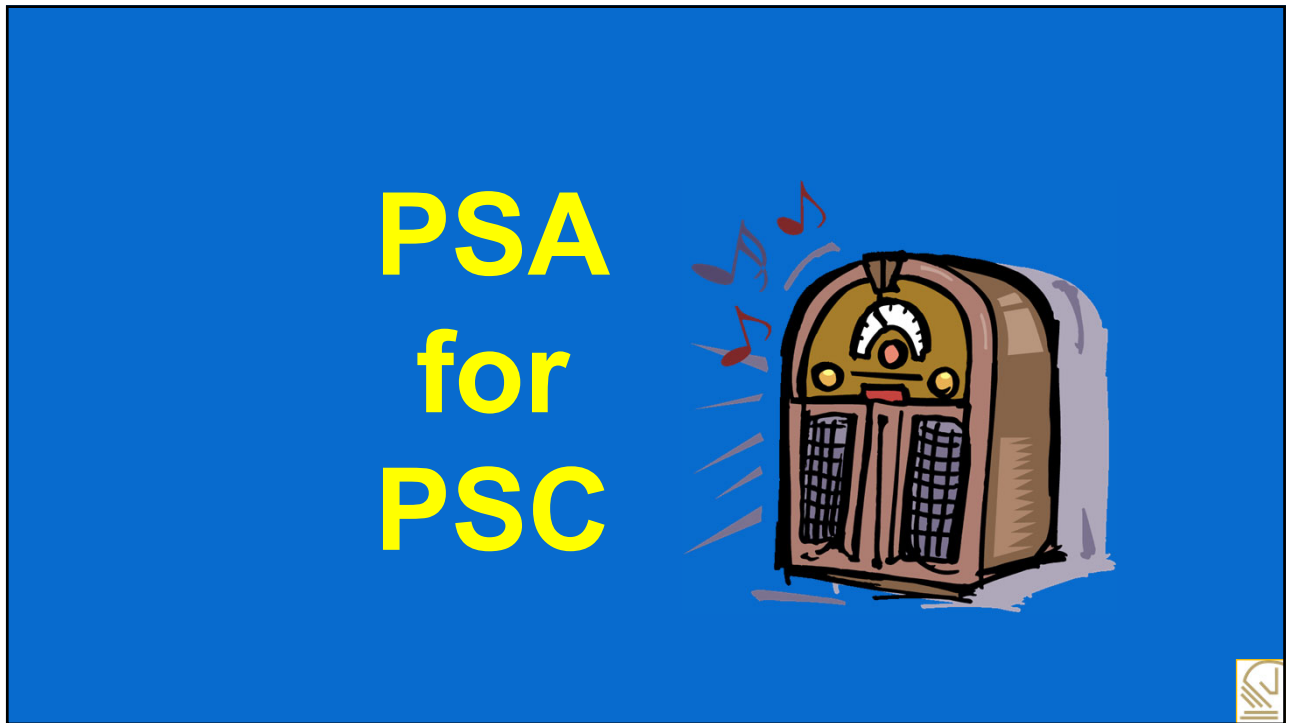
5. Comply with PSC Orders
6. Borrowing Money
7. Cases to Watch



4



5



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# 2026 General Assembly



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## Notable Bills - House

- HB 103 Fluoride
- HB 392 Bidding Threshold Increased
- HB 542 Eminent Domain (Condemnation)



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## Notable Bills - Senate

- SB 8 PSC Changes
- SB 344 Mergers
- SJR 75 Affordability Study



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## HB 103 - Fluoride

- “Local Option”
  - Decision to Have Drinking Water Fluoridation Program Will Be Optional
    - Local Control
    - Decision Made by Governing Board of Water Producer
- Current Program Continues Until Decision Made to Cease



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## HB 103 - Fluoride

- Immunity Granted to Water Producer
- Passed House: 67 to 29 (2-5-26)
- Senate: Died
- Committee on Committees (2-6-26)



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## HB 392 - Bidding Threshold

- Raises Threshold from \$40,000 to \$50,000
- Amends KRS 424.260 & KRS 45A
- Threshold Increases By \$10,000 on 1-1-30 and Every Five Years After



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## HB 392 - Bidding Threshold

- Passed House: 97 to 0
- Passed Senate: 38 to 0
- Governor Signed: 4-7-26



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## HB 542 - Eminent Domain

- Limits Condemnation of Land Subject to Conservation Easement or Agricultural District
  - Utilities Exempt from Portions of these Requirements
  - If:  
Does Not Interfere with Agricultural Operations or Infrastructure

(continued)



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## HB 542 - Eminent Domain

- All Condemnation Actions
  - Independent Appraisal – 60 Days
  - Utility May Be Required to Pay Landowner's Costs & Attorney Fees
  - Additional Notice Requirements
  - More Hurdles



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## HB 542 - Eminent Domain

- Passed House: 90 to 0
- Passed Senate: 38 to 0
- Governor Signed: 4-13-26
- Emergency Declared: 4-13-26



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# SENATE BILLS



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## SB 8 - PSC Changes

### What Does It Do?

- From 3 to 5 Commissioners
  - Governor – Appoints All 5
- Chair Elected by Commissioners
  - Four Year Term
- Specific Qualifications
  - Must Have 2 Attorneys

(cont.)



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## SB 8 - What Does It Do?

- Political Diversity
- Term Limits: 3 Terms
- Executive Director
  - Now: Appointed by Gov.
  - SB8: Appointed by Commissioners
  - SB8: Senate Confirmation
- Many Other Administrative Changes

(cont.)



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## SB 8 - What Does It NOT Do?

- Attorney Gen. Still Has Statutory Right to Intervene
- Intervention by Others
  - Does **Not** Curtail this Right
  - “Special Interest” Not Otherwise Adequately Represented
  - Original Bill Almost Abolished Right to Intervene

(cont.)



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## SB 8 - PSC Changes

- Emergency Provision
- Effective: 4-14-26
- Governor Has Until 5-14-26 to Appoint 2 Commissioners



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## SB 344 - Mergers

- Gives Fiscal Courts Right to Request PSC to “Study” Merger of Water Districts Within Its County
  - PSC Then Required to
    - Conduct Study
    - Prepare Feasibility Report
  - PSC Already Has This Authority



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## SB 344 - Mergers

- Introduced: 03-02-26  
By Senator Gex Williams
- Status: C on C 03-02-26
  - Never Assigned to Committee
- Died w/o Committee Hearing



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## SJR 75 - Affordability

### What Does It Do?

- Requires PSC to Study Affordability
  - Low & Fixed Income Individuals
  - Reduce Disconnections
- PSC Open Administrative Case
  - All Utilities
  - Data Requests
- Report to Legislature: 9-1-27



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## **SJR 75 - Affordability**

- Introduced: 3-02-26
- Passed Senate: 36 to 0  
(3-13-26)
- No Vote in House



25

## **PSC Assessment Increase**

- PSC Financed by Assessment on Utility Revenues
- Current Rate: 1.595 mills  
(\$1,590 per \$1,000,000 Revenue)
- New Rate: 2.300 mills  
(\$2,300 per \$1,000,000 Revenue)
- 45% Increase



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# Notable PSC Orders



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## PSC Case No. 2024-286

Filed:	10-18-2024
Utility:	Warren County WD
Type:	CPCN – Construct Headquarters
Decided:	02-18-2025



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## Warren County WD

- Unique Features:
  - Design Build Contract
  - Emergency Operations Center Included in New Building



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## PSC Case No. 2023 - 252

Filed: 08-18-2023  
Utility: Oldham Co. W.D.  
Type: ARF Case  
Issue: Full Recovery of Cost of Employee Benefits  
Hearing: 04-19-24  
Decided: 06-18-24



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## Oldham Co. W.D. (OCWD)

### PSC Order (50 Pages):

- Applied BLS Reduction %
- Disallowed Recovery of \$125,000 in Health Insurance Costs (OCWD Pays 100%)

(continued . . .)



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## OCWD (continued)

### PSC Order:

- OCWD Failed to Meet Its Burden of Proof
  - Proof Insufficient to Overcome PSC Precedents
  - 43 Cases Align with BLS National Average

(cont . . .)



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## OCWD (continued)

### PSC Order:

- OCWD Has Appealed Decision
  - When? July 18, 2024
  - Where? Franklin Circuit Court
  - Case No: 24-CI-00725



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## Oldham Co. W.D. VS Public Service Commission

What? Appeal  
Where? Franklin Circuit Court  
Case No: 24-CI-00725

(continued . . .)



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## Oldham Appeal (continued)

Filed: July 18, 2024  
PSC Answer: Aug. 09, 2024  
Briefing Schedule: Nov. 22, 2024  
&  
Jan. 10, 2025  
Oral Arguments: May 20, 2025  
Decided: Sept. 24, 2025



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## Oldham (continued)

### Issues on Appeal:

- PSC Acted Unlawfully
- BLS Reduction Not Supported by Substantial Evidence
- Denied Due Process
- PSC Violated KRS 13A.100



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## Oldham (continued)

Decision: PSC Order Reversed

Basis:

- PSC Violated  
KRS 13A.100
- BLS Reliance  
Was Arbitrary
- PSC Acted Unlawfully

(continued . . .)



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## Oldham (continued)

Holding:

Oldham Can Include 100% of  
Its EE Health Insurance Costs  
In Its Rates

- \$125,241 Per Year

(continued . . .)



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## Oldham (continued)

### Rationale:

#### Oldham Demonstrated That:

- Paying 100% of Health Insurance Benefits
  - Fair, Just & Reasonable
  - In the Market That It Served
  - Best Interest of Its Customers

(continued . . .)



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40

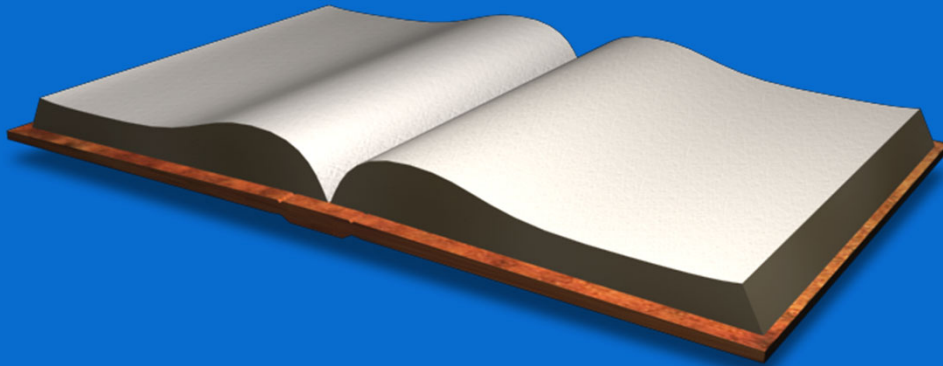
## Talley's Tips

1. Demonstrate That Total Compensation Package Is Fair, Just & Reasonable
  - Salary
  - Benefits
2. Market Area
3. Recruit & Retain Employees
4. Robust Evidence
  - May Require Consultant



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# MINUTES



42

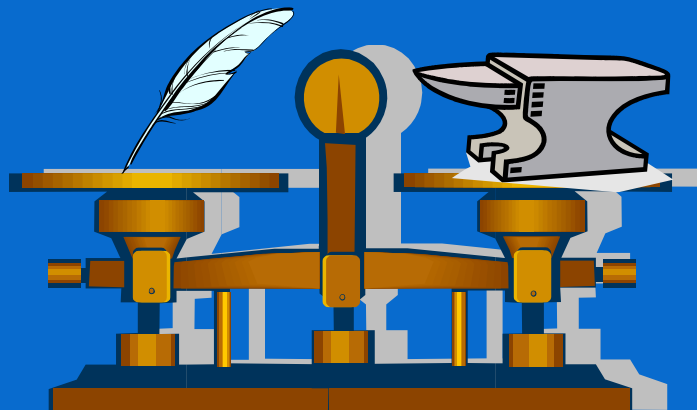
# What Are MINUTES?

- Official Record
- Much, Much More . . .



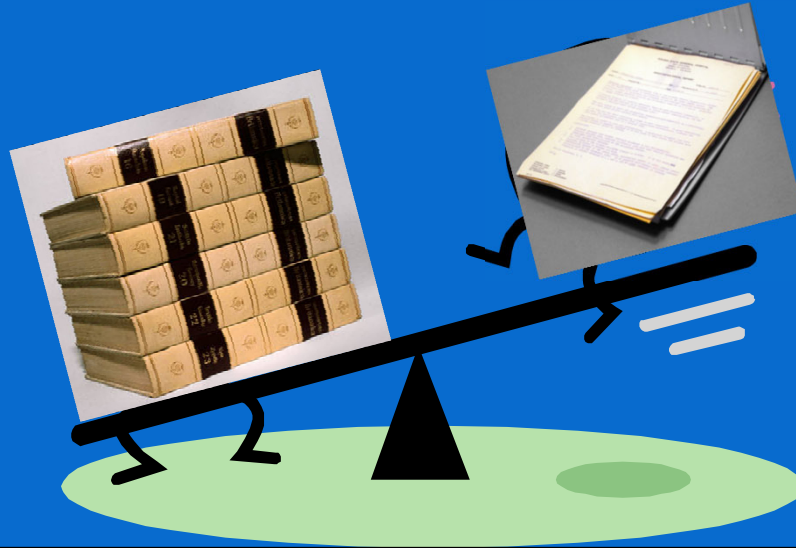
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AN OUNCE  
OF  
PREVENTION = A POUND  
OF CURE



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How much information **SHOULD**  
be included in the MINUTES?



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## Minutes

How **MUCH** is too **MUCH**?

- No definitive answer
- Art not a science

Cont.

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# Minutes ...

## How MUCH is too MUCH?

- Guidelines . . . .
  - Minutes are **NOT** a transcript
  - Minutes are **NOT** the Congressional Record
  - Include rationale for action taken if it might avoid lawsuit



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## Excerpt From Minutes

“Motion was made by Commissioner X and seconded by Commissioner Y to hire Commissioner Z to perform water line inspections on the Knob Hill Project at an hourly rate of \$20.”



48

**“Conversations are  
NOT official actions of  
the Board.”**

Virginia W. Gregg  
Former PSC Staff Attorney



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### **WHY Include Summary of Conversations in Minutes?**

- Document Board's Due Diligence  
(e.g. Water Loss)
- Document Board's Oversight  
Role (e.g. Compliance with PSC Orders)
- Avoid or Win Litigation



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## Talley's Tips

### Prepare Minutes for a Reader ...

1. Who did not attend the meeting.
2. Who will not read the Minutes until at least one year later.
3. Who is employed by PSC.
4. Who will access Minutes via www.



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# Comply With All PSC Orders



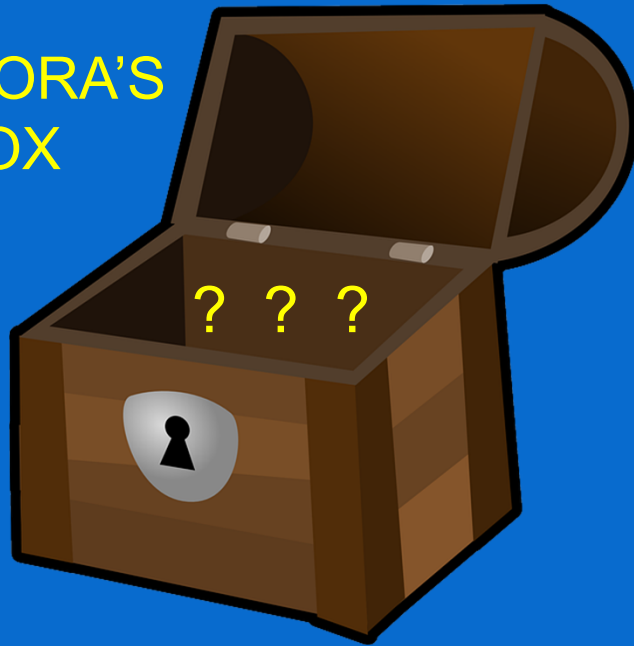
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“. . . for allegedly failing to comply with the Commission’s March 10, 2020 Order in Case No. 2019-00458. The willful failure to comply presents prima facie evidence of incompetency, neglect of duty, gross immorality, or nonfeasance, misfeasance, or malfeasance in office sufficient to make [the District’s] officers and manager subject to the penalties of KRS 278.990 or removal pursuant to KRS 74.025. The Commission finds that a public hearing should be held on the merits of the allegations set forth in this Order.”



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## PANDORA'S BOX



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# Borrowing



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## **KRS 278.300(1)**

No utility shall issue any securities or evidences of indebtedness . . . until it has been authorized to do so by order of the Commission.



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## **Practical Effect**

- Must Obtain PSC Approval Before Incurring Long-term Debt (Over 2 Years)
- Exception:
  - 2 Years or Less
  - Renewals
    - (3 X 2 = 6 Years)
    - (6 X 1 = 6 Years)



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**Violation**



59

**Show  
Cause  
Cases**



60

## Show Cause Cases Borrowing Money

First Case: 2022-252



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### Case # 1

Case No. 2022 - 252  
Opened: 02-16-2023  
Issue: KRS 278.300  
(4 Violations)  
Hearing: 08-01-2023  
Decided: 10-17-2023



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## Case # 1

Facts: Leased 4 Trucks  
4 & 5 Year Terms

Issue: Is Long Term Lease  
An evidence of  
Indebtedness ?

Holding: Yes



63

## Case # 1

Outcome:

- GM & Directors (Water Assoc.)
  - Fined \$250 (Waived)
  - 12 Hours of Training
  - 6 More Hours Annually
- Future Directors
  - 6 Hours Training Annually



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# Cases To Watch



65

## Case No. 2025-226

Opened: 12-13-2025  
Type: Investigation  
Issue: City Charging Water  
District Unapproved  
Wholesale Rate  
Outcome: Still Pending

(continued . . .)



66

## Case No. 2025-226

### Facts:

- City's Wholesale Rate: \$2.10  
(Approved by PSC: 09-03-2009)
- Rate Increased to: \$2.92
  - Increased Gradually Since 2018
  - Water District Did Not Notice or Object to Increase

(continued . . .)



67

## Case No. 2025-226

### Facts (continued):

- Nothing Filed by City With PSC Since 2009
- PSC Discovered in ARF Case Filed by Water District
- PSC Disallowed Recovery of Unapproved Rate by W.D.

(continued . . .)



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## Case No. 2025-226

Facts (continued):

- W.D. May Be Entitled to Refund of Approx. \$165,000
- How Could This Happen?
  - City's Bill Not Easy to Understand
  - Turnover in W.D. Staff



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**QUESTIONS?**

[damon.talley@skofirm.com](mailto:damon.talley@skofirm.com)

270-358-3187



STOLL  
KEENON  
OGDEN  
P.L.L.C.

70



Northern Kentucky Water Utility Training 2026

# RECENT DEVELOPMENTS IN UTILITY LAW AT FEDERAL LEVEL

Presented by Tom Edge, Esq.

1

## PRESENTATION DISCLAIMER


*The materials provided in this presentation and any comments or information provided by the presenters are for educational purposes only and nothing conveyed or provided should be considered legal, engineering or technical advice nor replace independent professional judgment.*


*Statements of fact and the views, thoughts and opinions expressed are those of the presenter and not opinion or position of the Northern Kentucky Water District.*



2

# AGENDA

- Lead and Copper 
- The PFAS Puzzle 
- Federal Landscape Overview
- Federal Legislation
- Federal Regulations
- Judicial Activities
- Federal Guidance Materials



3

# LEAD AND COPPER

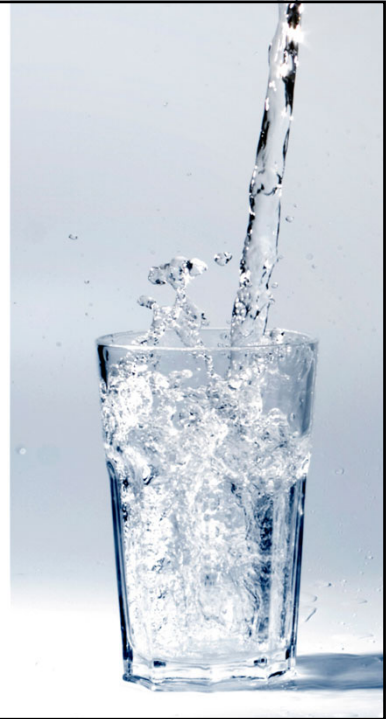


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## BACKGROUND – Lead & Copper Rule Evolution

- **Original LCR (1991):** MCLG for lead: 0 µg/L; Action Level: 15 µg/L; exceeding AL triggers corrosion control treatment and 7% annual lead service line replacement.
- **LCRR (Jan. 2021, effective Oct. 16, 2024):** Added lead service line inventory (publicly available online), 5th-liter tap sampling, trigger level of 10 µg/L, and school/child care testing.
- **LCRI (Final Rule Oct. 2024, 3 years to comply):** Builds on LCRR with stricter tap sampling, new communications requirements, expanded inventory obligations, and mandatory replacement of all lead service lines within 10 years.

