



Steven L. Beshear  
Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

David L. Armstrong  
Chairman

James W. Gardner  
Vice Chairman

John W. Clay  
Commissioner

June 10, 2009

Dwaine and Debra Stigall  
D S Contractors, Inc.  
1352 Hamburg Road  
Kevil, KY 42053

Re: Case No. 2009-00164

Dear Mr. and Mrs. Stigall:

Pursuant to our phone conversation of yesterday and your request, enclosed please find a copy of the Notice of Violations, dated August 28, 2008 February 27, 2009, issued by the Division of Water to Barbara McGowan, c/o Lovelaceville Water Company.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard G. Raff".

Richard G. Raff  
Staff Attorney

RR/ew

cc: Paul and Barbara McGowan  
Parties of Record

**DIVISION OF ENFORCEMENT  
300 FAIR OAKS LANE  
FRANKFORT, KY 40601  
Phone: (502) 564-2150  
Fax: (502) 564-9710**

**FAX**

**TO:** Richard Raff  
**FROM:** Greg Wilson  
**PHONE:** 502-564-7279  
**DATE:** June 9, 2009  
**RE:** NOV's to B. McGowan  
**PAGES:** \_\_7\_\_ (including cover)

**MESSAGE:**

Richard,

If you need any more information just give me a call at 564-2150, ext 168

Thanks,  
Greg



STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
130 Eagle Nest Drive  
Paducah, KY 42003-9435  
WWW.KENTUCKY.GOV  
August 28, 2008

Certified No. 7008 0150 0001 1800 7538  
Return Receipt Requested

Barbara C McGowan  
Lovelaceville Water Company  
PO Box 109  
Lovelaceville, KY 42060

Re: Notice of Violation  
AI ID: 33772  
AI Name: Lovelaceville Water Co  
Activity ID: ENV20080013  
Ballard County, KY

Dear Barbara C McGowan:

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

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

Sincerely,

Ms. Shannon McLeary,  
Environmental Inspector III  
Division of Water

Enclosure



COMMONWEALTH OF KENTUCKY  
Energy and Environment Cabinet  
Department For Environmental Protection  
Division of Water

NOTICE OF VIOLATION

To: Barbara C McGowan  
Lovellaceville Water Company  
PO Box 109  
Lovellaceville, KY 42060

AI Name: Lovellaceville Water Co    AI ID: 33772    Activity ID: ENV20080013  
County: Ballard  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 08/19/2008

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

- 1 Violation Description for Subject Item AIOO0000033772():  
Additional Limitations: Water systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1(1)]

**Description of Non Compliance:**  
System is operating without a certified operator. Barbara McGowan's license expired in 2006 and was terminated.

The required remedial measure(s), and date(s) to be completed by, are as follows:  
System must retain the services of a certified drinking water operator within 60 days of the receipt of this notice. System must also provide this office a written statement detailing the name and certification number of the certified operator retained to operate the system by November 1, 2008.

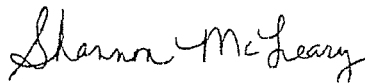
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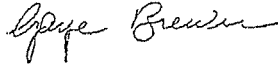
Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance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

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

Division of Water  
Paducah Regional Office  
130 Eagle Nest Drive  
Paducah, KY 42003-9435  
270-898-8468 (7:30 AM - 3:30 PM)  
Ms. Shannon McLeary, Environmental Inspector III

Issued By:   
Ms. Shannon McLeary, Environmental Inspector III  
Date: August 28, 2008



Issued By:

Gaye Brewer, Environmental Control Supervisor  
Date: August 28, 2008

How Delivered: Certified Mail Certified/Registered # 7008 0150 0001 1800 7538



STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
130 Eagle Nest Dr  
Paducah, KY 42003-9435  
WWW.KENTUCKY.GOV  
February 27, 2009

Certified No, 7008 0150 0001 1801 0811  
Return Receipt Requested

Ms. Barbara McGowan  
Lovelaceville Water Co.  
PO Box 109  
Lovelaceville, KY 42060

Re: Notice of Violation  
AI ID: 33772  
AI Name: Lovelaceville Water Co  
Activity ID: ENV20090002  
Permit No. KY0040259  
Ballard County, KY

Dear Ms. Barbara McGowan:

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

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

Sincerely,

E-Signed by McLeary, Shannon  
VERIFY authenticity with ApproveIt

Ms. Shannon McLeary,  
Environmental Inspector III  
Division of Water

Enclosure

COMMONWEALTH OF KENTUCKY  
Energy and Environment Cabinet  
Department For Environmental Protection  
Division of Water

NOTICE OF VIOLATION

To: Ms. Barbara McGowan  
Lovelaceville Water Company  
PO Box 109  
Lovelaceville, KY 42060

AI Name: Lovelaceville Water Co    AI ID: 33772    Activity ID: ENV20090002  
County: Ballard  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 02/23/2009

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

- 1 Violation Description for Subject Item AIOO0000033772():  
Additional Limitations: Water systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1(1)]

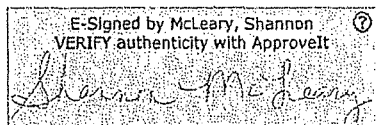
Description of Non Compliance:  
System is operating without a certified operator. Barbara McGowan's license expired in 2006 and was terminated.

The required remedial measure(s), and date(s) to be completed by, are as follows:  
Obtain the services of a certified operator immediately. Submit a letter to the undersigned when this condition has been satisfied. Attend any enforcement conferences scheduled by the Division of Enforcement.

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

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

Division of Water  
Paducah Regional Office  
130 Eagle Nest Dr  
Paducah, KY 42003-9435  
270-898-8468 (7:30 AM – 3:30 PM)  
Ms. Shannon McLeary, Environmental Inspector III



Issued By:

Ms. Shannon McLeary, Environmental Inspector III  
Date: February 27, 2009

E-Signed by William Baker  
VERIFY authenticity with ApproveIt  
*William Baker*

Issued By:

Mr. William Baker, Environmental Control Supervisor  
Date: February 27, 2009

How Delivered: Certified Mail Certified/Registered # 7008 0150 0001 1801 0811