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Governor

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Commonwealth of Kentucky
Public Service Commission
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David L. Armstrong
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James W. Gardner
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Charles R. Borders
Commissioner

May 4, 2010

Ms. Sandy Gruzesky
Division of Water
200 Fair Oaks Lane
Fourth Floor
Frankfort, Kentucky 40601

Re: PSC Case No. 2010-00163
Garrison-Quincy-KY-O-Heights Water District

Dear Ms. Gruzesky:

The Public Service Commission requests that the Division of Water provide written confirmation that Garrison-Quincy-KY-O-Heights Water District ("Garrison District") has a valid and effective construction permit to construct an 114,000 gallon per day wastewater treatment plant in Lewis County.

Garrison District has applied to the Public Service Commission for a Certificate of Public Convenience and Necessity to construct and install approximately 49,350 linear feet of small diameter force mains, 415 individual grinder pump stations and a 114,000 GPD wastewater treatment plant. A copy of the water district's application is available at <http://psc.ky.gov/pscscf/2010%20cases/2010-00163>

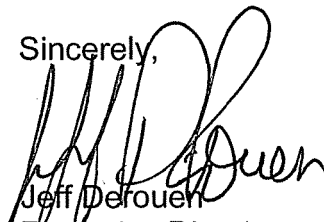
During its review of the application, Commission Staff discovered that, on September 13, 2005, Division of Water issued a construction permit to Garrison District for "a 0.114 extended aeration treatment system" and that this permit expired on September 13, 2006. A copy of this permit is enclosed. Commission Staff has been unable to locate any subsequent action by Division of Water to extend the original permit for the wastewater treatment plant. Commission Staff has located a letter from the Construction and Compliance Section, Surface Water Permits Branch, that was issued on July 16, 2009 and that apparently extends the time "to begin construction on sanitary sewers to serve the Garrison Regional WWTP." This letter, which is also enclosed, makes no reference to the construction of a wastewater treatment plant. Finally, the U.S. Environmental Protection Agency is reporting that the NDPEs permit for the proposed wastewater treatment plant (KY0105422) has expired.

Ms. Sandy Gruzesky
May 4, 2010
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The Public Service Commission requests that Division of Water advise in writing as to the current status of the construction permit for the 114,000 GPD wastewater treatment plant and Garrison District's KDPEs permit for that facility. As KRS 278.023 requires the Public Service Commission to issue a final decision on Garrison District's application no later than May 21, 2010, it requests that DOW respond to this letter no later than May 14, 2010.

Any questions regarding this letter should be directed to Gerald Wuetcher, Executive Advisor, at (502) 564-3940, Extension 259.

Sincerely,



Jeff Derouen
Executive Director

Enclosures

Cc: W. Randall Jones, Esq.
Jeff Reynolds, P.E.
John Pierce
Case File No. 2010-00163

Wastewater Treatment Plant Construction

Garrison Regional WWTP
Facility Requirements

Activity ID No.: APE20030001

PORT0000000001 (Garrison Regional) Garrison Regional WWTP:

Submittal/Action Requirements:

| Condition No. | Condition |
|---------------|-----------|
|---------------|-----------|

| | |
|-----|--|
| S-1 | When this system is completed, the applicant shall submit written certification: Due 30 calendar days after Completion of Construction to the Division of Water that the facilities have been constructed and tested in accordance with the approved plans and specifications and the above approval conditions. Such certification shall be signed by a registered professional engineer. Failure to certify may result in penalty assessment and/or future approvals being withheld. [401 KAR 5:005 Section 24(2)] |
|-----|--|