*Each iteration has expanded utility obligations and compressed timelines.*



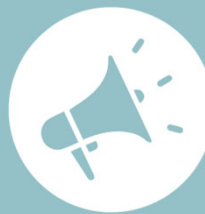
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## LCRI KEY CHANGES AT A GLANCE



### TAP SAMPLING

Action level drops from 15 to 10 µg/L; use higher of 1st and 5th liter; 100% lead service lines in sample pool



### COMMUNICATIONS

New notification/outreach at each compliance level (e.g., 3-calendar-day notification of results; 24-hour notice for AL exceedance)



### INVENTORY

Identify all unknown lines within 10 years; add gooseneck connectors to inventory



### LSL REPLACEMENT

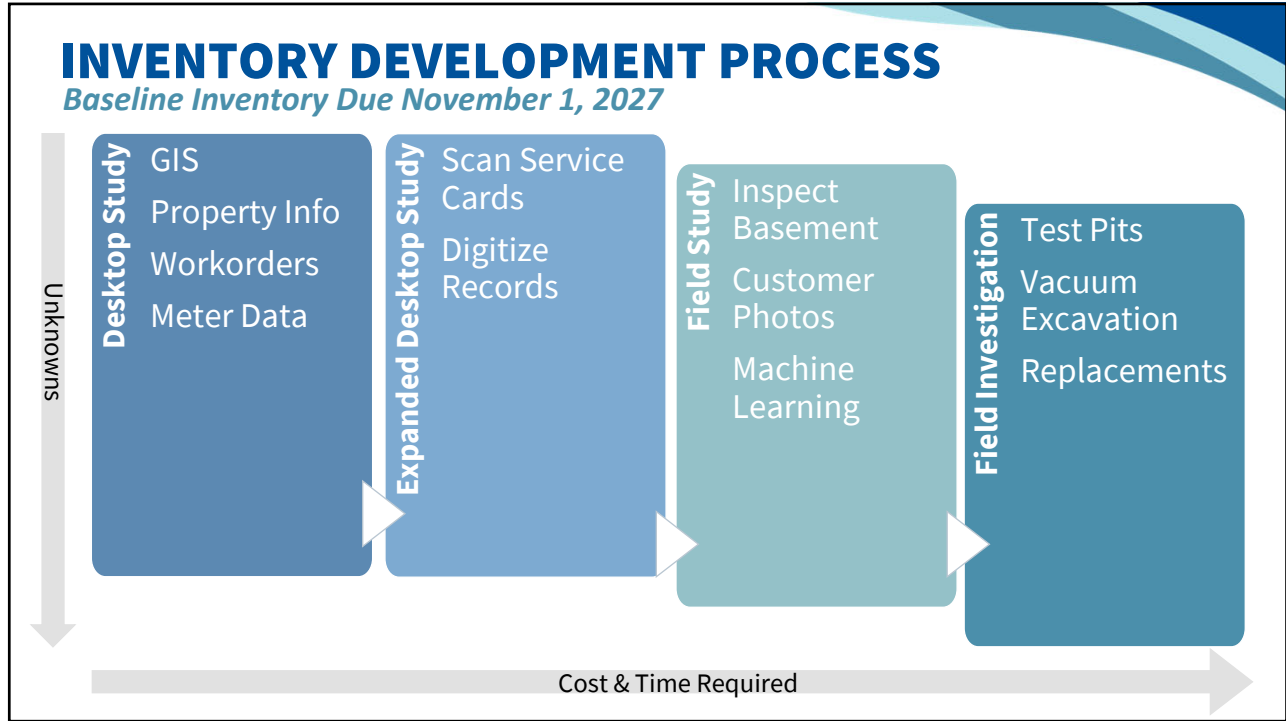
Replace all full lead service lines in utility's control within 10 years (10% annually on 3-year rolling average)



### AL EXCEEDANCE (3X)

Provide certified lead-reduction filters to all customers; system-wide public education every 6 months

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## LCRI UNIQUE ISSUES FOR KY WATER DISTRICTS

1. **PRIVATE-SIDE OWNERSHIP BARRIER:** 807 KAR 5:066 §12 places ownership of service lines past the meter with the customer. LCRI's 10-year full replacement mandate collides with this.
2. **STATUTORY PURPOSE LIMITATION:** Water districts exist to furnish public water supply (KRS 74.012(1)). Actions beyond that purpose are arguably Official Misconduct, 2nd Degree (KRS 522.030). Kentucky Constitution §§ 10, 13, and 242 prohibit seizing ownership of private service lines.
3. **PSC RATE RECOVERY UNCERTAIN:** Rates must be "fair, just and reasonable" (KRS 278.030; *Pub. Serv. Comm'n v. Com. ex rel. Conway*, 324 S.W.3d 373, 377 (Ky. 2010)), with the burden of proof on the utility (KRS 278.190(3)). No unreasonable preference or difference between classes of service is permitted (KRS 278.170(1)), and utilities may not charge outside their filed schedules (KRS 278.160(2)). PSC would likely approve rate recovery for utility-owned portions but may not approve recovery for private-side replacement, raising the question of whether spreading private-side costs across all ratepayers survives scrutiny under these provisions.

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# LCRI LITIGATION OVERVIEW

**AWWA v. EPA, U.S. Court of Appeals, D.C. Cir., Case 24-1376**

**Rule Under Review: Lead and Copper Rule Improvements (LCRI), 89 Fed. Reg. 86,418 (Oct. 30, 2024)**

ROLE	PARTY / ENTITY
<b>Petitioner</b>	American Water Works Association (AWWA) — NKWD is a member & submitted standing declaration
<b>Respondent</b>	EPA (defended by DOJ under Trump Administration — bipartisan support for the Rule)
<b>Intervenor-Respondents</b>	NRDC, Newburgh Clean Water Project, Sierra Club
<b>Amici for EPA</b>	17 State AGs + D.C.; American Academy of Pediatrics & health organizations
<b>Amici for AWWA</b>	U.S. Chamber of Commerce

**Status:** Briefing complete as of April 3, 2026. Oral argument not yet scheduled.

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## ISSUE 1: DOES "CONTROL" MEAN "ACCESS"?

**SDWA § 300f(4)(A) — Scope of "public water system"**

### AWWA's Arguments

- "Control" should mean ownership — consistent with 30+ years of EPA interpretation
- Congress used "control" not "access" deliberately; uses "access" elsewhere in SDWA
- Equating control with access makes system scope shift based on third-party decisions (property owners granting/revoking consent)
- Creates unworkable compliance framework varying jurisdiction-to-jurisdiction
- Major questions doctrine: unprecedented expansion of EPA authority to customer-owned infrastructure
- Georgia Supreme Court in *Bass v. Ledbetter* held private lines are "not within the control of the operator"

### EPA's Arguments

- Dictionary definitions of "control" mean power or authority to manage, not just ownership
- Congress chose "control" over "ownership" intentionally
- Water systems already exercise control over non-owned infrastructure (emergency repairs, meter reading)
- Rule defers to state/local law to determine access — respects cooperative federalism
- EPA has consistently required some actions regarding customer-owned lines since 1991
- Rule does not require replacement where access is lacking
- Ownership-based reading would exclude systems operated by non-owners (e.g., private operators under concession agreements)

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## ISSUE 2: IS THE 10-YEAR TIMELINE FEASIBLE?

### AWWA's Arguments

- EPA went from 33-year timeline (2021 Rule) to 10 years without adequate justification
- EPA's own data: ~40% of studied systems couldn't meet 10-year deadline at current rates
- Feasibility analysis excluded small systems (91% of regulated systems)
- EPA "inverted" methodology: set deadline first, then reverse-engineered the rate
- Success stories relied on crisis-driven programs with exceptional external funding (Newark, Flint, Detroit)
- Labor shortages: 1/3 of water workforce eligible to retire in next 10 years
- Nationwide simultaneous replacement creates unprecedented competition for resources

### EPA's Arguments

- 10-year rate based on 95th percentile of 44 systems' actual replacement data
- 98-99% of systems can meet the rate; deferred deadline covers remaining 1-2%
- Replacement is not complex: one crew, ~4 hours per line, copper/PVC readily available
- EPA considered and rejected 5-year and 15-year alternatives
- Voluntary programs without mandates still achieved near-10-year completion
- Small systems have fewer lines, making compliance relatively easier
- Multiple states (NJ, RI) already have 10-year mandates; IL, MI also have mandates

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## ISSUE 3: IS ECONOMIC ANALYSIS REASONABLE?

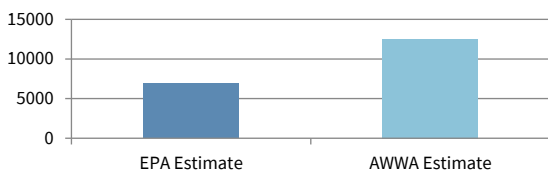
### AWWA's Arguments

- EPA underestimates per-line cost: \$6,930 vs. AWWA's \$12,500 average
- EPA used 35-year cost window when most costs concentrated in first 10 years
- Failed to consider cumulative costs of concurrent PFAS rule (\$2.45B annually)
- External funding uncertain and unevenly distributed
- Small and rural systems disproportionately burdened
- Total costs could reach \$90-100 billion per national association estimates

### EPA's Arguments

- Net annual benefits of \$12-23 billion far outweigh costs
- Even using AWWA's inflated numbers, net benefits still \$7.2-18.4 billion annually
- EPA did NOT factor external funding into cost calculations
- Household cost impact: \$1-67/year over 35 years; worst case \$332/year
- SDWA prohibits considering costs from other regulations in economic analysis
- Independent report confirmed EPA's cost estimates; found AWWA's costs overestimated
- Petitioner never disputes that benefits justify costs

**COST COMPARISON: PER-LINE REPLACEMENT ESTIMATES**



METRIC	VALUE
Net Annual Benefits (EPA)	\$12-23 Billion
Net Benefits (AWWA costs)	\$7.2-18.4 Billion
Household Impact/Year	\$1-67 (worst: \$332)
Benefit-to-Cost Ratio	~10:1

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## LCRI LITIGATION KEY TAKEAWAYS

- Both parties support lead service line replacement — the dispute is over timeline and legal authority, not the public health goal.
- Trump Administration EPA is defending the Rule — bipartisan support makes vacatur less likely.
- If upheld: must replace all accessible lead service lines by Dec. 31, 2037 at a rate of 39 per 1,000 connections annually.
- If vacated in whole – LCRR controls; If vacated in part – LCRR controls only to the provisions vacated.
- Oral argument not yet scheduled; decision expected Fall 2026.

*Continue compliance preparations: service line inventory, staffing, budgeting — many of the requirements exist under any version of the Rule*

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TE1

## GOING FORWARD

**BRIEFS COMPLETE – APRIL 2026**

Decision – Fall 2026 apx.

**VACATED –**

LCRR controls until next rulemaking

**UPHELD –**

LCRI controls. Utilities must determine whether they have access/control of private service lines for EPA/DOW to require replacement

**WATER DISTRICTS/ASSOCIATIONS –**

*Likely No.* Limitations found in 807 KAR 5:066 §12; KRS 74.012(1); Ky Const. §§ 10, 13, and 242.

**INVESTOR OWNED UTILITIES –**

*Could go either way.* Depends on bounds of authority granted to utility under franchise and working within limitations found in 807 KAR 5:066; KRS 278.030; KRS 278.170(1).

**CITY OWNED UTILITIES –**

*Likely Yes.* No limitations found in KRS 82.082 (Home Rule), KRS 96.170-190; Ky Const. §156(b)

**Regardless of outcomes; one thing is clear. Inventory here to stay. Even if vacated, at some point, someone will require to update and eliminate unknowns.**

14

## Slide 14

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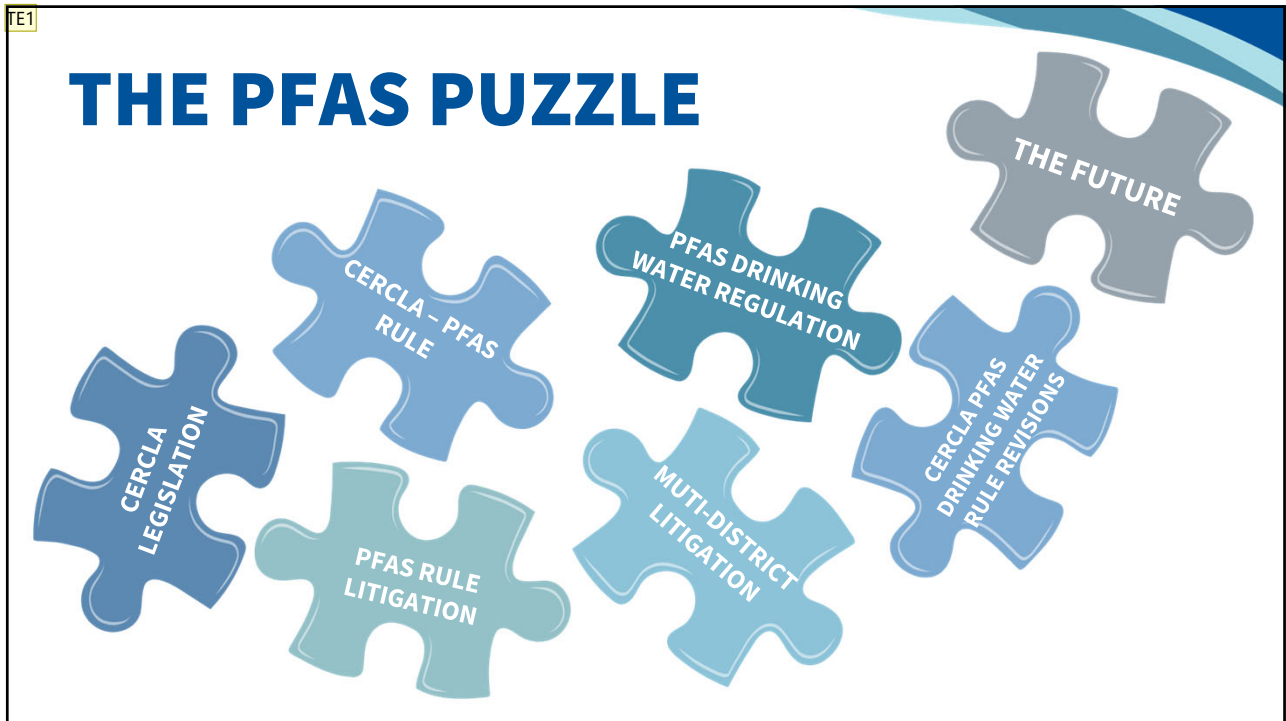
**TE1** Sara,

Do what you can here with my flow chart. If we can find space, I would like to have a spot on the slide that encompasses my note on this page.

Tom Edge, 2026-04-13T18:42:15.504



15



16

## Slide 16

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**TE1** Sara,

I'm going down a puzzle route here. I think I have the connection order fairly together.

Tom Edge, 2026-04-13T19:12:37.860

**SS1 0** Sort of changed it up. Didn't make them connect. I can change it back but I sort of liked the idea of all of these pieces having to fit together.

Sara Sgantas, 2026-04-27T17:47:44.992

## PFAS - BACKGROUND

### *What are Per- and Polyfluorinated Substances (PFAS)?*

- Synthetic chemicals used in industry and consumer products since the 1940s.
- Thousands of different PFAS (9,000+), some more widely used and studied than others.
- Used in firefighting foams, coating additives for non-stick cookware (Teflon™), paper and cardboard food packaging (microwave popcorn bags), dental floss, stain-resistant carpets and fabrics, and cleaning products.

PFAS are found in many consumer products due to water- and grease- resistant properties. Examples of its use in products include:



Nonstick Cookware



Takeout Containers



Stain Resistant Products



Furniture & Textiles



Firefighting Foam

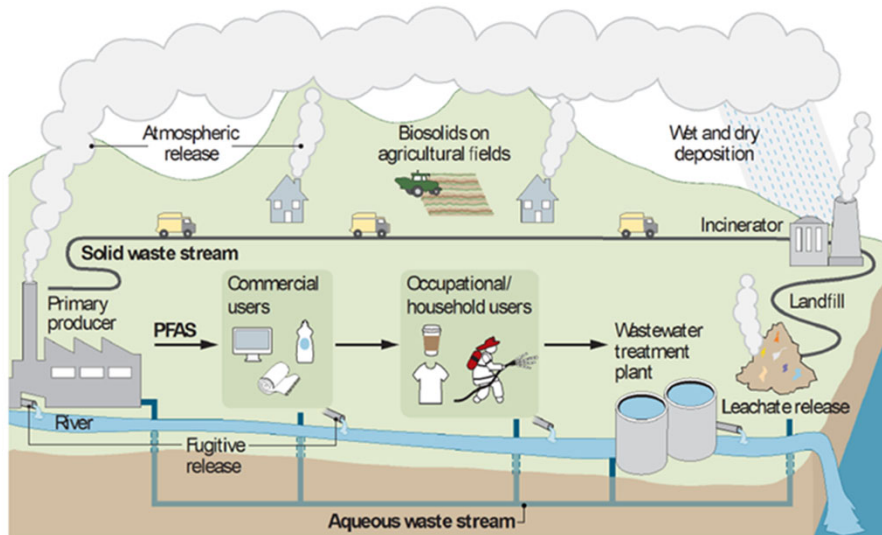


Waterproof Apparel

17

## PFAS EXPLAINED

### *PFAS enter the environment through multiple pathways*



Evich et al. (2022) Science

18

# PFAS DRINKING WATER REGULATION



19

## REGULATORY HISTORY

<p><b>MAY 2, 2012</b></p> <p>UCMR3 required water samples for 6 PFAS (PFOA, PFOS, PFNA, PFHxS, PFHpA, PFBS).</p>	<p><b>May 9, 2016</b></p> <p>EPA issued Drinking Water Health Advisories for PFOS/PFOA at 70 parts per trillion (ppt).</p>	<p><b>February 13, 2019</b></p> <p>EPA released PFAS Action Plan to address all facets of PFAS</p>	<p><b>December 27, 2021</b></p> <p>EPA published UCMR5 to require sampling of 29 PFAS.</p>	<p><b>June 15, 2022</b></p> <p>EPA released health advisory levels (EPA's advised level where no adverse health effects are expected to occur over a lifetime of exposure): PFOA (0.00 ppt), PFOS (0.00 ppt), GenX (10 ppt), PFBS (2,000 ppt)*</p> <p><i>*These levels are trace amounts. The ability to test compounds at these minute levels is recent.</i></p>	<p><b>April 10, 2024</b></p> <p>EPA enacts final rule to regulate 6 PFAS compounds in drinking water.</p>
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20

# PFAS – SDWA

The regulatory standards apply to producing community & non-transient, non-community water systems.

Compliance is determined by running annual averages at the sampling point at the entry to the distribution system.

### Initial monitoring (within 3 years of promulgation):

- Surface water and GW systems serving >10,000 monitor quarterly (samples 2-4 months apart);
- GW systems serving ≤10,000 monitor twice (samples 5-7 months apart).
- Prior UCMR 5 data (EPA Methods 533/537.1) may satisfy initial monitoring.

Ongoing compliance monitoring: Quarterly at all entry points beginning 3 years after promulgation.

Primacy agencies may reduce to triennial if results are below trigger levels (2.0 ppt for PFOA/PFOS; 5 ppt for PFHxS, PFNA, GenX; 0.5 HI for mixtures).

CHEMICAL	MAXIMUM CONTAMINANT LEVEL GOAL (MCLG)	MAXIMUM CONTAMINANT LEVEL (MCL)
PFOA	0	4.0 ppt*
PFOS	0	4.0 ppt
PFHxS	10 ppt	10 ppt
HFPO-DA (GenX Chemicals)	10 ppt	10 ppt
PFNA	10 ppt	10 ppt
Mixture of two or more: PFHxS, HFPO-DA, PFNA, and PFBS.	Hazard Index of 1 (unitless)	Hazard Index of 1 (unitless)

\*ppt (parts per trillion) = ng/L

$$\text{Hazard Index (HI)} = \left( \frac{[\text{GenX}_{\text{water}}]}{10 \text{ ppt}} \right) + \left( \frac{[\text{PFBS}_{\text{water}}]}{2000 \text{ ppt}} \right) + \left( \frac{[\text{PFNA}_{\text{water}}]}{10 \text{ ppt}} \right) + \left( \frac{[\text{PFHxS}_{\text{water}}]}{10 \text{ ppt}} \right)$$

21

# RUNNING ANNUAL AVERAGE

Equation:

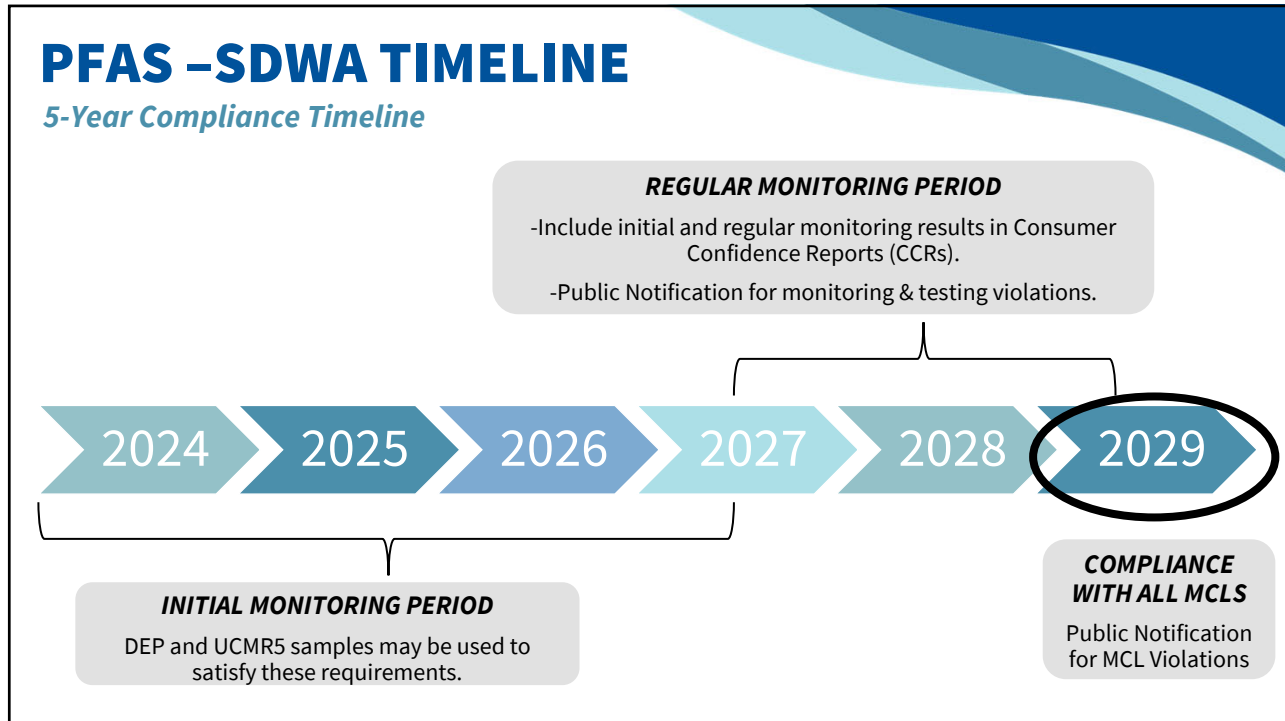
$$\text{Hazard Index (1 unitless)} = \left( \frac{[\text{HFPO - DA}_{\text{ppt}}]}{10 \text{ ppt}} \right) + \left( \frac{[\text{PFBS}_{\text{ppt}}]}{2000 \text{ ppt}} \right) + \left( \frac{[\text{PFNA}_{\text{ppt}}]}{10 \text{ ppt}} \right) + \left( \frac{[\text{PFHxS}_{\text{ppt}}]}{10 \text{ ppt}} \right)$$

Chemical	Quarter 1		Quarter 2		Quarter 3		Quarter 4	
	Sample	Q1 Formula	Sample	Q2 Formula	Sample	Q3 Formula	Sample	Q4 Formula
HFPO-DA (ppt)	5 ppt	5 ppt/10 ppt = 0.5	5 ppt	5 ppt/10 ppt = 0.5	Not detected	0 ppt/10 ppt = 0	Not detected	0 ppt/10 ppt = 0
PFBS (ppt)	5 ppt	5 ppt/2000 ppt = 0.0025	5 ppt	5 ppt/2000 ppt = 0.0025	Not detected	0 ppt/2000 ppt = 0	5 ppt	5 ppt/2000 ppt = 0.0025
PFNA (ppt)	Not detected	0 ppt/10 ppt = 0	Not detected	0 ppt/10 ppt = 0	4 ppt	4 ppt /10 ppt = 0.4	Not detected	0 ppt/10 ppt = 0
PFHxS (ppt)	3 ppt	3 ppt/10 ppt = 0.3	Not detected	0 ppt/10 ppt = 0	4 ppt	4 ppt /10 ppt = 0.4	6 ppt	6 ppt/10 ppt = 0.6
Hazard Index (unitless)	0.5 + 0.0025 + 0 + 0.3 = 0.8025		0.5 + 0.0025 + 0 + 0 = 0.5025		0 + 0 + 0.4 + 0.4 = 0.8		0 + 0.0025 + 0 + 0.6 = 0.6025	

$$\text{Running Annual Average} = \left( \frac{0.8025 + 0.5025 + 0.8 + 0.6025}{4} \right) = 0.6769 = 0.7$$

The Hazard Index Running Annual Average result is 0.7 (rounded to one significant digit). Because this result does not exceed 1, the water system has not exceeded the MCL. Therefore, no violation of the Hazard Index MCL has occurred.

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## PFAS DRINKING WATER LITIGATION - OVERVIEW [AWWA v. EPA, U.S. Court of Appeals, D.C. Cir., Case 24-1188](#)

**Rule Under Review:** EPA's PFAS National Primary Drinking Water Regulation, 89 Fed. Reg. 32,532 (Apr. 26, 2024)

### **Petitioners**

- *Utility:* AWWA and AMWA (Vinson & Elkins LLP)
- *Industry:* National Association of Manufacturers and American Chemistry Council (Sidley Austin / Winston & Strawn); The Chemours Company FC, LLC (Arnold & Porter)

**Supporting Petitioners (Amici):** U.S. Chamber of Commerce; Toxicology Excellence for Risk Assessment (TERA) and International Society for Regulatory Toxicology and Pharmacology (IS RTP)

**Respondent:** U.S. EPA (Acting Administrator Jane Nishida, represented by DOJ)

**Supporting EPA (Intervenors and Amici):** NRDC; Buxmont Coalition for Safe Water, Clean Cape Fear, Clean Haw River, Environmental Justice Task Force, Fight for Zero, Merrimack Citizens for Clean Water, and Newburgh Clean Water Project (Earthjustice); 18 states and DC (led by CT, CA, NJ); Scientist Amici (Dr. Linda Birnbaum, Dr. Jamie DeWitt, Dr. Rainer Lohmann, Dr. Jennifer Schlezinger); Cape Fear River Watch, Center for Environmental Health, Toxic Free NC, Harper Peterson, Michael Watters

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## ISSUE 1 - PROCEDURAL SEQUENCING

### ***Petitioners:***

- EPA proposed regulations for the Index PFAS before issuing a final determination to regulate, bypassing the SDWA's required two-step notice-and-comment process
- EPA conceded this error in a September 2025 motion for partial vacatur
- Final rule relied on tens of thousands of analytical results from 9 additional states on which petitioners never got to comment
- Concession should be dispositive; Court should vacate all Index PFAS provisions

### ***EPA/Intervenors:***

- Any error was harmless; petitioners submitted hundreds of pages of comments
- Petitioners have not demonstrated they would have submitted materially different comments in a second comment period
- Intervenors argue petitioners waived their prejudice argument by not addressing it in opening briefs

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## ISSUE 2 – OCCURRENCE DATA SUFFICIENCY

### ***Petitioners:***

- EPA lacked nationally representative data for HFPO-DA, PFNA, and mixtures
- Only 19 states provided non-targeted data; UCMR 3 was stale and excluded HFPO-DA
- Only 5 states reported HFPO-DA above the health reference level
- UCMR 5 data was still being collected at time of rulemaking

### ***EPA/Intervenors:***

- The Act requires the "best available" data, not perfect data
- EPA compiled "one of the most robust occurrence datasets ever"
- HFPO-DA is actively produced nationwide; detections span geographically diverse areas
- PFNA detected above health reference levels in 12 states

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## ISSUE 3 – LEGALITY OF HAZARD INDEX

### ***Petitioners:***

- The Hazard Index is not a permissible MCL under the SDWA
- An MCL means "the maximum permissible level of a contaminant in water" (42 U.S.C. § 300f(3)), connoting a physical concentration (ppt, ppb)
- The Hazard Index is a unitless ratio based on relative toxicity, unprecedented in form
- Lacks any meaningful limiting principle; could be extended to any grouping of contaminants

### ***EPA/Intervenors:***

- EPA has regulated contaminant groups together (radionuclides, disinfection byproducts)
- The Hazard Index is a more sophisticated version of those prior combined standards, accounting for varying potency
- States (WI, MN, ME, MA, VT) already use hazard index or summation approaches for PFAS
- A close question in a post-Loper Bright environment

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## ISSUE 4 – COST-BENEFIT ANALYSIS

### ***Petitioners:***

- EPA oversold benefits by relying on nonquantifiable benefits described as "mixed but plausible" or "not conclusive"
- EPA undersold true compliance costs
- Improperly grouped the cost-benefit analysis for all six PFAS rather than conducting substance-by-substance analyses

### ***EPA/Intervenors:***

- The cost-benefit analysis does not dictate MCL stringency; MCLs must be set as close to MCLGs as feasible
- The justification determination (whether benefits justify costs) is a separate, discretionary step
- Congress stated EPA need not show dollar-value benefits exceeding costs
- Even if flawed, remedy is limited to the justification determination, not vacatur of the MCLs

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## ISSUE 5 - FEASIBILITY

### ***Petitioners:***

- The 4.0 ppt MCLs for PFOA and PFOS are not truly "feasible"
- Insufficient laboratory capacity exists to measure at those levels
- Treatment technology (GAC, ion exchange) availability is constrained
- Costs are prohibitive for many water systems

### ***EPA/Intervenors:***

- Petitioners do not challenge the availability of affordable treatment technologies
- Granular activated carbon (GAC) is per se feasible for synthetic organic chemicals under the SDWA
- EPA assessed costs for smaller systems and identified affordable treatment options
- Billions in compliance assistance available from the Bipartisan Infrastructure Law
- Water utilities have secured over \$11 billion in PFAS manufacturer settlements

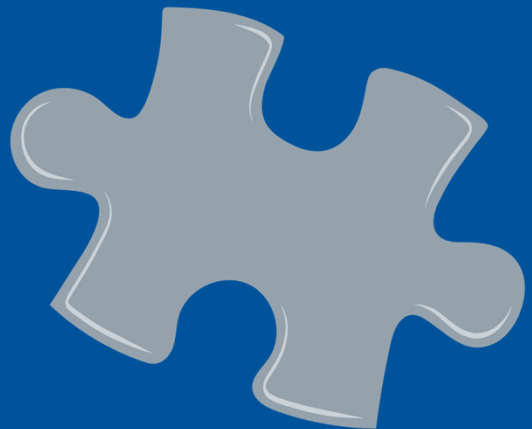
30

## LIKELY OUTCOME ASSESSMENT

- **PROCEDURAL SEQUENCING:** EPA's own concession makes partial vacatur of Index PFAS provisions likely. The open question is the scope of relief.
- **HAZARD INDEX:** Close call. The D.C. Circuit reviews de novo post-*Loper Bright*. EPA has reasonable prior-practice arguments, but the unprecedented unitless-ratio format is a real vulnerability.
- **PFOA/PFOS AT 4.0 PPT:** Least vulnerable. Regulatory determinations are unchallenged and feasibility arguments are weak given GAC's statutory designation as per se feasible.
- **COST-BENEFIT:** Unlikely to result in MCL vacatur standing alone, given the Act's separation of feasibility from cost justification.
- **MOST PROBABLE RESULT:** *Partial vacatur of Index PFAS provisions with remand for proper sequencing. PFOA and PFOS standards survive.*

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## PFAS DRINKING WATER NEW REGULATIONS



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## POSSIBLE PFAS RULE REVISIONS

- On May 14, 2025 EPA announced its intent to retain the PFOA and PFOS 4.0 ppt standards but rescind the standards for the other 4 compounds and the Hazard Index while extending the compliance deadlines.
- On February 24, 2026, two rulemakings sent to OMB for review before formal public notice/comment is made:
  - **2040-AG48:** Extending the Compliance Deadline for the PFAS NPDWR
  - **2040-AG53:** Rescission of Regulatory Determinations for Four PFAS (PFHxS, PFNA, HFPO-DA/GenX, and PFBS mixture)
- While this may be considered a good sign, there are still substantial concerns:
  - Timing
  - Anti-backsliding provision of SDWA

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LITIGATION		NEW RULE-MAKINGS
Final Briefs filed March 25, 2026; Pending Oral Argument Scheduling	CURRENT	At OMB Review – Estimated 90 to 120 days
Oral Argument	SPRING 2026	Draft Rule Prepared, Submitted for Public Notice and Comment – 30-60 days estimated
	SUMMER 2026	EPA Review and develop commentary
Final Opinion/Order	FALL/WINTER 2026	Final Rule Published
Appeal to U.S. Supreme Court – 90 days after Final Opinion/Order	WINTER 2027	Legal Challenge to Regulation (likely based on Anti-backsliding provision and initial PFAS regulation findings) - 45 days after publication
Determination to review (only 1 to 2% of cases filed) or decline review which results in finality	SUMMER 2027	
Opinion/Order in Litigation (Finality)	SPRING 2028	

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## PFAS – CERCLA

*Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).*

CERCLA stands for the Comprehensive Environmental Response, Compensation, and Liability Act, which is often referred to as Superfund. It's a United States federal law passed in 1980. The main purpose of CERCLA is to address the cleanup of sites contaminated with hazardous substances and pollutants.

**What CERCLA entails:**

-  Response Actions
-  Liability
-  Cleanup Process
-  Funding
-  Community Involvement

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## PFAS – CERCLA

**With hazardous designation of PFOA and PFOS under CERCLA, what relief is there for water utilities that through raw water acquisition have PFOA and PFOS contamination?**

- EPA issued PFAS Enforcement Discretion and Settlement Policy Under CERCLA
  - Elaborates that EPA does not intend to pursue water systems.
  - Outlines the basis for the enforcement discretion decision.
- Currently, Congress is considering H.R. 7944, the Water Systems PFAS Liability Protection Act, which will codify protection of water systems from CERCLA liability.

**SUMMARY – there are protections, but they are not absolute.**

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## CERCLA PFAS RULE LITIGATION



38

## CERCLA PFAS RULE LITIGATION

*Chamber of Commerce of the U.S.A. v. EPA, U.S. Court of Appeals, D.C. Cir., Case 24-1193*

### BACKGROUND & LEGAL ISSUES

- On May 8, 2024, EPA designated PFOA and PFOS (including salts and structural isomers) as hazardous substances under CERCLA Section 102(a) (42 U.S.C. § 9602(a))
- First time EPA used Section 102(a)'s independent designation authority for substances not already designated under another environmental statute
- Designation triggers CERCLA liability, cleanup, and reporting provisions for current and past owners/operators of PFAS-contaminated property
- EPA based designation on toxicity, persistence, environmental mobility, and bioaccumulation potential
- EPA also conducted a cost-benefit analysis concluding designation was appropriate after considering costs

**CENTRAL LEGAL QUESTION:** Whether EPA properly exercised its CERCLA Section 102(a) authority

### KEY SUBSIDIARY ISSUES:

- Whether Section 9602 requires a bright-line test vs. EPA's factor-based approach
- Whether EPA's cost-benefit analysis was adequate under the APA
- Nondelegation doctrine concerns
- Regulatory Flexibility Act compliance

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## ARGUMENTS/STATUS

### **Petitioners:**

- EPA exceeded statutory authority by interpreting "substantial danger" too broadly
- Cost-benefit analysis fails to justify significant liability and cleanup costs
- EPA made unreasonable predictions about the scope of future cleanup actions
- Passive receivers like water utilities may face CERCLA liability despite not being original polluters

### **EPA/Intervenors:**

- Section 9602(a) expressly authorizes the designation
- Factor-based approach was a reasonable policy choice
- Cost estimates and predictions about future cleanup were reasonable
- Any remand should be without vacatur

**STATUS:** Case fully briefed. Oral argument held January 20, 2026, focusing on EPA's cost-benefit analysis. The case remains pending, with a decision expected later in 2026.

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## **WATER SYSTEMS PFAS LIABILITY PROTECTION ACT – HR 1267**

- Exempts Water Systems from liability under CERCLA.
- Reintroduced on February 12, 2025 with some bi-partisan support.
- The bill provides narrowly tailored liability exemptions for water and wastewater systems to ensure that polluters, not ratepayers, are held financially responsible for PFAS contamination under CERCLA.
- Without explicit liability protections, a water system that removes PFAS from drinking water and disposes of the residuals at a landfill could be treated as a polluter under the law and forced to engage in lengthy litigation and pay for future cleanup of the site.

**CURRENTLY:**

- Referred to Subcommittee on Water Resources and Environment
- The House Energy and Commerce Subcommittee on Environment held a hearing titled "Examining the Impact of EPA's CERCLA Designation for Two PFAS Chemistries and Potential Policy Responses to Superfund Liability Concerns." Tracy Mehan of AWWA testified and explicitly advocated for passage of H.R. 1267, arguing that water utilities "do not manufacture, use, or profit from PFAS, yet recent EPA rulemaking exposes them to significant financial and legal liability under CERCLA."

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43

## PFAS MULTIDISTRICT LITIGATION SUMMARY

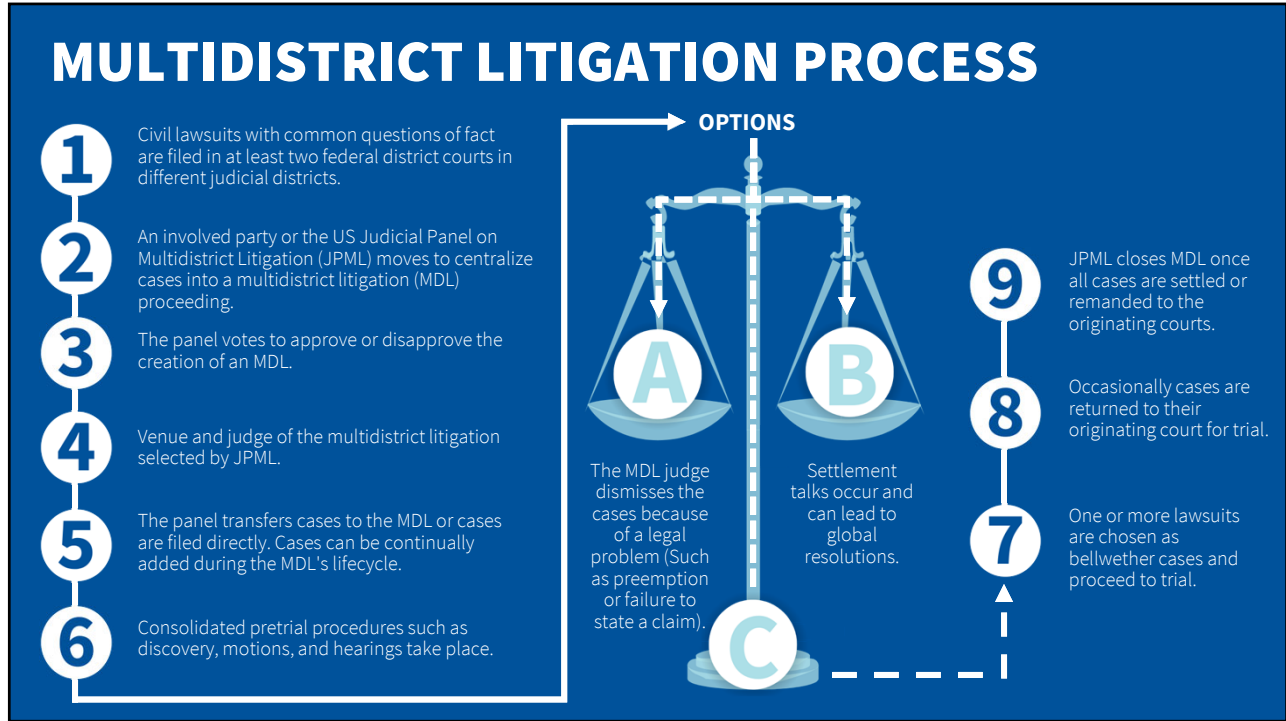
- The PFAS Multidistrict Litigation (a special type of proceeding used for judicial efficiency or MDL for short) started in December 2018 and is currently home to over 15,000 cases.
- Cases that involve PFAS-containing aqueous film-forming foam (AFFF) are primarily litigated on the consolidated docket although many claimants, such as NKWD, have expanded to all PFAS related claims, directly and indirectly.

### THERE ARE FOUR CATEGORIES OF CASES THAT ARE CURRENTLY ON THE MDL:

- (1) Water Utilities seeking costs of necessary testing and remediation technology for PFAS;
- (2) States, for environmental PFAS pollution (broadly, not limited to only drinking water issues) within state borders seeking monetary relief for necessary testing, natural resource damages, and remediation;
- (3) Individual Persons for personal injury claims and medical monitoring brought alleging that PFAS in the AFFF products used by the fire fighters led to an injury; and
- (4) Property damage claims of individuals, governmental entities and others for PFAS impacts to real property, including but not limited to, private wells, airports, wastewater systems, and fire training locations.

***PFAS problem is bigger than Defendants and what can be recovered from the litigation. This is only one piece to the solution of PFAS problem which will likely also include funding from various government entities and our rate payers.***

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## PFAS MANUFACTURERS

### *Defendants include:*

3M Company (F/K/A Minnesota Mining and Manufacturing, Co.)	AGC Chemicals Americas Inc.	Archroma U.S. Inc.	Arkema Inc.	Buckeye Fire Equipment Company
Chemguard, Inc.	Corteva Inc.	DuPont De Nemours, Inc.	Dynax Corporation	EIDP, Inc. (F/K/A Du Pont De Nemours and Company)
Kidde-Fenwell (F/K/A National Foam, Inc.)	The Chemours Company L.L.C. (F/K/A The Chemours Company)	Tyco Fire Products LP (successor-in-interest to the Ansul Co.)		