Narrative Requirements:

| Condition No. | Condition |
|---------------|-----------|
|---------------|-----------|

| | |
|-----|---|
| T-1 | The plans and specifications submitted for the project are approved by the Environmental and Public Protection Cabinet as to sanitary features, subject to the requirements contained within the permit. [401 KAR 5:005 Section 24(4)(a)] |
| T-2 | Authority to construct these sewers is hereby granted. This approval is issued under the provisions of KRS Chapter 224.10-100 (19) regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any permits or licenses required by this Cabinet and other state, federal, and local agencies. [401 KAR 5:005 Section 24(4)(a)] |
| T-3 | The plans include approximately 40100 linear feet of 8 inch PVC sanitary sewers; a Garrison Lane lift station with duplex submersible pumps of 80 gpm with 165 feet TDH and approximately 118 linear feet of 4 inch PVC force main pipe; Hinkle Lane lift station with duplex grinder pumps of 55 gpm with 28.3 feet TDH and approximately 805 linear feet of 3 inch PVC force main pipe; North Central lift station with duplex grinder pumps with 30 gpm with 70.9 feet TDH and approximately 1603 linear feet of 2 inch PVC force main force main pipe; KY.HWY# 1306 lift station of 25 gpm with 66.7 feet TDH and approximately 1583 linear feet of 2 inch PVC force main pipe; Murphy Lane # 1 lift station of 30 gpm with 52.5 feet TDH and approximately 1239 linear feet of 2 inch PVC force main pipe; Murphy Lane # 2 lift station of 30 GPM with 36.0 feet TDH and approximately 1680 feet TDH and approximately 1680 linear feet of 2 inch PVC force main pipe; Bentlyville # 1 lift station of 25 gpd with 49.7 feet TDH and approximately 1393 feet of 2 inch PVC force main pipe; Bentlyville # 2 lift station of 20 gpm with 34.4.feet TDH and approximately 1013 linear feet of 2 inch PVC force main pipe, and the KY HWY# 8 lift station of 20 gpm with 40.6 feet TDH and approximately 998 linear feet of 2 inch PVC force main pipe.. The flow from these lines is to be treated at the City of Garrison Wastewater Treatment Plant, KPDES Permit No. KY0105422 , Lewis County, Kentucky. [401 KAR 5:005 Section 24(4)(a)] |
| T-4 | The types of sanitary sewer pipe shall be limited to the following: PVC. [401 KAR 5:005 Section 1(2)] |

ENCLOSURE 1

Wastewater Treatment Plant Construction

Garrison Regional WWTP
Facility Requirements

Activity ID No.: APE20030001

Page 2 of 8

PORT0000000001 (continued):

Narrative Requirements:

| Condition No. | Condition |
|---------------|---|
| T-5 | PVC pipe material and joints shall conform to ASTM D-3034, latest revision. [Ten States (WW) 33.81] |
| T-6 | PVC pressure pipe material and joints shall conform to ASTM D-2241, or latest revision. [Ten States (WW) 33.81] |
| T-7 | Flexible thermoplastic sewer pipe installation for gravity sewers shall conform to ASTM D2321, latest revision. [Ten States (WW) 33.81] |
| T-8 | Flexible thermoplastic sewer pipe installation for pressure sewers shall conform to ASTM D-2774, latest revision. [Ten States (WW) 33.81] |
| T-9 | Fittings for ductile iron pipe shall conform to AWWA C-110-77, or latest revision. [Ten States (WW) 33.81] |
| T-10 | Pipe joints used for ductile iron pipe shall conform to AWWA C-111-80, or latest revision. [Ten States (WW) 33.81] |
| T-11 | Ductile iron pipe installation shall conform to AWWA C-600-82, or latest revision. [Ten States (WW) 33.81] |
| T-12 | Gravity sewer lines and force mains shall have a minimum of thirty (30) inches of cover or provide comparable protection. [401 KAR 5:005 Section 8(9)] |
| T-13 | A drop pipe shall be provided where the sewer enters the manhole at two feet or more above the manhole invert. [Ten States (WW) 34.2] |
| T-14 | All sewers shall be low pressure air tested. A deflection test shall be performed on all gravity sanitary sewers using flexible pipe. The test shall be performed after the final backfill has been in place for at least thirty days. No pipe shall exceed a deflection of five percent. If the deflection test is to be run using a rigid ball or mandrel, it shall have a diameter equal to 95% of the inside diameter of the pipe. The test shall be performed without mechanical pulling devices. Each new manhole shall be tested for watertightness. [401 KAR 5:005 Section 8(6)(a)] |
| T-15 | If gravity sewer lines and force mains are to be constructed in fill areas, the fill areas shall be compacted to ninety-five (95) percent density as determined by the Standard Proctor Density test or to a minimum of ninety (90) percent density as determined by the Modified Proctor Density test prior to the installation of the sewer lines. [401 KAR 5:005 Section 8(10)] |
| T-16 | Sewers crossing water mains shall be laid to provide a vertical distance of 18 inches between the outside of the water main and the outside of the sewer. This shall be the case where the water main is either above or below the sewer. The crossing shall be arranged so that the sewer joints are equidistant and as far as possible from the water main joints. Where a water main crosses under a sewer, adequate structural support shall be provided for the sewer to prevent damage to the water main. [Ten States (WW) 38.32] |