*And other unknown defendants TBD.*

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## CURRENT STATUS

SS1

- Global Settlements Claims for 3M and Dupont/Chemours currently being processed.
- TYCO/Chemguard Settlement disbursements coming soon.
- \_\_\_\_\_
- Kiddie-Fnewal Bankruptcy leaves \$730M for claims from all plaintiff categories.
- Cases in MDL for other Defendants still moving forward and currently unclear on how or if they will reach a similar resolution.

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## Slide 48

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**SS1** Just a reminder to add your point here.

Sara Sgantas, 2026-04-27T19:25:04.954

## SETTLEMENT AMOUNT DETERMINATION

- Proceeds to each utility determined by the participating utility's score as a percentage of total of all participating utilities scores.
- **Scores arrived at through complex formula** primarily based on flow rates, prior PFAS test results, and EPA estimated capital/O&M costs.
- Each utility may also be eligible for the following enhancement adjustments:
  - **Litigation Bump** – for those who filed litigation before the Settlement Dates
  - **Bellwether Bump** – for the utilities who served as Bellwether Plaintiffs
  - **Regulatory Bump** – for those whose PFAS contamination exceeds certain state or proposed federal maximum contaminant levels.
- Exact numbers cannot be determined until actual claim forms are submitted and reviewed.

49

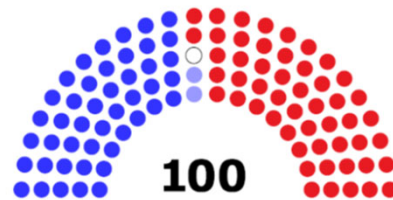
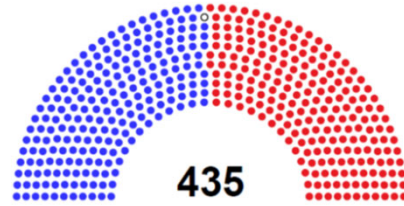
# FEDERAL LANDSCAPE OVERVIEW

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# POLITICAL LANDSCAPE

## 119th Congress (2025 - 2026)

- Began January 3, 2025
- Razor thin margins, again:
  - House: **220 (-1)** – **215 (+1)**
  - Senate: **53 (+4)** – **47 (-4)**
- New leadership on key committees:
  - Senate Environment and Public Works: **Sen. Shelly Moore Capito (R-WV), Sen. Sheldon Whitehouse (D-RI)**
  - House Energy and Commerce: **Rep. Brett Guthrie (R-KY)**



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# ENVIRONMENTAL PROTECTION AGENCY

## Administrator Zeldin's "Powering the Great American Comeback" (Feb. 2025)

PILLAR 1	PILLAR 2	PILLAR 3	PILLAR 4	PILLAR 5
Clean Air, Land, and Water for Every American	Restore American Energy Dominance	Permitting Reform, Cooperative Federalism, and Cross-Agency Partnership	Make the United States the Artificial Intelligence Capital of the World	Protecting and Bringing Back American Auto Jobs

***The deregulatory push targets energy and air regulations primarily, but drinking water is seeing shifts in funding, enforcement posture, and regulatory scope.***

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TE1

## ENVIRONMENTAL PROTECTION AGENCY

### *Enforcement: "Compliance First," but Drinking Water Is a Priority*

- December 2025 memo emphasizes compliance assistance over punitive enforcement.
- Drinking water designated a National Enforcement and Compliance Initiative: 14,000+ compliance monitoring activities and 2,127 civil enforcement cases (highest in 9 years) in FY 2025.
- "RealWaterTA" initiative (March 2026) refocuses technical assistance on core compliance: engineering, operations, workforce development, and financial management.
- Cooperative federalism tone is softer, but active enforcement of drinking water standards continues.

### *Staffing Reductions*

- EPA workforce dropped from ~16,155 (Jan. 2025) to ~12,448 after a July 2025 RIF targeting the Office of Research and Development. Over 1,100 scientists lost. Agency at 40-year staffing lows.
- Expect slower technical assistance, delayed guidance, and less responsive regional offices.

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# LEGISLATIVE ACTIONS

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## Slide 53

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**TE1** Sara,

Can split into three slides if desired.

Tom Edge, 2026-04-14T12:20:41.606

**SS1 0** Split into two.

Sara Sgantas, 2026-04-28T00:50:39.512

## FEDERAL FUNDING

- The President's FY2026 budget proposed cutting EPA's overall budget 54% (from \$9.14B to \$4.16B), with the Drinking Water SRF slashed 87% and the Clean Water SRF cut 90.5%. Cuts included:
  - House proposed cutting Kentucky's DWSRF allocation from \$13.3M to \$4.7M (65% cut) in its FY2026 bill.
  - House proposed eliminating the Public Water System Supervision Grant Program (\$115.8M nationally), which funds state oversight and compliance assistance.
- While the House approved, the Senate rejected those cuts for FY2026, leading to a bipartisan appropriations bill that maintained water infrastructure funding at \$3.04 billion.
- FY2026 was also last year for IIJA (Bipartisan Infrastructure Law) supplemental appropriations which includes the funding for lead service line replacement and emerging contaminants (PFAS focused).
- The President's FY2027 budget proposal (released April 3, 2026) doubles down on these cuts. The FY2027 request totals \$4.203 billion for EPA, a 52% decrease from FY2026 enacted levels. It again proposes cutting the Clean Water and Drinking Water SRFs by over 90%, to a combined \$305 million (\$155M CWSRF / \$150M DWSRF).
  - The Administration's stated rationale is that "States should be responsible for funding their own water infrastructure projects."
  - Early congressional reaction suggests these cuts will again be rejected, as they were for FY2026.

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TE1

## CURRENT LEGISLATION

### *H.R. 4733, LIHWAP Establishment Act – Currently in Committee*

- Would permanently reestablish the Low-Income Household Water Assistance Program, which expired in 2022 after providing over \$1 billion to approximately 1.5 million households, preventing nearly 1 million service disconnections.
- Would authorize \$500 million annually for FY2026 through FY2030. Funds flow from states directly to utilities and are credited against household bills. States may use up to 15% of funds for administration, eligibility, and outreach.



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## Slide 56

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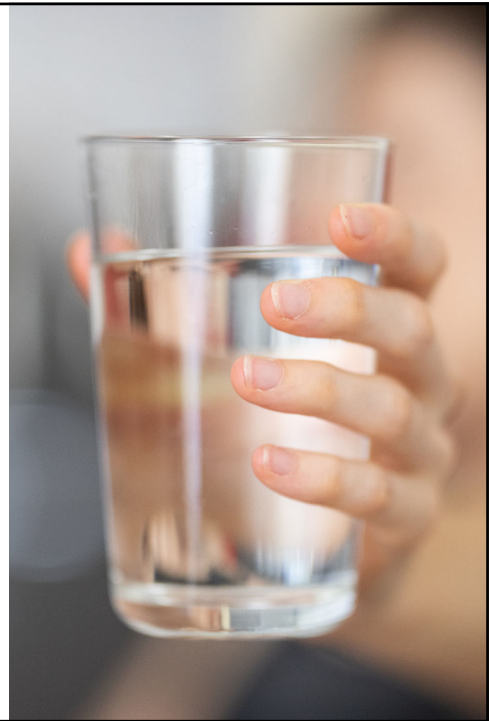
**TE1** Add pictures; combine if practical. Do want to keep text for each one for PSC readers after presentation.

Tom Edge, 2026-04-14T12:53:16.284

## CURRENT LEGISLATION

### *H.R. 5566 / S. 3590, Water Infrastructure Resilience and Sustainability Act* - Currently in Committee

- Would reauthorize three EPA resilience and sustainability grant programs for five additional years (through FY2031) that are set to expire after FY2026, covering clean water infrastructure resiliency, drinking water system resilience, and the midsize/large drinking water system program.
- These programs fund projects to reduce cybersecurity vulnerabilities, increase resilience to natural hazards, conserve water, design desalination facilities, and form regional water partnerships. To date, over \$35 million has been made available to communities.



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## CURRENT LEGISLATION

### *H.R. 3892 / S. 2007, Financing Lead Out of Water (FLOW) Act* - Currently in Committee

- Would amend the Internal Revenue Code to allow community water systems to use tax-exempt bonds for private-side lead service line replacement without first obtaining an IRS private letter ruling, eliminating months of delay and expense from the financing process.
- EPA estimates at least 4 million active lead service lines remain nationwide, with a 2037 replacement deadline.



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## CURRENT LEGISLATION

### *H.R. 2344 / S. 1118, Water ISAC Threat Protection Act – Currently in Committee*

- Would create an EPA program to subsidize WaterISAC membership for drinking water and wastewater systems, particularly small and medium-sized utilities, authorizing \$10 million per year for FY2026 and FY2027 to offset membership dues, coordinate incident reporting, and enhance monitoring tools.
- Only several hundred of the nation's 50,000+ drinking water systems currently have full access to WaterISAC, the sector's nonprofit hub for threat intelligence and information sharing on physical, cyber, and natural hazard threats.



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## CURRENT LEGISLATION

### *H.R. 2766/S. 2014, Special District Fairness and Accessibility Act – House Floor for further action/vote*

- Creates a formal definition for “special district” in federal law which would assist in ensuring special districts can receive federal grants.
- In 118<sup>th</sup> Congress (2023-24), similar legislation passed the house but died in the Senate
- Currently pending a full vote of the House and Senate version; was referred to committee and recently received favorable vote in House Committee.



60

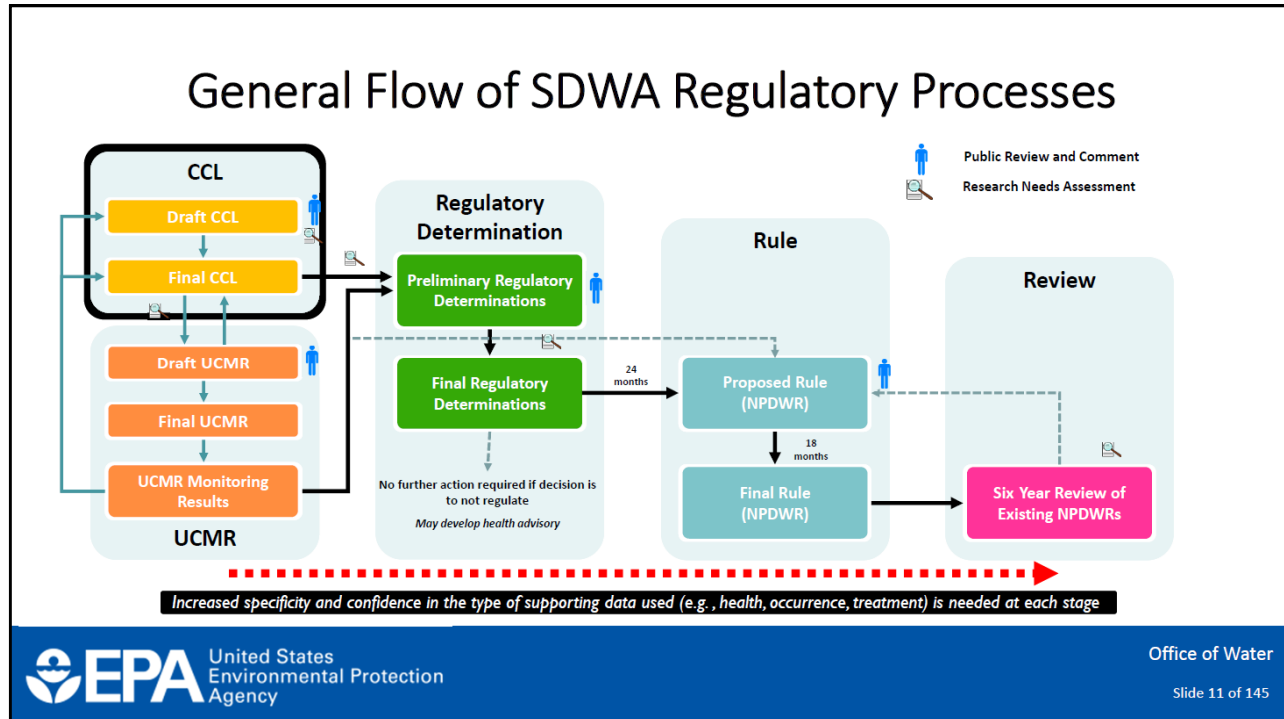
## CYBERSECURITY LEGISLATION

- **WATER CYBERSECURITY ENHANCEMENT ACT OF 2025 (S. 1549/ H.R. 5868) – Currently in Committee**
  - Would amend the Safe Drinking Water Act to provide grants under the Drinking Water Infrastructure Risk and Resilience Program for cybersecurity training programs for public water systems.
- **CYBERSECURITY FOR RURAL WATER SYSTEMS ACT (S. 1018/H.R. 2109) – Currently in Committee**
  - Would direct USDA to establish a cybersecurity circuit rider program providing technical assistance for rural water systems.
- **WATER RISK AND RESILIENCE ORGANIZATION (WRRO) BILL (H.R. 2594) – Currently in Committee**
  - Would create a new Water Risk and Resilience Organization (WRRO), certified by EPA, to develop and enforce mandatory cybersecurity risk and resilience requirements for covered water systems serving 3,300+ persons. The WRRO would require annual self-attestations of compliance, third-party assessments at least every 5 years, and could impose penalties for violations.
- **FLAWS ACT (FUTUREPROOFING LOCAL OPERATIONS FOR WATER SYSTEMS) (S. 3697) – Currently in Committee**
  - Would authorize \$50 million annually in EPA grants to help rural communities upgrade water, wastewater, and stormwater systems with updated industrial control systems, real-time sensing tools, AI software, and advanced modeling platforms.
  - No local funding match would be required, and grants could cover both purchase and ongoing maintenance of software.

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# REGULATIONS

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## MICROBIAL AND DISINFECTION BYPRODUCT RULE REVISIONS

**Health risks posed by microbial contaminants and disinfection byproducts (M/DBPs) are currently managed through a suite of rules, which include:**

- The Stage 1 and Stage 2 Disinfectant and Disinfection Byproducts Rules (DBPRs)
- The Surface Water Treatment Rule (SWTR)
- The Interim Enhanced SWTR (IESWTR)
- The Long-Term 1 Enhanced SWTR (LT1ESWTR)
- The Long-Term 2 Enhanced SWTR (LT2ESWTR)
- The Ground Water Rule (GWR).

- A settlement agreement between Waterkeeper Alliance and EPA signed in 2020 stemming from Southern District of New York Case No. 19-CV-00899 set deadlines for EPA to propose and finalize revisions.
- EPA punted rulemaking and the proposed rule is now not expected until July 2027.
- Sources close to the process expect the proposed standards to align with levels required in Kentucky already.

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## FLUORIDE ASSESSMENT

- On January 22, EPA released the next step in the agency's "accelerated review of public health risks" associated with fluoride in drinking water. The plan, titled "Review of Science on Fluoride in Drinking Water: Preliminary Assessment Plan and Literature Survey," was published in the *Federal Register* Jan. 28, starting a 30-day public comment period.
- The assessment could inform revision of the existing Maximum Contaminant Level Goal (MCLG) and Maximum Contaminant Level (MCL).

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## UCMR 6

- Expected to see EPA proposal for contaminants to test in November 2025. – ***Still no proposal to date***
- EPA uses the Unregulated Contaminant Monitoring Rule (UCMR) to collect data for contaminants that are suspected to be present in drinking water and do not have health-based standards set under the Safe Drinking Water Act (SDWA).
- Occurrence data are collected through UCMR to support the EPA's determination of whether to regulate particular contaminants in the interest of protecting public health.
- EPA pays for the analysis of all samples from public water systems serving 10,000 or fewer people that it selects for sampling.

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## CCL 6 - MICROPLASTICS

- On April 2, 2026, EPA included microplastics on the draft Sixth Contaminant Candidate List (CCL 6) for the first time
- CCL 6 also includes pharmaceuticals, PFAS, and disinfection byproducts (75 chemicals, 4 chemical groups, 9 microbes)
- 60-day public comment period closes June 5, 2026 (91 FR 17186, Docket No. EPA-HQ-OW-2022-0946)
- Final CCL 6 expected by November 2026
- HHS also launched \$144M ARPA-H STOMP research program on microplastics

**TAKEAWAY** – CCL listing is a research signal, not a regulation

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# JUDICIAL ACTIVITIES

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## **WV RIVERS COALITION, INC. V. THE CHEMOURS COMPANY FC, LLC, U.S. SOUTH DIST OF WV, CASE 24-CV-00701**

- **December 5, 2024** - West Virginia Rivers Coalition, a nonprofit organized to promote the overall health of WV waters filed a citizen suit against Chemours for violation of the Clean Water Act NPDES permit, and 2023 Consent Order.
- **August 7, 2025** – Court issued a preliminary injunction ordering Chemours to immediately cease discharging HFPO-DA (GenX) in excess of its NPDES permit limits and set trial for September 16, 2025.
- Order was immediately appealed by Chemours to Fourth Circuit. Briefs were filed and oral argument was held in March 2026 but no decision yet.

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# **FEDERAL GUIDANCE MATERIALS**

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## NEW FEDERAL GUIDANCE DOCUMENTS

- **SRF PORTAL UPDATE:** EPA updated its SRF Portal to improve transparency around federal water infrastructure funding and communicate its impact to Congress and the public. [https://sdwis.epa.gov/ords/sfdw\\_pub/r/sfdw/owsrf\\_public/home](https://sdwis.epa.gov/ords/sfdw_pub/r/sfdw/owsrf_public/home)
- **COMMUNITY WATER SYSTEM GIS TOOLS:** EPA released two GIS interfaces that present water system service area boundaries and link them to community water system compliance information. Some boundaries are based on data submitted to state agencies, while others are algorithmic predictions (utilities should verify accuracy for their service areas). Service Area Boundaries: <https://www.epa.gov/ground-water-and-drinking-water/community-water-system-service-area-boundaries> EJScreen Tool: <https://ejscreen.epa.gov/MAPPER/>
- **EFFECTIVE UTILITY MANAGEMENT PRIMER:** EPA's longstanding EUM collaborative program with several water associations released an updated primer, the first in eight years, reflecting current best practices in areas like workforce development, asset management, and financial planning. <https://www.epa.gov/system/files/documents/2024-08/eum-primer.pdf>
- **NETWORK ACCESS SECURITY:** CISA published "Modern Approaches to Network Access Security," providing best practices for organizations moving toward more secure network access solutions. Particularly relevant given increasing cyber threats to water sector SCADA and OT systems. <https://www.cisa.gov/resources-tools/resources/modern-approaches-network-access-security>

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## NEW FEDERAL GUIDANCE DOCUMENTS

- **ONBOARDING AND EMPLOYMENT SCREENING:** CISA released a checklist for background check and screening processes for new hires at critical infrastructure organizations. <https://www.cisa.gov/resources-tools/resources/resources-onboarding-and-employment-screening-fact-sheet>
- **FEMA HAZARD MITIGATION ASSISTANCE GUIDE:** FEMA updated this guide to consolidate eligibility requirements for projects addressing air quality, drought, extreme temperatures, wildfire, and wind, while reflecting recent policy changes to simplify program delivery. <https://www.fema.gov/grants/mitigation/hazard-mitigation-assistance-guidance>
- **INTERIM GUIDANCE ON DESTRUCTION AND DISPOSAL OF PFAS:** EPA released its 2026 updated guidance and continues not endorsing a specific removal method while maintaining cautious support for incineration as a removal method. <https://www.epa.gov/pfas/interim-guidance-destruction-and-disposal-pfas-and-materials-containing-pfas>
- **LCRI GUIDANCE DOCUMENTS:** EPA has released drafts of the following guidance documents for comment and final documents are expected in the coming months: LCRI Access Tips and LCRI Service Line Inventory Tips.



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# REMARKS FROM THE PUBLIC SERVICE COMMISSION

**LINDA C. BRIDWELL, EXECUTIVE DIRECTOR**

1



## ENGINEERING – ASSET MANAGEMENT AND INFRASTRUCTURE PLANNING

**Presented by:**  
*Kyle Boyle, Engineering Manager- Asset Management & Infrastructure Planning*  
*Richard Harrison, Vice President of Engineering & Distribution*

2

# PRESENTATION AGENDA

- Background
- Why is an Asset Management Program (AMP) Needed
- Development of District’s AMP
- AMP Moving Forward
- NKWD’s AMP Components
- Questions

3

# ABOUT US

					
229 Square Mile Service Area	Over 88,000 Active Accounts	300,000 Served Population	~181 Employees	\$70.5 Million Operating Revenue	\$180 Million, 5-Year Capital Budget
					
Average Demand: 26 MGD	3 Raw Water Pump Stations	3 Treatment Plants	13 Pump Stations	19 Storage Tanks	1,338 Miles of Water Main

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## NKWD STRUCTURE

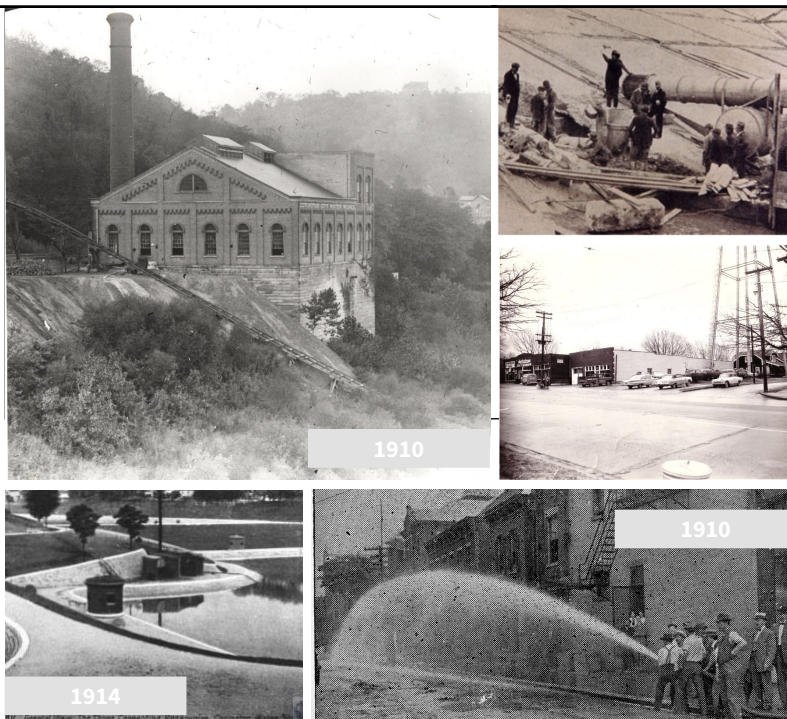
- Chartered under Chapter 74 of Kentucky Revised Statutes
- Largest Water District in Kentucky
- 3<sup>rd</sup> Largest Water Provider in Kentucky
  - Louisville Water: Serves approximately 1,000,000
  - Kentucky American Water (Lexington): Serves approximately 500,000
  - Northern Kentucky Water District: Serves approximately 300,000
- Combination of 18 Merged Water Entities
  - Merger of Campbell and Kenton Districts (1997)



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## MERGERS

- Very old systems:
  - Covington: 1891
  - Newport: 1873
- Small systems with limited resources
- Pre-merger records did not always exist, were not always consistent, or were not always accurate



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## WHAT IS ASSET MANAGEMENT?

- Managing public assets to get maximum value
- Providing services that customers expect at the lowest total cost
- Planning to have equipment and funding available when it's needed
- Using data from every department to maximum benefit
- Asset management practiced at NKWD for 20+ years
- Asset management role relatively new (2023)

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## WHAT IS ASSET MANAGEMENT?

- Know what you have (inventory)
- Know the condition of what you have
- Prioritize critical assets
  - **Prob Of Failure/ Consequence Of Failure**
- Life Cycle
  - O&M Strategies (Predictive/ Reactive)
  - 3R (Rehab, Replace, Repair)
  - Capital and O&M funding



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## WHY DO ASSET MANAGEMENT?



Mitigate Public Health Risk



Avoid Financial Consequences



Positive Operational Impacts



Assist in Federal Law, State Law, and Regulatory Compliance



Improve Funding Opportunities



Manage Reputational and Governance Risk

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## MITIGATE PUBLIC HEALTH RISK

Infrastructure failures (main breaks, treatment plant malfunctions, storage tank contamination) can cause boil-water advisories, service interruptions, and exposure to contaminants.

*Proactive asset management is a core obligation to mitigate negative public health and safety matters.*



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## FEDERAL LAW COMPLIANCE

Asset Management is vital to regulatory compliance on the federal level:

### Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f et seq.

Maintaining infrastructure in proper working condition is a prerequisite to sustained compliance. Systems that cannot maintain water quality due to deteriorating assets face enforcement.

### America's Water Infrastructure Act of 2018 (AWIA), P.L. 115-270

AWIA Section 2012 amended SDWA § 1420 to require states to revise their capacity development strategies to include a description of how they will encourage public water systems to develop asset management plans.

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## STATE LAW AND REGULATORY COMPLIANCE

*Asset Management, while not specifically required, is vital to regulatory compliance with state law and regulation:*

KRS CHAPTER 278	807 KAR CHAPTER 5 (PSC ADMINISTRATIVE REGULATIONS)	401 KAR CHAPTER 8 (DRINKING WATER REGULATIONS)	KENTUCKY CAPACITY DEVELOPMENT PROGRAM	KRS CHAPTER 65A (SPECIAL DISTRICT REPORTING)
Many utilities are subject to jurisdiction of the Public Service Commission. The PSC regulates rates, service quality, and capital expenditures. Proper asset management supports rate case filings by demonstrating that capital investments and rate adjustments are grounded in documented infrastructure needs rather than reactive emergency spending.	The PSC's administrative regulations govern utility operations, service standards, and reporting. A water district's failure to maintain adequate service levels due to infrastructure neglect can trigger PSC investigation and corrective orders.	Kentucky's drinking water regulations, administered by the Kentucky Division of Water, require compliance with treatment, monitoring, and distribution standards. Infrastructure deterioration that leads to violations (e.g., disinfection byproduct exceedances, pressure failures, turbidity issues) triggers enforcement.	Kentucky's Capacity Development Strategy, revised in accordance with AWIA 2018 and the Bipartisan Infrastructure Law, identifies asset management as a tool for drinking water systems to achieve technical, managerial, and financial capacity. The Kentucky Division of Water evaluates drinking water systems on these three capacity components during Sanitary Surveys conducted every three years for community water systems.	As a special district, many utilities must file Uniform Financial Information Reports (UFIRs) and annual budgets that reflect capital planning and infrastructure investment. Asset management planning provides the analytical foundation for these financial disclosures.

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## AVOIDING FINANCIAL CONSEQUENCES

### REACTIVE VS. PROACTIVE COSTS

Premature asset failure forces emergency replacement at significantly higher cost than planned rehabilitation or replacement. Emergency work also disrupts capital planning and diverts funds from other priorities.

### RATE INSTABILITY:

Without lifecycle cost planning, the district may face sudden, large rate increases to fund emergency repairs, which erodes customer trust and strains affordability. Asset management supports gradual, defensible rate adjustments.

### LOSS OF FUNDING ELIGIBILITY

Failure to demonstrate technical, managerial, and financial capacity can affect eligibility or priority for DWSRF loans, KIA grants, and other state and federal funding programs.

### INCREASED INSURANCE AND LIABILITY EXPOSURE:

Poorly maintained infrastructure increases the risk of property damage and personal injury claims.

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## IMPROVES FUNDING OPPORTUNITIES

The Kentucky Infrastructure Authority (KIA) administers the Drinking Water State Revolving Fund (DWSRF). For SFY 2026, the fund has approximately \$82.9 million available. Having a documented asset management plan strengthens a Utilities' position on the Comprehensive Project Priority List for DWSRF funding and demonstrates readiness to proceed with projects, which is a scoring criterion.



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## MANAGE REPUTATIONAL AND GOVERNANCE RISK

PUBLIC TRUST:	COMMISSIONER LIABILITY:	FORCED RESTRUCTURING:
<p>Service disruptions and boil-water advisories erode community confidence in the district, which is directly contrary to NKWD's strategic value of being "Trustworthy."</p>	<p>Board commissioners have a statutory duty to control and manage district affairs under KRS 74.020(1). Failure to implement reasonable asset management practices could expose commissioners to claims of mismanagement.</p>	<p>Under AWIA and Kentucky law, water systems with persistent compliance failures can be subject to mandatory restructuring assessments, which could result in consolidation or loss of operational independence.</p>

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## NKWD ASSET MANAGEMENT PROGRAM HISTORY

```

    graph LR
      A["2003 - NKWD First Asset Management Plan  
• Addressed total assets; not components  
• Key outcome was a 20-year Capital Improvement Plan (CIP)"] --> B["2008 - NKWD AMP Update  
• Addressed total assets; not components  
• Key outcomes was an updated 20-year capital improvement plan"]
      B --> C["2023 - NKWD created and filled first Asset Management Position"]
      C --> D["2024 - Kyle Boyle hired to fill Asset Management Manager Position Vacancy"]
      D --> E["2026 - NKWD will complete major AMP Update  
• Addresses asset components and current condition  
• Aligned assets into hierarchy  
• Foundation for prioritizing assets into projects"]
    
```

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# AGING INFRASTRUCTURE

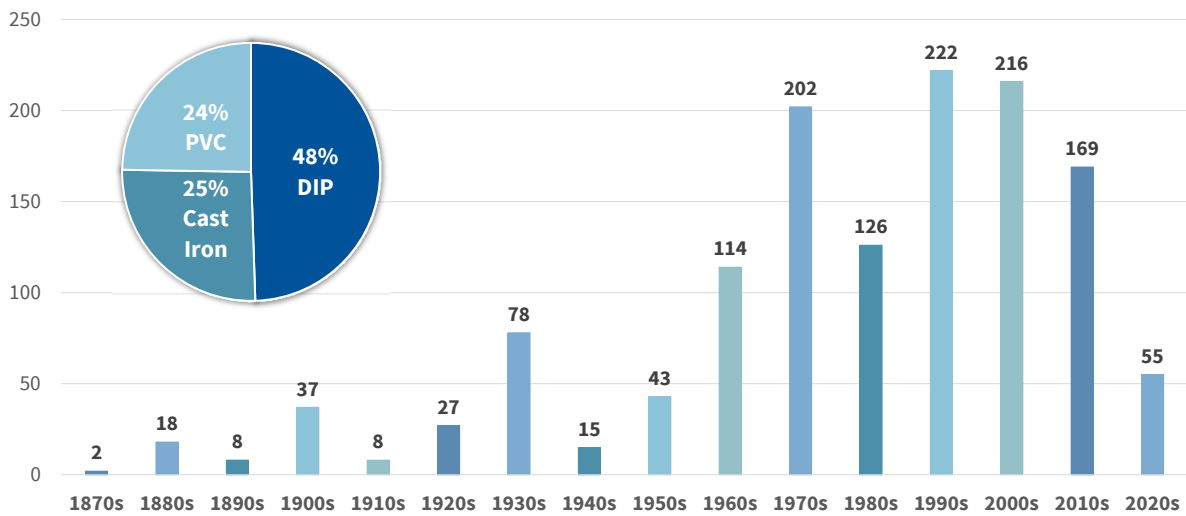
- **Horizontal Infrastructure**
  - 1,338 miles of water main
  - Over 17,000 pipe segments
  - Over 380 miles 50 years or older
  - >\$1.9 billion replacement cost
- **Vertical Infrastructure**
  - Water Storage Tanks
  - Pump Stations
  - Facilities
    - Treatment Plants
    - Central Facility
    - Storage buildings
    - Replacement Cost Still Determining



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# AGING INFRASTRUCTURE

~1,338 miles of water main



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# WATER MAIN REPLACEMENT MODEL

**NKWD Water Main Replacement Model**

Total Score =

$(\sum \text{Physical Parameters} / 4) \times 0.2 + (\sum \text{Functional Parameters} / 4) \times 0.5 + (\sum \text{Impact Parameters} / 4) \times 0.3$

**Physical Parameters (20% of Total Score)**

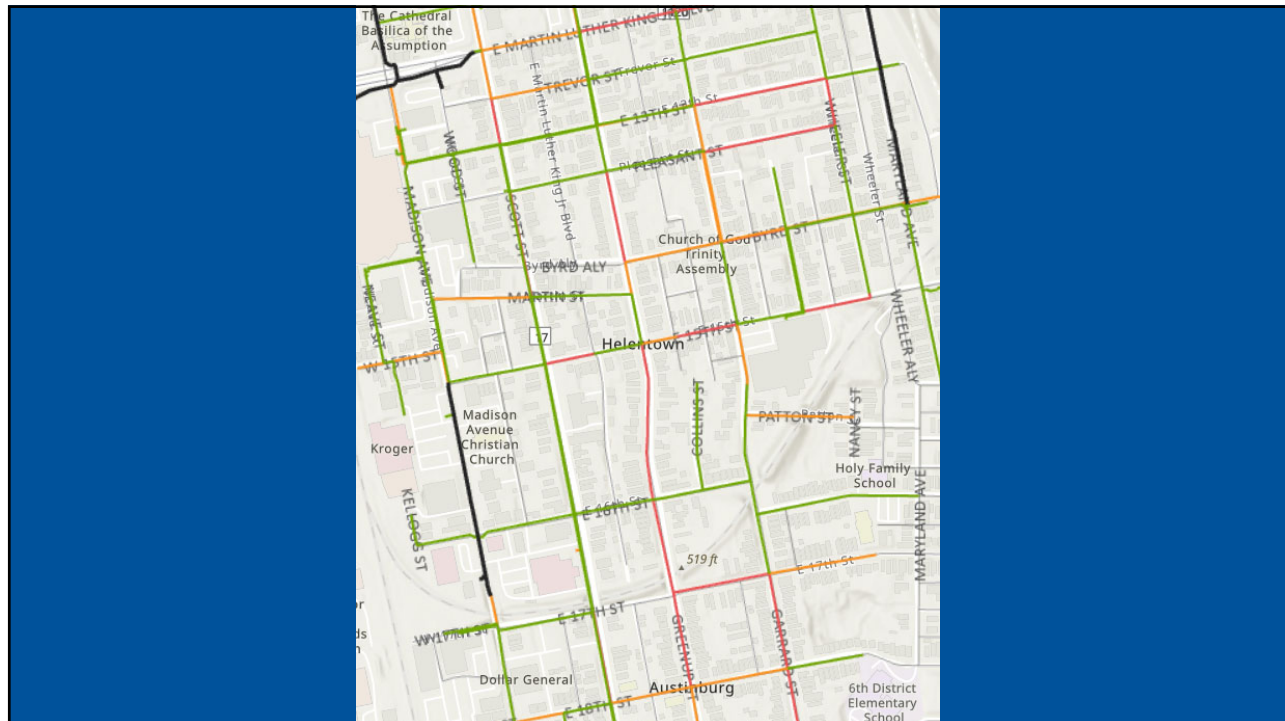
- Size Score
 

○ ≤ 1"	0
○ > 1" & ≤ 5"	10
○ ≥ 6" & ≤ 9"	25
○ ≥ 10" & ≤ 13"	50
○ ≥ 14" & ≤ 23"	75
○ ≥ 24"	100
  
- Age Score
 

○ ≤ 20 years	0
○ > 20 years & ≤ 40 years	20
○ > 40 years & ≤ 60 years	40
○ > 60 years & ≤ 80 years	60
○ > 80 years & ≤ 100 years	80
○ > 100 years	100
  
- Material Score
 

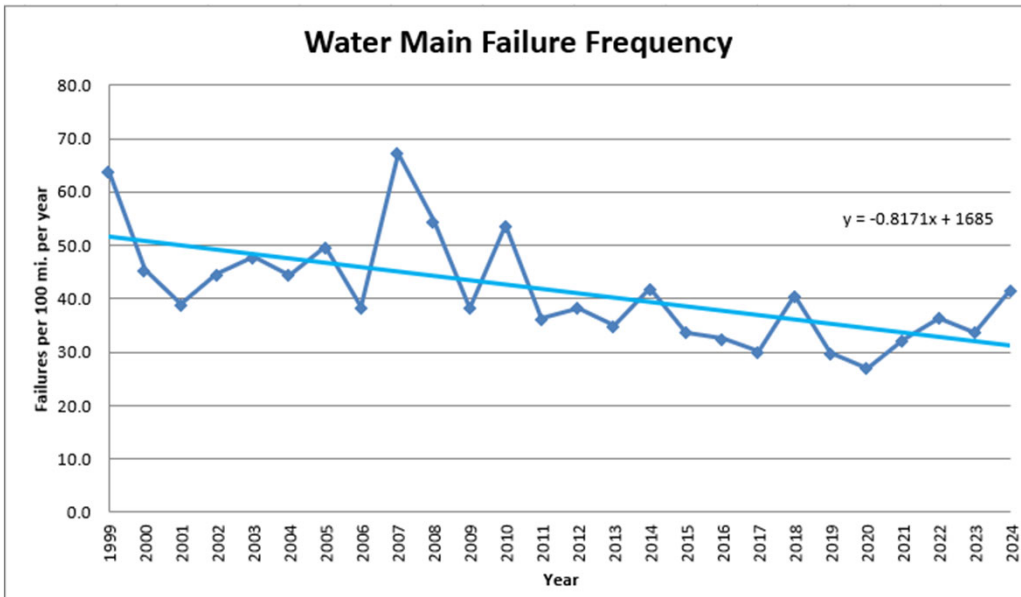
○ Copper, Polyethylene	0
○ Wrapped Ductile	10
○ Unwrapped Ductile, PVC	25
○ Lined Cast iron	50
○ Asbestos	75
○ Unlined Cast Iron, Steel, Concrete	100

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## WATER MAIN BREAKS EXAMPLE



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## CURRENT WATER MAIN CONDITION SCORE

*Total Score is calculated by taking into account:*

1. Physical Parameters (diameter, age, material)
  2. Functional Parameters (discolor water, breaks)
  3. Impact Parameters (road type, flow)
- Over 17,000 pipe segments
  - NKWD Avg Water Main Condition Score : 10.07
  - NKWD High Risk Pipes : 323 (score of 30 and higher)
    - ~79% low risk
    - ~19% med risk
    - ~2% high risk



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## UNWRAPPED DIP CONDITION TREND

- Total DIP ~ 640 miles
  - Avg Score is 8.63
- Non- wrapped DIP ~ 337 miles
  - Avg Score is 10.6



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## “CURRENT” ASSET MANAGEMENT PROGRAM



Northern Kentucky Water District

2835 Crescent Springs Rd. • PO Box 18640 • Erlanger, KY 41018-0640

### 2008 Asset Management Program Update

November 2011

FINAL DRAFT



24



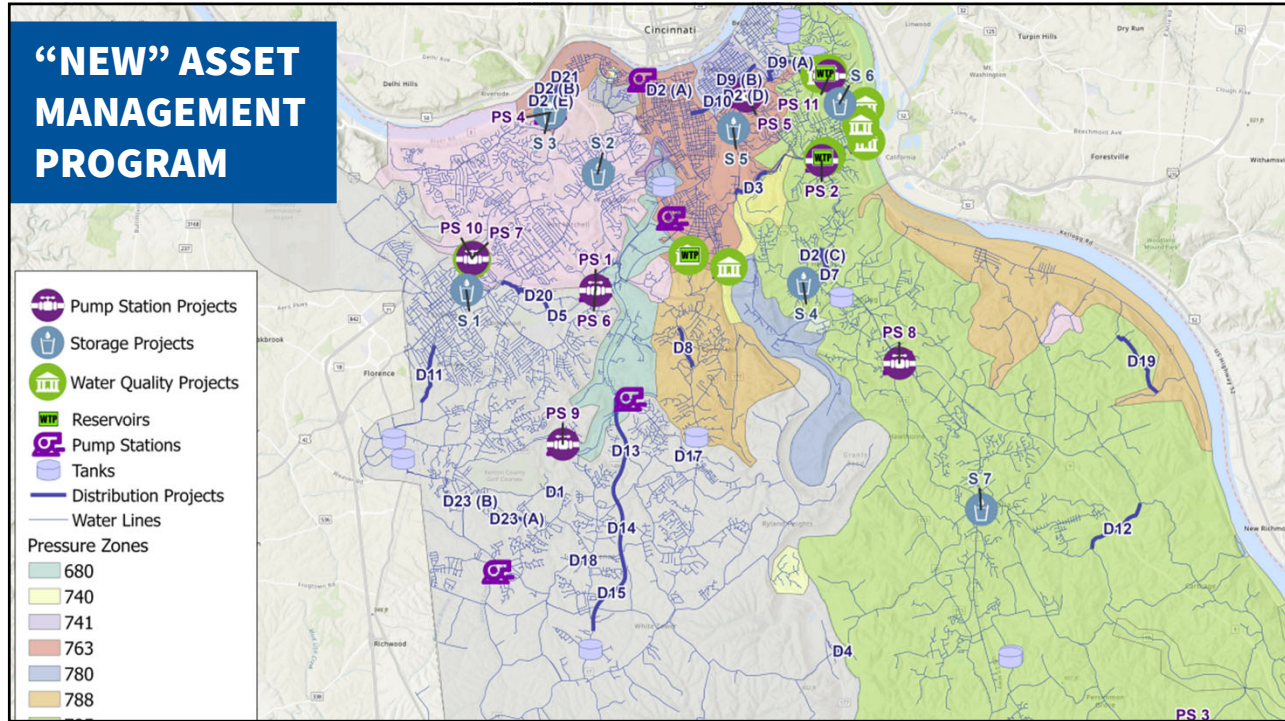
25

## ASSET MANAGEMENT MOVING FORWARD

- Incorporate into everyday duties at NKWD
- Prioritize critical assets/ projects during annual budget cycle
  - External assistance as needed (~ every 5-7 years)
- Lucity Migration
  - Assist in predictive/ reactive WOs
  - Predicting replacements
  - Provide capital and O&M funding estimates



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## ASSET DATABASES

- 1,338 miles of main
- Over 17,000 individual scored water main segments
- Plants have ~1,500 individually scored assets
- Criticality ranking of assets (initial)