Wastewater Treatment Plant Construction

Garrison Regional WWTP

Facility Requirements

Activity ID No.: APE20030001

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PORT000000001 (continued):

Narrative Requirements:

| Condition No. | Condition |
|---------------|---|
| T-17 | Sewers shall be laid at least 10 feet horizontally from any existing or proposed water main. The distance shall be measured from edge to edge. [Ten States (WW) 38.31] |
| T-18 | Concrete anchors shall be provided, with a spacing not over thirty six (36) feet center to center, on all gravity sewer lines having a slope greater than twenty (20) percent and up to thirty five (35) percent. [Ten States (WW) 33.46] |
| T-19 | The entrance of groundwater into, or loss of waste from, a new gravity sewer line shall be limited to 200 gpd per inch of diameter per mile of the gravity sewer line. This limitation includes manholes, gravity sewer lines, and appurtenances. [401 KAR 5:005 Section 8(5)] |
| T-20 | Air release valves shall be installed at high points in any proposed force main. [401 KAR 5:005 Section 8(19)] |
| T-21 | The minimum slope for any proposed six (6) inch line shall be 0.6 percent. The recommended slope for this line is 1.0 percent. [Ten States (WW) 33.4] |
| T-22 | Since the requirements of administrative regulations 401 KAR 4:050, Section 2 are met, a floodplain construction permit will not be required pursuant to KRS 151:250. [401 KAR 4:050 Section 2] |
| T-23 | An audible and visible alarm shall be provided at any proposed wastewater pump station. [Ten States (WW) 45] |
| T-24 | Adequate thrust blocks shall be provided at all significant bends in any proposed sewer force main in order to prevent movement. [Ten States (WW) 48.4] |
| T-25 | The integrity of any proposed force main shall be verified by leakage tests. The applicant shall describe the proposed testing methods and leakage limits in the specifications submitted with the permit application. [401 KAR 5:005 Section 8(6)(b)] |
| T-26 | If the sewer line project will cross a stream or wetland, the attached Water Quality Certification will apply. Please read and make a part of any contract to install this sewer line. Direct any questions to the Water Quality Branch, 401 Certification Section at 502-564-2225, extension 485. [KRS 224.16-050] |
| T-27 | Facilities shall be designed in accordance with the "Recommended Standards for Wastewater Facilities" of the Great Lakes-Upper Mississippi River Board of State Public Health and Environmental Managers, commonly referred to as "Ten States' Standards", 1990 edition. [401 KAR 5:005 Section 7(1)(a)] |
| T-28 | The permit is issued to the applicant and the permittee shall remain the responsible party for compliance with all applicable statutes and administrative regulations until a notarized applicable change in ownership certification is submitted and the transfer of ownership is acknowledged by the cabinet. [401 KAR 5:005 Section 24(3)] |

Wastewater Treatment Plant Construction

Garrison Regional WWTP

Facility Requirements

Activity ID No.: APE20030001

PORT000000001 (continued):

Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-29 | There shall be no deviations from the plans and specifications submitted with the application or the conditions specified unless authorized in writing by the cabinet. [401 KAR 5:005 Section 24(4)(b)1] |
| T-30 | The issuance of a permit by the cabinet does not convey any property rights of any kind or any exclusive privilege. [401 KAR 5:005 Section 24(6)] |
| T-31 | A permit to construct a facility shall be effective upon issuance unless otherwise conditioned. Construction shall be completed within twelve (12) months unless additional time is requested. If construction is not commenced within the twelve (12) months following a permit's issuance, a new permit shall be obtained before construction may begin. The cabinet may allow a single twelve (12) month extension to begin construction if site conditions have not changed. [401 KAR 5:005 Section 24(1)] |

Wastewater Treatment Plant Construction

Garrison Regional WWTP

Facility Requirements

Activity ID No.: APE20030001

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TRMT000000001 (Garrison Regional) Garrison Regional WWTP:

Limitation Requirements:

| Condition No. | Parameter | Condition |
|---------------|--|--|
| L-1 | Ammonia Nitrogen, Total (as N) | Influent: Ammonia Nitrogen, Total (as N) \leq 20 mg/L. [401 KAR 5:005 Section 24(4)(a)] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-2 | Ammonia Nitrogen, Total (as N) | Influent: Ammonia Nitrogen, Total (as N) \leq 19.01 lbs/day. [401 KAR 5:005 Section 24(4)(a)] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-3 | Ammonia Nitrogen, Total (as N) | Effluent: Ammonia Nitrogen, Total (as N) \leq 20 mg/L. [401 KAR 5:031 Section 4] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-4 | Ammonia Nitrogen, Total (as N) | Effluent: Ammonia Nitrogen, Total (as N) \leq 19.1 lbs/day. [401 KAR 5:031 Section 4] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-5 | BOD, 5-Day (20 Deg. C) | Influent: BOD, 5-Day (20 Deg. C) \leq 240 mg/L. [401 KAR 5:005 Section 24(4)(a)] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-6 | BOD, 5-Day (20 Deg. C) | Influent: BOD, 5-Day (20 Deg. C) \leq 228.2 lbs/day. [401 KAR 5:005 Section 24(4)(a)] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-7 | BOD, Carbonaceous 05 Day, 20C | Effluent: BOD, Carbonaceous 05 Day, 20C \leq 30 mg/L. [401 KAR 5:045 Section 3] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-8 | BOD, Carbonaceous 05 Day, 20C | Effluent: BOD, Carbonaceous 05 Day, 20C \leq 28.5 lbs/day. [401 KAR 5:045 Section 3] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-9 | Flow, In Conduit Or Thru Treatment Plant | The design capacity of the WWTP is based on the following: Flow, In Conduit Or Thru Treatment Plant \leq 0.114 MGD (MA). [401 KAR 5:005 Section 24(4)(a)] This requirement is applicable during the following months: All Year. Statistical basis: Daily average. |
| L-10 | Oxygen, Dissolved | Effluent: Oxygen, Dissolved \geq 7 mg/l. [401 KAR 5:031 Section 4] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-11 | Solids, Total Suspended (TSS) | Influent: Solids, Total Suspended (TSS) \leq 240 mg/L. [401 KAR 5:005 Section 24(4)(a)] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |

Wastewater Treatment Plant Construction

Garrison Regional WWTP

Facility Requirements

Activity ID No.: APE20030001

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TRMT0000000001 (continued):

Limitation Requirements:

| Condition No. | Parameter | Condition |
|---------------|-------------------------------|---|
| L-12 | Solids, Total Suspended (TSS) | Influent: Solids, Total Suspended (TSS) \leq 228.2 lbs/day. [401 KAR 5:005 Section 24(4)(a)] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-13 | Solids, Total Suspended (TSS) | Effluent: Solids, Total Suspended \leq 30 mg/l. [401 KAR 5:045 Section 3] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |
| L-14 | Solids, Total Suspended (TSS) | Effluent: Solids, Total Suspended (TSS) \leq 28.5 lbs/day. [401 KAR 5:045 Section 3] This requirement is applicable during the following months: All Year. Statistical basis: Monthly average (AV). |