Type	Facility	Major Structure	System Name	Condition	Reliability	Probability	Probability M	Redundancy M	Loss Impact	Loss Impact	Safety Impact	Safety Impact	Overall Asset Rating
WTP	TMTP	Filter Building	Electrical Switchgear (Original)	4.50	4.50	High	1.25	1.35	Severe	1.35	High	1.25	12.81
WTP	TMTP	Outside	Substation	4.50	4.50	High	1.25	1.35	Severe	1.35	High	1.25	12.81
WTP	TMTP	Pipe Gallery	Sump Pumps	4.50	4.50	High	1.25	1.35	Severe	1.35	High	1.25	12.81
WTP	TMTP	Filter Gallery	UV System	5.00	5.00	High	1.25	1.35	Severe	1.35	Moderate	1.10	12.53
WTP	TMTP	Pipe Gallery	UV System	5.00	5.00	Moderate	1.15	1.35	Moderate	1.25	High	1.25	12.13
WTP	TMTP	Filter Gallery	120/1208V Panels	4.50	4.50	High	1.25	1.35	Moderate	1.25	High	1.25	11.87
Intake	LRI	Licking River PS	Cameras	5.00	5.00	Moderate	1.15	1.35	Moderate	1.25	Moderate	1.10	10.67
WTP	FTTP	Chemical Building	MCC-B	4.50	4.50	High	1.25	1.35	Moderate	1.25	Moderate	1.10	10.05
WTP	TMTP	Filter Gallery	Lighting Panel	4.00	4.00	High	1.25	1.35	Severe	1.35	Moderate	1.10	10.02
WTP	TMTP	Pipe Gallery	Backwash Flow Meter	4.00	4.00	High	1.25	1.35	Severe	1.35	Moderate	1.10	10.02
WTP	TMTP	Basement	Raw Water Valves	5.00	5.00	Moderate	1.15	1.25	Moderate	1.25	Moderate	1.10	9.98
WTP	FTTP	Outside (Lower Ir	Raw Influent System	5.00	5.00	High	1.25	1.25	Moderate	1.25	Low	1.00	9.77
Intake	ORPS2	ORPS2	Outdoor Substation	4.50	4.50	High	1.25	1.15	Severe	1.35	High	1.25	9.70
WTP	TMTP	Basement	FTTP Valves w/ FRV or Control Valve	5.00	5.00	Moderate	1.15	1.35	Moderate	1.25	Low	1.00	9.70
WTP	TMTP	Basement	Old Backwash Valve	5.00	5.00	Moderate	1.15	1.35	Moderate	1.25	Low	1.00	9.70
WTP	FTTP	Filter Building	Basement East Structure (btw Sed Basin & Filter)	4.50	4.50	Moderate	1.15	1.25	Severe	1.35	Moderate	1.10	9.61
WTP	TMTP	Filter Gallery	Flow Meter	4.50	5.00	High	1.25	1.15	Moderate	1.25	Moderate	1.10	9.55

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# ASSET DATABASES

ITEM	CONDITION OF ASSET RATINGS DEFINITION				
	1	2	3	4	5
Clarifiers/UV/Pumps/Process Equipment	Free of visual corrosion, properly installed, lubricated, with mechanicals currently operating. No obvious heat or noise issues.	Minor corrosion or maintenance condition but no noise/heat issues	Some corrosion or maintenance issues that need attention. Noise or heat issues present but not affecting performance	Advancing deterioration from corrosion or lack of maintenance. Noise or heat issues that are worsening	Serious corrosion or installation issues including obvious noise or heat issues
Piping	No visible corrosion or leaking	Initial corrosion apparent without leaking	Some corrosion without metal loss. Minor leaking apparent	Moderate corrosion including some metal loss. Substantive leaking apparent	Significant corrosion with metal loss. Significant leaking
Valves / Actuators	No visible corrosion and all operating elements functional. No noise issues	Initial corrosion apparent without leaking	Some corrosion without metal loss. Minor leaking apparent	Moderate corrosion including some metal loss. Substantive leaking apparent	Significant corrosion with metal loss. Significant leaking
Filter/GAC Media	New or like new without visible build-up or wear	Some noticeable build-up or wear	Unable to determine build-up or wear	Moderate build-up or wear	Excessive build-up or wear
SCADA / Monitoring Equipment	Free of corrosion on monitors, samplers and recorders. Visibly acquiring or producing data	Minor corrosion or maintenance/ calibration needed - functional	Corrosion apparent and some limitations to data. Maintenance	Unknown condition of asset - inaccessible	Not acquiring or producing data
Structures	Structurally sound - no apparent cracks, corrosion or connection issues	Minor structural deficiencies not requiring immediate action to prevent deterioration	Structural concerns (corrosion, cracks, etc.) that need further investigation to determine magnitude	Short-term structural concerns requiring remedy to prevent deterioration	Significant cracking, corrosion or connection issues - concerns about structural soundness
Electrical Components	Free of corrosion, heat or vibration	Some corrosion, heat or vibration apparent but not impacting service	Moderate corrosion, heat or vibrations determined to be long-term concern but not short-term issue	Inaccessible components - unknown condition	Heavy corrosion, exposed components, excessive heat and/or vibration
HVAC Components	Free of corrosion, heat or vibration	Some corrosion, heat or vibration apparent but not impacting service	Moderate corrosion, heat or vibrations determined to be long-term concern but not short-term issue	Inaccessible components - unknown condition	Heavy corrosion, exposed components, excessive heat and/or vibration

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# ASSET DATABASES

### Filter Panel

Filter by Facility Type  
WTP

Filter by Facility Name  
FTIP

Filter by Asset Category  
All

Filter by System Name  
All

Filter by Discipline  
Electrical

Reset Filters

### Asset Summary

1  
Facilities Selected

47  
Assets Selected

Discipline	Major Structure	System Name	Assessment Rating	Overall Asset Rating
Electrical	Chemical Building	MCC-B	4.33	10.05
Electrical	Filter Building (Basement)	Panelboards (Basement)	4.17	8.89
Electrical	Outside (Near Basins)	Electrical Switchgear SB-1	3.50	8.77
Electrical	Sodium Hypochlorite Building	Metering Pump Control Panels	3.67	7.83
Electrical	Filter Building (Filter Gallery)	Panelboard (Filter Gallery)	3.83	7.58
Electrical	Filter Gallery	Loss of Head	3.00	7.52
Electrical	Filter Building (Basement)	Valve Actuators	3.83	7.44
Electrical	Sludge PS	Flow Meter	4.00	7.19
Electrical	Filter Building (Basement)	MCC	3.33	7.12
Electrical	Filter Building (Pipe Gallery)	Flow Meters/Loss of Head	4.50	6.99
Electrical	Sludge PS	MCC	3.67	6.59
Electrical	Outside	Outdoor pad mount transformers/switchgear	3.67	6.26
Electrical	Chemical Building	Misc. Panelboards	3.83	6.06
Electrical	Chemical Building	Caustic System	3.67	5.80
Electrical	GAC Building	Panels (General)	4.00	5.75
Electrical	Sodium Hypochlorite Building	Level Instruments (Tanks)	4.00	5.75
Electrical	Chemical Building	Electrical Room	3.00	5.57
Electrical	Sodium Hypochlorite Building	Electrical Room	3.00	5.47
Electrical	Pretreatment Building	Carbon Silo System	2.00	5.27
Electrical	Filter Building (Filter Gallery)	Filter Level Transmitters	3.50	5.03
Electrical	Filter Building (Pipe Gallery)	Turbidity Sensors	3.17	4.55
Electrical	Chemical Building	Ferric Sulfate	3.00	4.31
Electrical	Outside	Switchgear (Main Plant)	2.00	4.27
Electrical	Filter Building (Filter Gallery)	Valve Control Panels	3.33	4.17
Electrical	Chemical Building	Clarion Feed System	3.00	3.80

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Facility		TMTP			
Project Name		TMTP Electrical Improvements			
Project Priority		1			
No	Item Description	Unit	Qty	Unit Cost	Total Cost
1	Mobilization/Demobilization (5%)	LS	1	\$ 336,000	\$ 336,000
2	Supervision/General Conditions/Bonds (15%)	LS	1	\$ 1,008,000	\$ 1,008,000
3	Step Down Transformer Replacement	LS	1	\$ 600,000	\$ 600,000
4	Transformer Replacement - Pipe Gallery	LS	1	\$ 550,000	\$ 550,000
5	Duke Switchgear Replacement	LS	1	\$ 350,000	\$ 350,000
6	New Switchgear and Generator replacing Substation	LS	1	\$ 1,750,000	\$ 1,750,000
7	Chemical Building Switchgear Replacement	LS	1	\$ 750,000	\$ 750,000
8	UV Switchgear Replacement	LS	1	\$ 650,000	\$ 650,000
9	Solids Building Switchgear Replacement	LS	1	\$ 650,000	\$ 650,000
10	Panel and Breaker Replacements - Rapid Mix	EA	1	\$ 75,000	\$ 75,000
11	Panel and Breaker Replacements - Filter Gallery	EA	2	\$ 75,000	\$ 150,000
12	Panel and Breaker Replacements - Pumping Building	EA	2	\$ 75,000	\$ 150,000
13	Lighting Replacements	LS	1	\$ 125,000	\$ 125,000
14	Existing Panel Demolition and Disposal	LS	1	\$ 50,000	\$ 50,000
15	Miscellaneous Construction (15%)	LS	1	\$ 870,000	\$ 870,000
16	Contractor O&P (15%)	LS	1	\$ 1,008,000	\$ 1,008,000
17	Contingency (20%)	LS	1	\$ 1,344,000	\$ 1,344,000
<b>Estimated Project Construction Cost (2024)</b>					<b>\$ 10,416,000</b>

Facility		FTTP			
Project Name		FTTP Electrical Improvements			
Project Priority		5			
No	Item Description	Unit	Qty	Unit Cost	Total Cost
1	Mobilization/Demobilization (5%)	LS	1	\$ 304,500	\$ 304,500
2	Supervision/General Conditions/Bonds (15%)	LS	1	\$ 913,500	\$ 913,500
3	Transformer Modification/Step Down	LS	1	\$ 1,500,000	\$ 1,500,000
4	MCC Replacements	EA	3	\$ 1,000,000	\$ 3,000,000
5	Switchgear Replacement	EA	2	\$ 650,000	\$ 1,300,000
6	Panel and Breaker Replacements	EA	8	\$ 75,000	\$ 600,000
7	Lighting Improvements	EA	1	\$ 200,000	\$ 200,000
8	Miscellaneous Construction (15%)	LS	1	\$ 990,000	\$ 990,000
9	Contractor O&P (15%)	LS	1	\$ 913,500	\$ 913,500
10	Contingency (20%)	LS	1	\$ 1,218,000	\$ 1,218,000
<b>Estimated Project Construction Cost 2023</b>					<b>\$ 10,939,500</b>

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# INFRASTRUCTURE PLANNING

	Regulatory / Compliance	Aging Infrastructure (end of useful life)	Asset Management	System Expansion/ Economic Growth	System limitations/ Customer Service	Technology & Optimization	Additional Funding Source	Total Score	Strategic Plan Goal Area (pick)	Related to Data Warehouse / KPI? (pick)	RRA Implementation Project? (pick)
	Project aligns with remaining compliant and adhering to relevant laws, regulations, standards, and industry guidelines. Project allows for minimizing potential legal liabilities.	Project addresses an asset in which the cost to maintain/repair is high. The condition and operational efficiency of existing assets, systems, or structures have reached or surpassed their expected lifespan.	Project contributes to optimizing the value, performance, and longevity of assets by considering factors such as asset condition, redundancy, criticality, safety and risk management.	Project accommodates system expansion and growth; there is a return on investment component. Project has public benefit with strategic importance. The project allows for enhanced capacity, increase production and/or supports new economic opportunities.	Project eliminates or reduces constraints or shortcomings within existing systems, processes, or infrastructure that impact the ability to effectively serve customers. Project addresses limitations that hinder operational efficiency, service quality, or customer satisfaction. (examples: current system limitations, bottle neck or restriction, color of water, low pressure, etc.)	Projects adds efficiency, innovation and performance to NKWD operations; allow for strategic business & technological enhancements to reduce costs, increase productivity and/or optimize resources. Integration or upgrade of technology and processes to improve overall District performance.	Project has additional funding sources (KIA, SRF, grants, etc.) available for the project that have expiration dates		Select "Goal Area" this project relates to in the Strategic Plan, if applicable	Yes, No or N/A	Yes, No or N/A
<b>Weightings</b>	0.3	0.05	0.2	0.15	0.2	0.05	0.05	1.00			

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# INFRASTRUCTURE PLANNING

Project Type	Project	Project Ranking	Project Cost	Year of Construction	Total Score
Pipe Capital Project	Mooch Road 36-inch Redundancy Water Main - 42" to the River Crossing	1	\$6,500,000	2025 / 26	7.13
Treatment Plant Capital Project	TMTP - PAC & UV Replacement	2	\$3,275,000	2025	6.53
Treatment Plant Capital Project	Upgrade SCADA/Instrumentation/Security Equipment	3	\$710,000	2025	6.45
Treatment Plant Capital Project	Upgrade SCADA/Instrumentation/Security Equipment	4	\$290,000	2025	6.45
Treatment Plant Capital Project	FTTP Electrical Improvements	5	\$6,500,000	2026	6.43
Treatment Plant Capital Project	Upgrade SCADA/Instrumentation/Security Equipment - SRF Loan 2016	6	\$2,700,000	2025	6.38
Treatment Plant Capital Project	Dudley 1040 Pump Replacement (3 constant speed pumps)- AMY S	7	\$750,000	2025	6.15
Treatment Plant Capital Project	TMTP Advanced Treatment (GAC)	8	\$30,000,000	2026 / 27 / 28	6.13
Pipe Capital Project	Independence Station Road Interconnect	9	\$850,000	2025	6.02
Treatment Plant Capital Project	Plant Metering Upgrades	10	\$300,000	2025	5.95
Treatment Plant Capital Project	Pump Station in Southern Campbell County	11	\$700,000	2025	5.92
Treatment Plant Capital Project	ORPS 2 Electrical Improvements- AMY S	12	\$3,500,000	2025 / 26	5.87
Treatment Plant Capital Project	ORPS 1 Motor Starter Replacement Nos. 1,2,3, & 6- AMY S	13	\$1,296,000	2025 / 26	5.82
Treatment Plant Capital Project	FTTP Filter Valves & Actuator Replacement- AMY S	14	\$887,000	2026	5.77
Treatment Plant Capital Project	MPTP Actfillo Upgrades	15	\$1,635,000	2025	5.73
Treatment Plant Capital Project	FTTP Structural Improvements	16	\$5,000,000	2029	5.33
Pipe Capital Project	20" from Banklick to South of Walton	17	\$16,000,000	2028 / 29	5.32
Pipe Capital Project	20" MPTP Discharge Water Main Replacement	18	\$16,000,000	2027 / 28	5.18
Pipe Capital Project	20" to Connect 11th Street in Newport to 12th Street in Covington	19	\$6,000,000	2029	5.15
Pipe Capital Project	US 27 24" Sunset to Martha Layne Collins	20	\$1,900,000	2027	5.13
Treatment Plant Capital Project	TMTP Chemical Building Improvements (coagulant, hypo, HF, misc.)	21	\$1,380,000	2028	5.12

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# INFRASTRUCTURE PLANNING

Northern Kentucky Water District  
2026 5-Year Capital Budget  
(2026-2030)

Pg. No.	PSC Ref No.	Water Quality Projects	2025 / Previous Paid	2026	2027	2028	2029	2030	Total Project Cost	Funding Source
1	132	MPTP Reservoir Dam Spillway/ Raw Water Pipe Replacement	\$187,000	\$350,000					\$537,000	Future BAN
		MPTP Reservoir Dam Spillway/ Raw Water Pipe Replacement			\$1,100,000				\$1,100,000	Future BAN
		Upgrade SCADA/Instrumentation/Security Equipment		\$2,000,000					\$2,000,000	BAN 2021
2	202	Upgrade SCADA/Instrumentation/Security Equipment	\$101,000	\$925,000					\$1,026,000	Future BAN
		Upgrade SCADA/Instrumentation/Security Equipment - SRF Loan 2016		\$674,000					\$674,000	SRF Loan 2016
3	238	TMTP - PAC & UV Replacement	\$148,000	\$3,554,000					\$3,702,000	Future BAN
		TM Pump Station Backup Generator	\$1,200,000	\$1,485,000					\$2,685,000	Future BAN
4	211	TM Pump Station Backup Generator (SB36 Grant)	\$1,100,000						\$1,100,000	KIA Grant 2022
		TM Pump Station Backup Generator - SRF Loan 2020	\$4,065,000						\$4,065,000	SRF Loan 2020
5	227	New Tank in Taylor Mill	\$2,000,000	\$3,000,000					\$5,000,000	Future BAN
6	316	TMTP Solids Building and Process Equipment						\$1,000,000	\$1,000,000	Future BAN
7	317	FTTP Raw Water Improvements						\$500,000	\$500,000	Future BAN
8	318	TMTP Electrical Improvements (less generator project)						\$500,000	\$500,000	Future BAN
9	319	Dudley 1080 Electrical and Structural Improvements				\$1,500,000			\$1,500,000	Future BAN
10	320	Bromley Pump Replacement and Electrical Upgrades		\$650,000	\$650,000				\$1,300,000	Future BAN
11	229	Pump Station in Southern Campbell County		\$1,496,000					\$1,496,000	Future BAN
12	244	MPTP Actfillo Upgrades	\$136,000	\$1,496,000					\$1,632,000	Future BAN
13	257	TMTP Chemical Building Improvements (coagulant, hypo, HF, misc.)			\$250,000	\$2,250,000			\$2,500,000	Future BAN
14	263	FTTP Filter Valves & Actuator Replacement			\$1,500,000	\$1,000,000	\$4,500,000	\$4,500,000	\$10,000,000	Future BAN
15	274	ORPS 1 Motor Starter Replacement Nos. 1,2,3, & 6		\$500,000	\$1,500,000				\$2,000,000	Future BAN
16	289	TMTP Pump #3 Replacement		\$200,000	\$1,000,000				\$1,200,000	Future BAN
17	288	ORPS 2 Electrical Improvements		\$1,000,000	\$3,500,000	\$4,000,000			\$8,500,000	Future BAN
18	268	FTTP Electrical Improvements			\$1,500,000	\$5,000,000	\$4,500,000		\$11,000,000	Future BAN
19	269	TMTP Filter & Valve Improvements		\$1,000,000	\$3,500,000				\$4,500,000	Future BAN
20	300	FTTP Structural Improvements		\$500,000	\$1,000,000	\$5,000,000			\$6,500,000	Future BAN
21	302	MPTP Raw and Finished Water Valves and Actuators					\$800,000		\$800,000	Future BAN
<b>Sub-Total Water Quality</b>			<b>\$9,609,000</b>	<b>\$16,663,000</b>	<b>\$14,000,000</b>	<b>\$18,750,000</b>	<b>\$11,100,000</b>	<b>\$6,500,000</b>	<b>\$76,622,000</b>	<b>Total Project Cost</b>
				<b>\$16,663,000</b>	<b>\$14,000,000</b>	<b>\$18,750,000</b>	<b>\$11,100,000</b>	<b>\$6,500,000</b>	<b>\$67,013,000</b>	<b>Total 5-Year Cost</b>

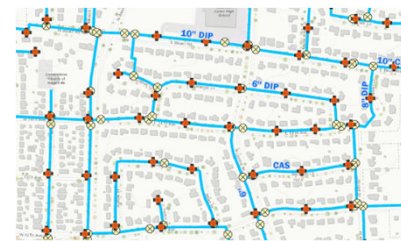
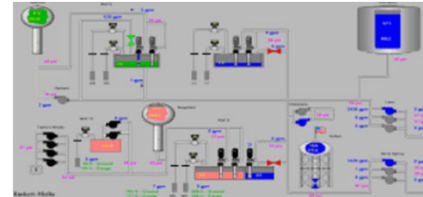
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# SYSTEM RISK AND RESILIENCY

## NKWD systems in use:

- GIS (Geographic Information Systems)
- CMMS (Computerized Maintenance Management Systems)
- SCADA (Supervisory Control and Data Acquisition)
- Hydraulic model



## What data matters:

- Condition, age, material, installation date, failure history

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# MAINTENANCE & RENEWAL STRATEGIES

- Preventive vs reactive maintenance
- Predictive tools and inspections
- Capital improvement planning (CIP)
- Performance monitoring
  - KPIs, unplanned outages, response times, asset downtime, break rates
  - Reporting dashboards and performance tracking
- Renewal prioritization based on risk, cost, and LOS

Pg. No.	PSC Ref No.	Water Quality Projects	2025 / Previous Paid	2026	2027	2028	2029	2030	Total Project Cost	Funding Source
1	132	MPTP Reservoir Dam Spillway/ Raw Water Pipe Replacement	\$187,000	\$350,000					\$537,000	Future BAN
		MPTP Reservoir Dam Spillway/ Raw Water Pipe Replacement			\$1,100,000				\$1,100,000	Future BAN
2	202	Upgrade SCADA/Instrumentation/Security Equipment	\$101,000	\$925,000					\$2,000,000	BAN 2021
		Upgrade SCADA/Instrumentation/Security Equipment - SRF Loan 2016	\$674,000						\$1,026,000	Future BAN
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		TM Pump Station Backup Generator	\$1,200,000	\$1,485,000					\$2,685,000	Future BAN
4	211	TM Pump Station Backup Generator (SB36 Grant)	\$1,100,000						\$1,100,000	KIA Grant 2022
		TM Pump Station Backup Generator - SRF Loan 2020	\$4,065,000						\$4,065,000	SRF Loan 2020
5	227	New Tank in Taylor Mill	\$2,000,000	\$3,000,000					\$5,000,000	Future BAN
6	316	TMTP Solids Building and Process Equipment					\$1,000,000		\$1,000,000	Future BAN
7	317	FTTP Raw Water Improvements					\$500,000		\$500,000	Future BAN
8	318	TMTP Electrical Improvements (less generator project)					\$500,000		\$500,000	Future BAN
9	319	Dudley 1080 Electrical and Structural Improvements				\$1,500,000			\$1,500,000	Future BAN
10	320	Bromley Pump Replacement and Electrical Upgrades					\$1,500,000		\$1,500,000	Future BAN
11	229	Pump Station in Southern Campbell County		\$650,000	\$650,000				\$1,300,000	Future BAN

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# Kentucky Infrastructure Authority

NKWD/SKO Water Commission Training  
April 29, 2026



TEAM  
KENTUCKY



1

## Authorization of KIA

- Created by General Assembly
  - Collaboration with DOW under Memorandum of Agreement
- Purpose:
  - Provide Financial Assistance for Water / Wastewater Facilities
  - Maintain Water Resources Information System
- 11 member Board of Directors



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KENTUCKY



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## KIA Board – Ex-Officio Members

### Five Ex-Officio members:

- Commissioner of Department for Local Government
- Secretary of Finance and Administration Cabinet
- Secretary of Cabinet for Economic Development
- Secretary of Energy and Environment Cabinet
- Executive Director of Public Service Commission



3

## KIA Board – At Large Members

### Six at-large members appointed by the Governor:

- Kentucky Association of Counties
- Kentucky League of Cities
  - 2 members from KLC one of whom represents a municipal utility that provides water and wastewater service
- Kentucky Rural Water Association
- Kentucky Section of the American Water Works Association
- For-Profit Water Companies



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## KIA Primary Functions

- Administer Loan Programs for eligible infrastructure projects
- Administer Grants identified by the General Assembly, including water and sewer projects
- Maintain the Water Resource Information System (WRIS) and provide technical support to the Water Management Councils



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## Overview of KIA

- \$1.99 billion in assets
- Administering 517 active grants
- 591 active loans
  - 4 programs
  - 2 state programs, 2 federal programs
- 231 borrowers



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## Eligible Infrastructure Projects

- Construction or acquisition of treatment works, distribution facilities, water resources projects
- Solid waste projects, dams, storm water control treatment systems
- Gas or electric utility
- Or any other public utility or public service project which the authority finds would assist in carrying out the purposes set out in KRS 224A.300



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## Eligible Borrowers

- Governmental Agencies
  - City
  - County
  - Water and Sewer/Sanitation District
  - Water Association
  - Water Commission
- For the CWSRF or DWSRF Programs, the project **MUST BE** listed on the SRF Priority List



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## KIA Loan Programs

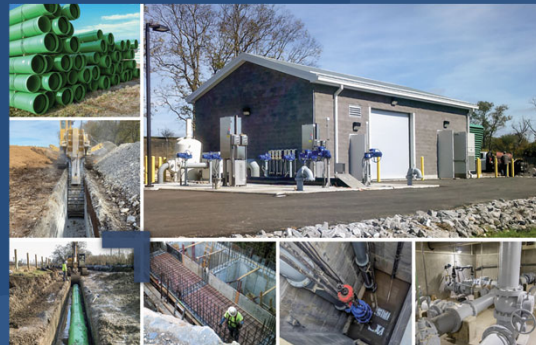
- Clean Water State Revolving Fund (Fund A) - Federal
- Drinking Water State Revolving Fund (Fund F) - Federal
- Infrastructure Revolving Fund (Fund B) - State
- Governmental Agencies Program (Fund C) - State



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## Fund A - CWSRF

- Created in 1988 to further goals of the CWA
- 487 loans/\$2.14 billion
- Treatment plant rehab/expansion, sewer lines, lift stations
- No min or max request, annual funding cap
- Finance 10-20 projects per year



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## Fund F - DWSRF

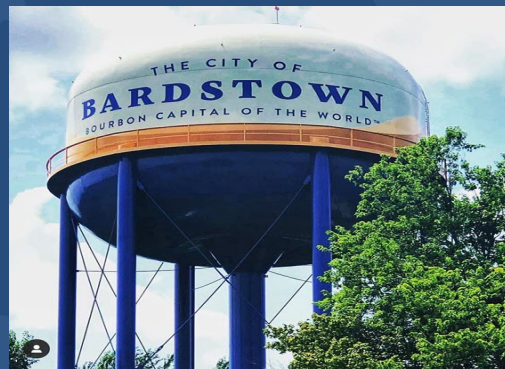
- Created in 1996 to further goals of the SDWA
- 280 loans/\$777 million
- Treatment plant rehab/construction, pump stations, water lines, tanks
- No min or max request, annual funding cap
- Finance 15-20 projects each year



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## Fund B – Infrastructure Revolving Fund

- Good option for “smaller” projects, funding gaps
- 194 loans/\$239.2 million
- More flexibility, quicker turnaround than SRF



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## Fund C – Governmental Agencies Fund

- Created as a pooled loan financing program
- Rates/terms tied to market
- 106 loans, \$133.5 million
- Limited funding currently



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## KIA Outstanding Loan Volume

Loan Program	Number of Loans	Loan Amount
Fund A	256	\$830,279,327
Fund F	179	\$277,313,447
Fund B	131	\$84,513,058
Fund C	25	\$25,627,180
<b>Total</b>	<b>591</b>	<b>\$1,217,733,012</b>



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## Available Loan Funds

Loan Program	FY27 Funding
Fund A (CWSRF)	\$109,661,576
Fund F (DWSRF)	\$108,461,348
Fund B	\$0
Fund C	\$10,489,843
<b>Total</b>	<b>\$228,612,767</b>

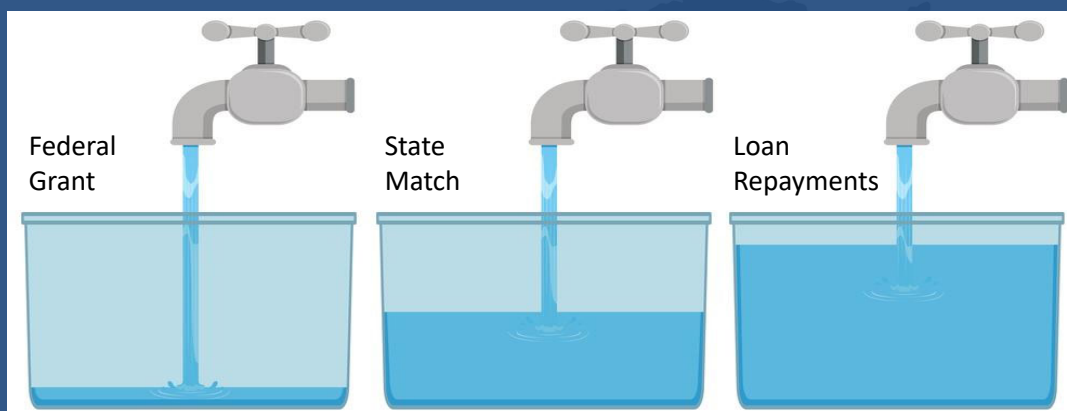


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## Where do we get our money? (Funds A & F)



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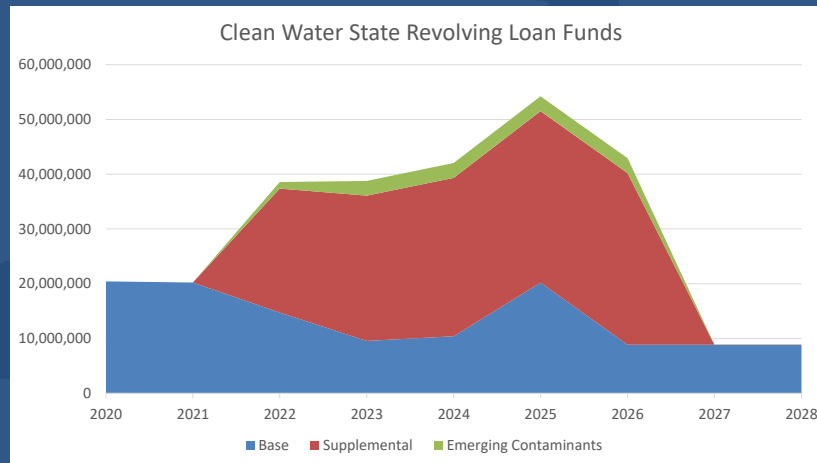
## Infrastructure Investment and Jobs Act (IIJA)

- Signed into law in November 2021
- Historic investment in drinking water and wastewater systems
- Over \$40 billion across United States
- \$500 million estimated to Kentucky
- 5 additional capitalization grants for over 5 years
- Additional principal forgiveness, federal requirements



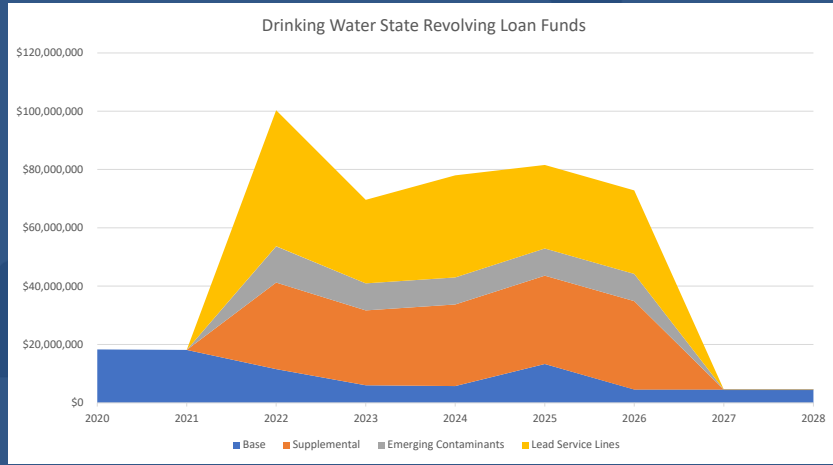
17

## CWSRF Funding Cliff



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# DWSRF Funding Cliff



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# SRF Program Demand



20

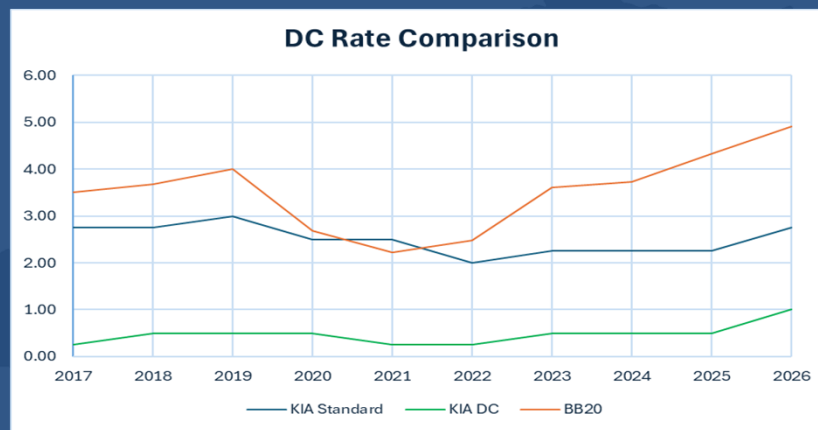
## Current Interest Rates

- Funds A,B, and F
  - Standard rate - 2.75%
  - Non-standard (a) rate - 1.75%
  - Non-standard (b) rate - 1.00%
  
- Fund C
  - 1 – 5 years - 2.50%
  - 6 – 10 years - 3.00%
  - 11 – 20 years - 4.00%



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## KIA vs Bond Market



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# Getting Started

- Contact ADD Water Management Coordinator
- Pre-Application Form
  - Project goals/need
  - Budget/schedule
  - Specific project components
  - Creates WRIS project profile



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# WRIS Project Profiles

**Project Title:** Ashland: Enlarge Sewer Treatment Plant to Eliminate Overflows

**Project Number:** SX21019065      **AWMPC:** FIVCO

**Funding Status:** Fully Funded      **Date Approved by AWMPC:** 11.19.2014

**Project Status:** Approved      **Primary County:** Boyd

**Project Schedule:** 0-2 Years      **Planning Unit:** Boyd

**E-ClearingHouse SAI:** KY002201070025      **ECH Status:** Approved

**Primary System:** KY0022373 City of Ashland      **ADD WMC Contact:** Jasper Ball

**Legal Applicant:** City of Ashland

**Entity Type:** Incorporated City

System Statistics	
Date Established:	05.31.1961
Employees:	27
Cost to consumer per 4,000 gallons:	
(a) Municipal System, customers within the municipality OR Non-Municipal System, all customers:	\$22.64
(b) Municipal system, customers outside the municipality:	\$34.04
Date of Last Rate Adjustment:	01.01.2022

System Demographics					
Demographic Type	Population	Households	Med HH Income	MHI MOE	
Directly Serviceable	21,654	10,378			
Indirectly Serviceable	11,006	4,263			
<b>Total Serviceable</b>	<b>32,660</b>	<b>14,641</b>			

County Name	Service Connections	Serviceable Population	Serviceable Households	Med HH Income	MHI MOE
Boyd	8,816	21,654	10,378	\$ 52,312	\$ 5,839
<b>Totals / Weighted Average</b>	<b>8,816</b>	<b>21,654</b>	<b>10,378</b>	<b>\$ 52,312</b>	<b>\$ 5,839</b>

**Project Inventory (Mapped Features):**

**Point Features:**

DOW PermitID	Count	FeatureType	Purpose	Status	Existing Capacity	Proposed Capacity	Units
KY0022373	1	SCADA	ENERGY EFF - SCADA	NEW			EA
KY0022373	1	SEWAGE TREATMENT PLANT	ENERGY EFF - SCADA	STP - UPGRADE	11.00	11.00	MGD
KY0022373	1	STP PUMP	ENERGY EFF - PUMP EFFICIENCY	REHAB			EA
KY0022373	1	STP PUMP	ENERGY EFF - VFD DEVICE	REHAB			EA

**Linear Features:**

DOW Permit ID	Line Type	Purpose	Activity	Size (in.)	Material	Length (LF)
KY0022373	FORCE	INTERCEPTOR	REHAB - REPLACE PROBLEM LINES	24.00	PVC	640
				<b>Total Length</b>		<b>640</b>

**System Demographics**

MHI Basis: 2026; ACS 2019-2023 5yr Estimates

Counties directly serviceable by this system: 1

Does this system:

(a) Operate a wastewater treatment facility?	Yes
(b) Send wastewater to other systems to be treated?	No
(c) Treat wastewater from other systems?	Yes

Date Last Modified: 07.26.2022

**This system treats wastewater from the following KISOP customers:**

Sender DOW Permit ID	Sender Name	Ann. Vol. Treated (MG)	Serviceable Population	Serviceable Households
KYP000044	Boyd County Sanitation District #4	410.349	11,006	4,263
<b>Totals and Averages</b>		<b>410.349</b>	<b>11,006</b>	<b>4,263</b>

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# SRF Loan Process

- Call for Projects
- DOW Scores/Ranks Projects
- KIA Project Priority List
- Loan Invitations
- Application Documents
- Credit Analysis
- Approvals (KIA/CPBOC)
- Loan Agreement



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# Where do we get our money? (Funds B & C)



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## State Program Loan Process

- First Come, First Serve
- Letter of Intent
- Funding Invitation
- Application Documents
- Credit Analysis
- Approvals (KIA/CPBOC)
- Loan Agreement



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## Principal Forgiveness

- Additional subsidization provided in disadvantaged communities
- System area MHI
- Project area MHI
- Affordability Index – Annual cost per 4,000 gallons/MHI



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# Provision of Water Service

- KRS 224A.300
- Make public water & sewer secure for all Kentuckians
- Encourage regionalization, consolidation, & partnerships
- Kentucky Infrastructure Authority
  - Ensure safe, secure, & reliable water & sewer infrastructure
  - Manage the Water Resource Information System (WRIS) – Annual Updates



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# Water Management Planning Council

- KRS 151.601
- **County & Multicounty**
- ADDs hold quarterly meetings for chairpersons
- Develop regional service strategies consistent with KRS 224A.300



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## Function of Planning Council



- KRS 151.603
- Develop & maintain plan consist with:
  - Long-term water supply plan (KRS 151.115)
- Council shall implement water supply planning process



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## Water Service Coordinator

- KRS 151.605
- AKA Water Management Coordinator
- Employed by ADD
- Planning Representative – implements planning process (KRS 151.603)
- Accomplish purposes in KRS 224A.300
- System visits (Annual)
- Provide assistance with Water Management Plan



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## Water & Wastewater Management Plan

- Shall include:
  - Strategy for improving reliability & resiliency
  - Strategy for unserved & underserved areas
  - Needs Forecast (5-year increments)
  - Consideration of merger, consolidation, and management
- Shall be consistent with Long-term Water Supply Plan
- Achieve purpose of KRS 224A.300



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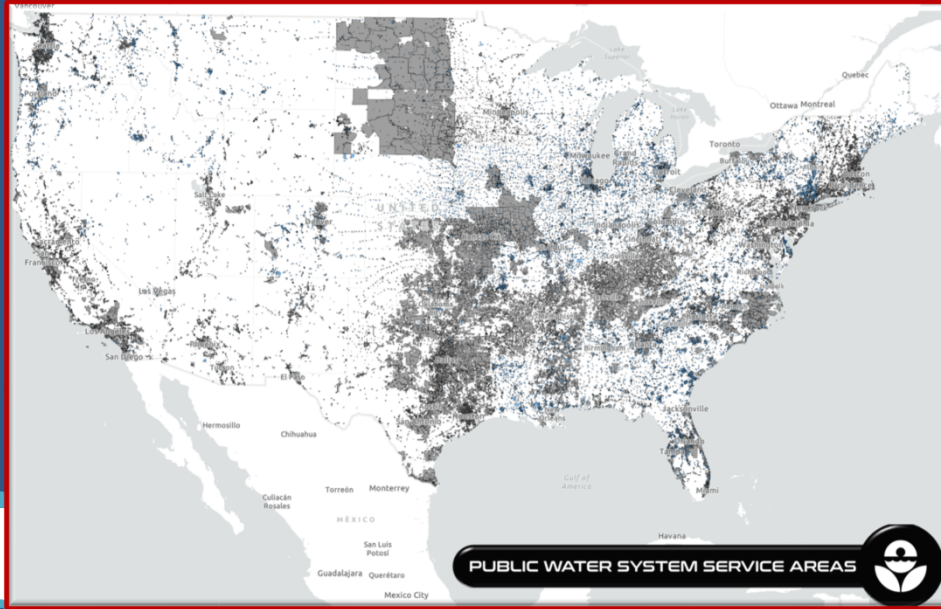
## Project Prioritization

- KRS 151.607
- Water Management Council reviews & prioritizes plans for water service
- Factors to be considered:
  - Benefit to current & potential customer base
  - Adequacy, dependability, cost-effectiveness
  - Consolidation/merger of management or operations for efficiency & affordability



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# Public Water System Service Areas



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## Questions? Comments?

[kia.ky.gov](http://kia.ky.gov)

502-573-0260



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# TARIFFS

## Practical Considerations for Water Utilities

April 29, 2026

Tina Frederick  
Stoll Keenon Ogden PLLC  
[tina.frederick@skofirm.com](mailto:tina.frederick@skofirm.com)

Adapted from a presentation developed by Gerald Wuetcher



1

## Under Discussion

1. Legal Framework
2. Process of Revising Tariff
3. Tariff Provisions to Consider
4. Managing Your Tariff



2



3

## Legal Framework

KRS 278.160(1)

Under rules prescribed by the commission, each utility shall file with the commission, within such time and in such form as the commission designates, schedules showing all rates and conditions for service established by it and collected or enforced. The utility shall keep copies of its schedules open to public inspection under such rules as the commission prescribes.

4

## Legal Framework

### KRS 278.160(2)

No utility shall charge, demand, collect or receive from any person a greater or less compensation for any service rendered or to be rendered than that prescribed in its filed schedules, and no person shall receive any service from any utility for a compensation greater or less than that prescribed in such schedules.



5

## What Is A Rate?

[A]ny individual or joint fare, toll, charge, rental, or other compensation for service rendered or to be rendered by any utility, and any rule, regulation, practice, act, requirement, or privilege in any way relating to such fare, toll, charge, rental, or other compensation, and any schedule or tariff or part of a schedule or tariff thereof.

KRS 278.010(12).



6

## Examples of a “Rate”

- Commodity Charge
- Meter Tap Fee
- Billing Recalculation Policy
- Length of Time to Pay Bill
- Minimum Contract Period
- Rule/Regulation



7

## What is A Condition of Service?

**Requirement, action or task that must be met or taken by an applicant for service as a prerequisite for receiving or continuing to receive service.**



8

## Examples of A “Condition of Service”

- Completing an Application Form
- Providing Evidence of an Inspection
- Deposit Requirement
- Easement Requirement
- Technical Specifications for Connection



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## Tariff Has The Status of Law

- PSC has adopted a regulation to implement the provisions of KRS 278.160.
- **807 KAR 5:006, Section 6 provides that:**
  - A utility shall not establish a special rule or requirement without obtaining PSC approval;
  - Unless specifically authorized by the PSC a utility shall not deny service to someone who has complied with all conditions of service in the utility’s tariff.



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## Effect of KRS 278.160 & 807 KAR 5:006

- Only Filed Rates May Be Charged
- Only Filed C of S May Be Imposed
- All Filed Rates and C of S **MUST** be enforced
- Tariff Governs Utility's Relationship With Customer



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If its **in** your tariff,  
you **MUST** do it!

If its **not in** your  
Tariff, you  
**Can Not** do it!



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# Failure to Comply with KRS 278.160

The "Filed Rate Doctrine"

- Refund/Back billing
- Assessment of Civil Penalties Against:
  - Utility
  - Manager
  - Water District Commissioners
- Removal of Water District Commissioners



13

## Where Can I Find Our Tariff

- Should have a hard copy in the Utility's files
- Official Tariff is on the PSC Website:

The screenshot shows the website for the Kentucky Public Service Commission (psc.ky.gov). The navigation menu includes 'General', 'Commission Records', 'For Consumers', 'Utility Information', 'SiteMap', 'Employment', and 'Contact Us'. The 'Commission Records' link is circled in red. The main content area is titled 'KY PSC Records' and is divided into four columns: 'Cases', 'Financial', 'Tariffs', and 'Other'. The 'Tariffs' column contains several links, with 'Current Tariffs' circled in red. Other links in the 'Tariffs' column include 'Filed Rate Filings', 'Under Review', 'Proposed Tariff Changes', 'Post-Review', 'Tariff Monitoring Instructions', and 'Tariff Filing Instructions'.



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Ky.gov An Official Website of the Commonwealth of Kentucky


Kentucky Public Service Commission  
[General](#) • [Commission Records](#) • [For Consumers](#) • [Utility Information](#) • [SiteMap](#) • [Employment](#) • [Contact Us](#)

[Register](#) [Login](#)

Q ENHANCED BY Google

## Tariffs Library

Folder Name
<a href="#">Electric</a>
<a href="#">Natural Gas</a>
<a href="#">Sewer</a>
<a href="#">Telecommunications</a>
<a href="#">Water</a>
<a href="#">Xtra Info</a>



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[Register](#) [Login](#)

Q ENHANCED BY Google

## Tariffs Library

[Parent Folder](#)

Folder Name
<a href="#">Districts, Associations &amp; Privately Owned</a>
<a href="#">Municipals</a>


**Accessibility Assistance**

This page has been reviewed for accessibility. If you experience any difficulty using this page, please contact us.

Phone: (502) 654-3940

Email: [ECCPSOT@ky.gov](mailto:ECCPSOT@ky.gov)

Page being reported:  
<https://psc.ky.gov/Home/Library/?type=Tariffs&folder=Water>



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Ky.gov An Official Website of the Commonwealth of Kentucky

Kentucky Public Service Commission


General • Commission Records For Consumers Utility Information • SiteMap Employment Contact Us

Register Login

Q SEARCHED BY Google

### Tariffs Library


Parent Folder	Folder Name
	<a href="#">Allen County Water District</a>
	<a href="#">Barkley Lake Water District</a>
	<a href="#">Bath County Water District</a>
	<a href="#">Beech Grove Water System</a>
	<a href="#">Big Sandy Water District</a>
	<a href="#">Black Mountain Utility District</a>
	<a href="#">Bluegrass Water Cooperating Company</a>
	<a href="#">Boone County Water District</a>
	<a href="#">Bracken County Water District</a>
	<a href="#">Breathitt County Water District</a>
	<a href="#">Bronson Water Association</a>
	<a href="#">Buffalo Trail Water Association</a>
	<a href="#">Bullock Den Water District</a>
	<a href="#">Butler County Water System</a>
	<a href="#">Caldwell County Water District</a>
	<a href="#">Cannonsburg Water District</a>
	<a href="#">Carrroll County Water District #1</a>
	<a href="#">Casswood Water District</a>
	<a href="#">Christian County Water</a>
	<a href="#">Crittenden County Water</a>



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## Procedure for Revising Tariffs

- **General Procedures:**
  - **30 days Notice to PSC**
  - **“Notice” is filing of New Tariff Sheet**
  - **Submit Cover Letter & Tariff Sheet**
  - **Tariff Sheet must comply with PSC Regs**
    - **PSC provides Tariff Sheet Templates on its website.**



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## Revising Tariffs Continued

- General Procedures:
  - Tariff Sheet Should State the Effective Date
  - Attorney Is Not Required
  - Public Notice Must be Provided



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## PUBLIC NOTICE

- Three options for providing “Customer” Notice:
  - Mail Notice with customer bills mailed no later than the date the tariff is filed with the PSC
  - Mail written notice to each customer
  - Publish notice one a week for 3 consecutive weeks in local newspaper



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## Public Notice

- Must Make Public Postings
  - At Utility's Office
  - On The Utility's Website
  - On Any Social Media Page Maintained by the Utility
  - Follow **807 KAR 5:11, Section 8(4)** concerning the Requirements for Notice Content



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## Possible PSC Responses to Tariff Filings

- Take No Action: Tariff becomes effective 30 days from filing
- Request Minor Modifications
- Suspend and Investigate (now an attorney is required)
- Final Action from PSC: within 10 months of filing



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## Nonrecurring Charges

A charge designed to recover customer-specific cost incurred that would otherwise result in monetary loss to the utility or increased rates to other customers to whom no benefits accrue from the service provided or action taken.



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## Examples of Nonrecurring Charges

- Connection Fees
- Inspection Fees
- Returned Check Fees
- Turn-off/Turn-on Charges
- Service Call/Investigation Charges



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## Nonrecurring Charges

### Documents That Must be Filed with a Nonrecurring Charge Tariff Filing in Addition to Cover Letter & Tariff Sheet:

- Specific Cost-Justification Sheets & Supporting Documentation
- Income Statement & Balance Sheet for 12-month Period ending no more than 90 days before filing
- Statement about Why Not Filed in a Rate Case



25

## Common Mistakes Tariff Filings

- No Signature On Tariff Sheets
- No Effective Date
- Failure to Use Correct Tariff Format
- Failure To Give Proper Notice
- Failure to Adequately Explain Reasons for Proposed Rule or Rate **AND** to Document Those Reasons **GOAL: AVOID SUSPENSION**



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## To Avoid Tariff Filing Mistakes

- Download/Use PSC Forms
- Provide Signature/**Effective Date**
- Notice – Timing (Provide at least 30 days Notice)
- Cover Letter Should Provide Lengthy Explanation for Rate/Rule
- Provide Supporting Documents (What Would Staff Want/Need To Know?)



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## Tariff Provisions To Consider

- **Required Provisions:**
  - Deposit Requirements
  - Budget Payment Plans
  - Reconnect Charge
  - Requested Meter Test Charge
  - All other “special” or nonrecurring charges
  - Rules regarding size, design, material & installation of service lines
  - Rules regarding service line installation & maintenance
  - Customer Usage Monitoring procedures



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## Tariff Provisions to Consider

- Provisions Your Utility May Need or Want:
  - Leak Adjustments
  - “Hit Rock” provision in meter tap fee language
  - Turn-on/Turn-off provisions for seasonal residences
  - Billing provision for service to more than one residence from a single meter
  - Line Extension provision that reduces or eliminates refunds to Real Estate Developers



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## Tariff Provisions to Consider

- Provisions Your Utility May Need or Want:
  - Service Disconnection for waste of water
  - Service Disconnection for tampering or interfering with facilities
  - Imputed Liability to adults at service address
  - Utility Liability Disclaimer for service interruption, failure to provide flows adequate for fire suppression, damage to customer facilities caused by water pressure fluctuation



30

## Managing Your Tariff

- Know the contents of the tariff
- Bylaws do not belong in the tariff
- Review at least annually
- Encourage utility Staff involvement in review
- Realize that the tariff is not an internal Management & Practices Manual
- Sample bills, applications for service, and other forms required by the tariff should be included as attachments to the tariff



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## Managing Your Tariff

- How **old** are some of the provisions?
  - How many decades are represented in your tariff?
- Have the regulations applicable to a particular provision changed?
- What is the general appearance of the tariff?
- Do you follow policies and practices that are Not in your tariff?
- Are there issues you are facing regularly that your tariff does not address?



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## Examples of Tariff Language to Address Specific Concerns

### **Long Service Line Across Adjacent Property:**

“A service line running from the point of connection to the water main to the point of delivery shall not be located on any private property other than the Applicant’s property. No service line running from the point of delivery to the point of consumption shall be located on property other than the Applicant’s property unless the Applicant has obtained from the other property owners a private utility easement for the service line and recorded such easement with the County Clerk’s office.”



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## Examples of Tariff Language to Address Specific Concerns

### **Cost of Encountering Rock When Making a Meter Tap:**

“An additional charge shall be made for meter connections where rock is encountered, such rock condition being defined as limestone or other hard stratified material in continuous volume of at least one cubic yard or more and which cannot be removed using ordinary excavation equipment. The charge shall be applied per linear trench foot and shall not exceed the actual cost of excavation.”



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## Examples of Tariff Language to Address Specific Concerns

### Cost of Encountering Rock When Making a Meter Tap:

“Meter Connection Fee does not include any expense for boring in rock areas or any expense for rock removal. Customer will be assessed an additional charge for any rock boring or removal. The charge for rock removal shall be applied per linear trench foot and shall not exceed the actual cost of excavation. Fee also does not include the exceptional directional bore costs in which the directional bore exceeds 35 feet. In such case, the actual cost incurred for directional boring in excess of 35 feet not reflected in the Meter Connection Fee will be added to the Fee”



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## Does Your Tariff Look Like This?

Or worse. . .

Maybe Consider Revising It



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## Hand-Written Information ?

	FOR <u>South Eastern Pulaski Co.</u> Community, Town or City
	P.S.C. KY. NO. _____
	_____ SHEET NO. _____
<u>SOUTH EASTERN WATER</u> (Name of Utility) <u>ASSOCIATION, INC</u>	CANCELLING P.S.C. KY. NO. _____
	_____ SHEET NO. _____
_____ RULES & REGULATIONS _____	



37

## Distorted or Crooked Print?

### WATER LEAK ADJUSTMENT POLICY

In the event of a Water Leak, which the system deems is beyond the reasonable control of the customer, there may be adjusted as follows:

A. Water Leak will be adjusted using the following formula:

1. The average usage of the customer for the previous twelve months shall be determined plus 10,000 gallons over the average. Then the excess of the current period shall be charged at the current wholesale rate, with the

PUBLIC SERVICE COMMISSION



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## Older Tariff Forms

This Sheet:

1. Crooked Print
2. Inconsistent Stamp Location
3. Prior to 807 KAR 5:011 Section 3(4)

Form for filing Rate Schedules For \_\_\_\_\_ Community, Town or City

P.S.C. NO. \_\_\_\_\_

SHEET NO. 1

CANCELLING P.S.C. NO. \_\_\_\_\_

SHEET NO. 1

Name of Issuing Corporation \_\_\_\_\_

CLASSIFICATION OF SERVICE \_\_\_\_\_

RATE PER UNIT \_\_\_\_\_

ALL BILLS ARE SENT OUT ON THE LAST WORKING DAY OF EACH MONTH. ALL BILLS ARE DUE ON THE 10th OF EACH MONTH. PENALTY OF 10% IS ADDED TO THE UNPAID BALANCE ON THE 12th DAY OF EACH MONTH. DELINQUENT NOTICES ARE SENT OUT ON THE 12th DAY OF THE MONTH. DISCONTINUANCE OF SERVICE SHALL BE EFFECTED NOT LESS THAN twenty (20) DAYS AFTER THE MAILING DATE OF THE ORIGINAL BILL.

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE

OCT 02 1997

PURSUANT TO 807 KAR 5:011, SECTION 9 (1) BY Sharon Bell SECRETARY OF THE COMMISSION

DATE OF ISSUE \_\_\_\_\_ DATE EFFECTIVE \_\_\_\_\_

ISSUED BY [Signature] TITLE President

Issued by authority of an Order of the Public Service Commission of Kentucky in Case No. \_\_\_\_\_ dated \_\_\_\_\_



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## All From One Current Tariff

1984

1994

tribution to the extension for a shall contribute n. In addition, each le at the time of on fee shall not extension and may be ear refund per to the extension er the five quired to ma accordance with

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE

NOV 2 1984

PURSUANT TO 807 KAR 5:011, SECTION 9 (1) BY [Signature]

DATE EFFECTIVE Nov. 27, 1984

TITLE Chairman

2004

DATE OF ISSUE March 2 2004

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY [Signature] (Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. \_\_\_\_\_ DATED \_\_\_\_\_

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE

APR 04 2004

PURSUANT TO 807 KAR 5:011, SECTION 9 (1) BY [Signature] EXECUTIVE DIRECTOR



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## Delete Language No Longer Effective Don't Issue Strike-Through Sheets

Temporary Emergency Tariff	(T)
Due to the recent catastrophic floods in late July of 2022, Southern has instituted a temporary emergency tariff for the purpose of assisting the community in its flood relief and clean-up efforts:	(T)
If a customer's water usage is greater than 25 percent more/above said customer's six-month water usage average during the August 2022 or September 2022 billing cycles, Southern will issue bills based upon said customer's six-month average usage, rather than the actual metered usage.	(T)



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## Don't Skip The Cover Page

- Does it have accurate information?
- Does it comply with 807 KAR 5:011, §3(2)
  - Mailing Address
  - Street Address
  - Web Address
  - Service Area



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# Cover Pages

Does not comply w/Reg

P.S.C. Ky. No. 20422  
 CANCELS P.S.C. Ky. No. 3821

OF  
 Grayson, Carter County, KY.

Rates, Rules and Regulations for Furnishing  
 Water Service

AT  
 Rural portions of Carter, Elliott and Lawrence Counties, KY.

PUBLIC SERVICE COMMISSION  
 OF KENTUCKY

JAN 20 2009  
 PURSUANT TO KRS 201.10  
 OF *Steve A. Hill*  
 PUBLIC SERVICE COMMISSION

FILED WITH PUBLIC SERVICE COMMISSION OF KENTUCKY

ISSUED January 20, 19 BY EFFECTIVE January 20, 19

ISSUED BY (Name of Utility)  
*Steve A. Hill*

Does comply w/Reg

PSC KY NO. 14  
 CANCELLING PSC KY NO. 13

**HARDIN COUNTY WATER DISTRICT NO. 2**

1951 WEST PARK RD  
 ELIZABETHTOWN, KENTUCKY 42701

P.O. Box 970  
 ELIZABETHTOWN, KENTUCKY 42701  
[www.hcnw2.org](http://www.hcnw2.org)

**RATES - CHARGES - RULES - REGULATIONS**  
 FOR FURNISHING  
**WATER SERVICE**  
 IN

HARDIN COUNTY, AND PORTIONS OF LARUE AND HART COUNTIES  
 KENTUCKY

FILED WITH THE  
 PUBLIC SERVICE COMMISSION  
 OF  
 KENTUCKY

DATE OF ISSUE: March 23, 2025  
 DATE EFFECTIVE: June 13, 2025  
 ISSUED BY: J. Shannon Young  
 TITLE: General Manager

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION IN  
 CASE NO. 05-000000-0000-0000-0000-0000-0000-0000-0000-0000-0000-0000

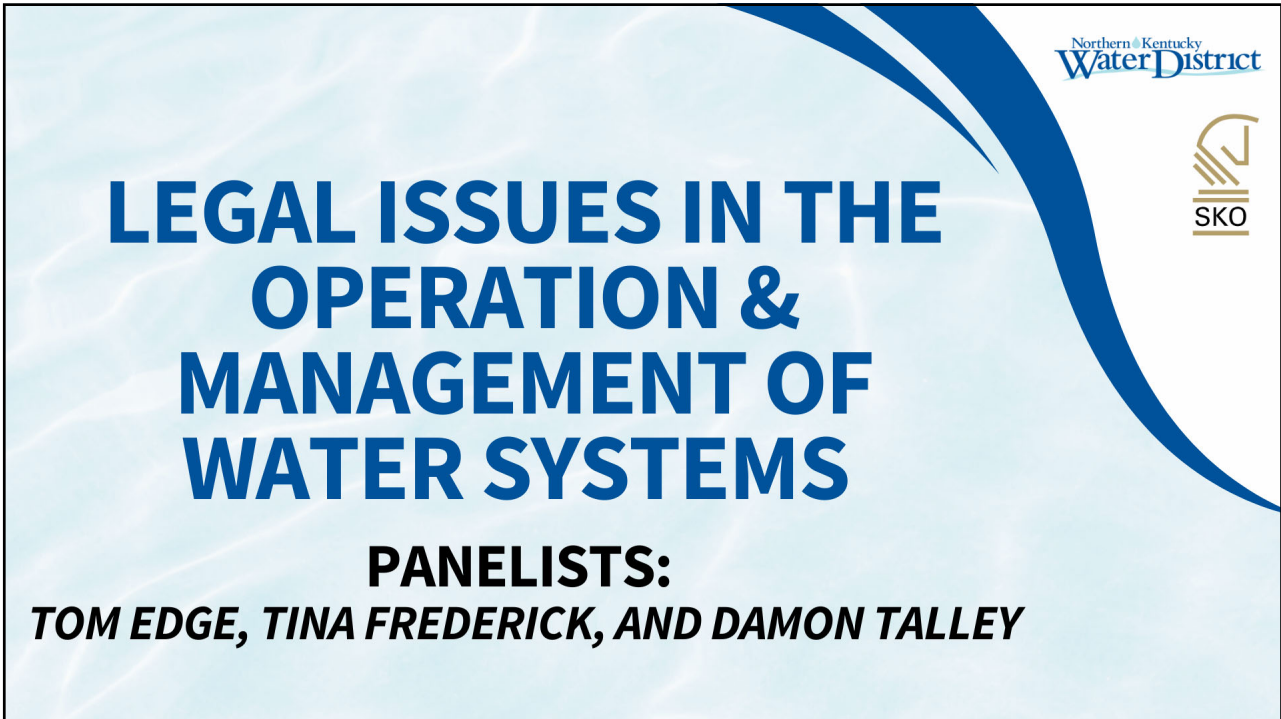
KENTUCKY  
 PUBLIC SERVICE COMMISSION  
*J. Shannon Young*  
 General Manager  
 EFFECTIVE  
 6/13/2025  
 PURSUANT TO KRS 201.10(2)(b)(i)



Tina.frederick@skofirm.com




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Northern Kentucky  
**Water District**



# CLOSING REMARKS

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Northern Kentucky  
**Water District**



# SURVEY

*[nkywater.info/2026wutsurvey](http://nkywater.info/2026wutsurvey)*



bitly

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**EXHIBIT E**

# NORTHERN KENTUCKY WATER TRAINING 2026

*Presented by Northern Kentucky Water District and Stoll  
Keenon Ogden PLLC*

April 29, 2026 – 2835 Crescent Springs Road, Erlanger, Kentucky

---

CLE accreditation for the activity listed below has been approved by the KBA CLE Commission.

Kentucky attorneys attending or participating in the activity must report their attendance either through the CLE Member Portal at [www.kybar.org](http://www.kybar.org) or by submitting a completed form #3.

Sponsor ID:	80380206
Sponsor:	Northern Kentucky Water District
Activity:	2026 Water Commissioner Training
Activity #:	286693
Date:	4/29/2026
Total Credits:	6





**EXHIBIT F**



Andy Beshear  
GOVERNOR

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

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

Rebecca W. Goodman  
SECRETARY

Anthony R. Hatton  
COMMISSIONER

March 30, 2026

Northern KY Water District  
Attn: Lori Booher  
700 Alexandria Pike  
Fort Thomas, Kentucky 41075

Agency Interest Number: 2485  
RE: Operator Certification Training Approval for Continuing Education Hours

To Whom It May Concern:

Your training request has been received by the Department of Environmental Protection, Certification and Licensing Branch. Course approvals are reviewed and approved based on core content outlined by the cabinet and the Kentucky Board of Certification of Wastewater System Operators and the Kentucky Board of Certification of Drinking Water Treatment and Distribution System Operators. The core content list can be located on our website, <http://bit.ly/KY-OCP-trainingproviderinfo>.

Your request was reviewed by the Kentucky Board of Certification of Wastewater System Operators and/or the Kentucky Board of Certification of Water Treatment and Distribution System Operators at their most recent board business meeting. This letter serves as notification of the board and/or cabinet determination for continuing education credit.

Course Title	Date	Hours & Type Approved	DCA Event ID#	Comments
Northern Kentucky Water District Training 2026	04/29/2026	DW - 6.0 Hours approved	33458	One time Approval

Upon completion of the approved training, the provider shall submit the continuing education hours to the cabinet through our Kentucky Online Gateway website at <https://dep.gateway.ky.gov/eForms/Account/Home.aspx>. You may also report training hours by submitting the Continuing Education Activity Report form and \$50 fee to the cabinet. This form can be located on the program's website at <http://bit.ly/KY-OCP-dcaforms>. If a continuing education activity report was attached to the training approval request, please be aware that the operators will only receive credit for the number of hours approved by the board(s).

If you have any questions or need additional information, please contact the Division of Enforcement, Certification and Licensing Branch at (502) 782-6189.

Sincerely,

Veronica Roland  
Certification and Licensing Branch

RECEIPT

Commonwealth of Kentucky  
Department of Environmental Protection

Received From: Johnathan F Moor  
Address: 2835 Crescent Springs Road Erlanger, KY, 41017  
Receipt No.: 332503-0-1  
Check Amt: \$51.50  
Check Number: 164952  
Total Paid: \$51.50