Submittal/Action Requirements:

| Condition No. | Condition |
|---------------|---|
| S-1 | When the construction of the system is completed, the permittee shall submit written certification: Due 30 calendar days after Completion of Construction to the Division of Water that the facilities have been constructed and tested in accordance with the approved plans and specifications and the above approval conditions. Such certification shall be signed by a registered professional engineer. Failure to certify may result in penalty assessment and/or future approvals being withheld. [401 KAR 5:005 Section 24(2)] |

Narrative Requirements:

| Condition No. | Condition |
|---------------|---|
| T-1 | Facilities, except extended aeration package WWTPs with an average daily design capacity less than 100,000 gpd, shall be designed in accordance with the "Recommended Standards for Wastewater Facilities" of the Great Lakes-Upper Mississippi River Board of State Public Health and Environmental Managers, commonly referred to as "Ten States' Standards", 1990 edition. [401 KAR 5:005 Section 7(1)(a)] |

Wastewater Treatment Plant Construction

Garrison Regional WWTP
Facility Requirements

Activity ID No.: APE20030001

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TRMT0000000001 (continued):

Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-2 | The permit is issued to the applicant and the permittee shall remain the responsible party for compliance with all applicable statutes and administrative regulations until a notarized applicable change in ownership certification is submitted and the transfer of ownership is acknowledged by the cabinet. [401 KAR 5:005 Section 24(3)] |
| T-3 | Construction is limited to the following: a 0.114 extended aeration treatment system with: two aeration basins, flow equalization basin, manually cleaned bar screen, two clarifiers, sludge bagging system, diffused air post aeration system, UV disinfection system. [401 KAR 5:005 Section 1] |
| T-4 | There shall be no deviations from the plans and specifications submitted with the application or the conditions specified unless authorized in writing by the cabinet. [401 KAR 5:005 Section 24(4)(b)1] |
| T-5 | The issuance of a permit by the cabinet does not convey any property rights of any kind or any exclusive privilege. [401 KAR 5:005 Section 24(6)] |
| T-6 | All rights of inspection by representatives of the Division of Water are reserved. [401 KAR 5:005 Section 24(4)(a)] |
| T-7 | This wastewater treatment plant has been designed to meet a reliability category grade 3. [401 KAR 5:005 Section 13] |
| T-8 | A water supply with suitable backflow preventer shall be provided to facilitate cleaning and maintenance of the wastewater treatment plant. [401 KAR 5:005 Section 10(6)] |
| T-9 | Fencing and/or other adequate protection shall be provided around the wastewater treatment plant. [401 KAR 5:005 Section 10(7)] |
| T-10 | An all-weather access road shall be provided to the wastewater treatment plant. [401 KAR 5:005 Section 10(8)] |
| T-11 | Water quality standards (401 KAR 5:031, Section 4) govern the treatment requirements; the following standards apply: a. Dissolved Oxygen in the stream; 5 mg/l or higher. b. Un-ionized Ammonia in the stream; 0.05 mg/l or less. [401 KAR 5:031 Section 4] |
| T-12 | The permittee shall ensure that the effluent is of satisfactory quality to prevent violations of the standards in 401 KAR Chapter 5. If violations of the standards of 401 KAR Chapter 5 result from the discharge of the treated effluent, the owner shall provide additional treatment or an extension of the effluent line. [401 KAR 5:005 Section 24(4)(c)1] |

Wastewater Treatment Plant Construction

Garrison Regional WWTP
Facility Requirements

Activity ID No.: APE20030001

Page 8 of 8

TRMT0000000001 (continued):

Narrative Requirements:

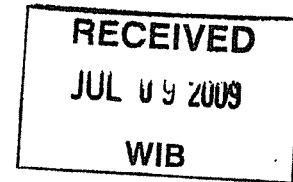
| Condition No. | Condition |
|---------------|--|
| T-13 | This treatment unit is temporary and in no way supersedes the need of a regional sewer system. The permittee will eliminate the discharge and treatment unit by connection to a regional sewer system when it becomes available as defined in 401 KAR 5:002. [401 KAR 5:005 Section 4(6)] |
| T-14 | Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Division of Water and other state, federal, and local agencies. [401 KAR 5:005 Section 24(4)(c)3] |
| T-15 | The effluent from this treatment system is to be discharged at the 613.05 mile point of Ohio river (segment no. 08205). [401 KAR 5:005 Section 1(2)] |
| T-16 | Additional effluent limitations and water quality standards are contained in the Division of Water Regulations. [401 KAR 5:005 Section 24(4)(a)] |
| T-17 | The division will review the reported monthly flows and organic loads for the most recent twelve (12) months for the Wastewater Treatment Plant (WWTP). If the annual average flow or organic loads exceed ninety (90) percent of the WWTP's design capacity, the division may deny the approval of any sewer line extension until the owner of the WWTP commits to address the potential overload condition. [401 KAR 5:005 Section 9] |
| T-18 | A permit to construct a facility shall be effective upon issuance unless otherwise conditioned. Construction shall be completed within twelve (12) months unless additional time is requested. If construction is not commenced within the twelve (12) months following a permit's issuance, a new permit shall be obtained before construction may begin. The cabinet may allow a single twelve (12) month extension to begin construction if site conditions have not changed. [401 KAR 5:005 Section 24(1)] |
| T-19 | The Construction Permit is effective on September 13, 2005 and expires on September 13, 2006. [401 KAR 5:005 Section 24(1)] |



3 HMB Circle
US 460
Frankfort, KY 40601
Office: (502) 695-9800
Fax: (502) 695-9810

July 6, 2009

Mr. Harold Sparks, Supervisor
Division of Water
200 Fair Oaks
Frankfort, KY 40601



Re: Garrison Regional WWTP
Lewis County, Kentucky
Project ID: 03-0913
Garrison Regional WWTP -- 46485
Activity ID: APE20030001
HMB #4021.01

Dear Mr. Sparks:

Funding for the above referenced project appears to be in place. Unfortunately, the Construction Permit has expired. Therefore, we are requesting a time extension for the Construction Permit.

If you have any questions or need additional information, please call.

Sincerely,

HMB Professional Engineers, Inc.

Jeff Reynolds, P.E.

cc: John Pierce, GQWD
Kevin Cornette, BTADD
Bob Blankenship, HMB
Chris Stewart, HMB

- Highway Engineering
- Structural Engineering
- Water & Wastewater
- Site Development
- Right-of-Way
- Master Planning
- Environmental Planning
- Surveying
- Project Management
- Cost Estimation
- Construction Inspection
- Aviation Services
- Environmental Remediation
- Landscape Architecture



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
200 FAIR OAKS LANE, 4TH FLOOR
FRANKFORT KENTUCKY 40601
www.kentucky.gov

July 16, 2009

Mr. Jeff Reynolds, P.E.
3 HMB
US 460
Frankfort, KY 40601

RE: Garrison Regional WWTP
Lewis County, Kentucky
Project ID: 03-0913
Garrison Regional WWTP -- 46485
Activity ID: APE20030001
AI ID: 46485

Dear Mr. John Pierce:

We have received your request for an extension of time to begin construction on sanitary sewers to serve the Garrison Regional WWTP. We concur with your request and the expiration date of July 16, 2010 with the following provisions:

1. The plans and specification originally submitted for the sewer are to remain unchanged.
2. The approval conditions in our approval letter issued on September 13, 2005 are to remain in effect.

Please note that time extensions cannot be re-issued indefinitely. If construction of wastewater facility is not initiated before July 16, 2010, then it will be necessary to resubmit the engineering plans and specification together with another application and a review fee. If you should have any questions, please contact me at (502) 564-8158, extension 4851.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Goode".

Greg Goode, P.E.
Construction and Compliance Section
Surface Water Permits Branch
Division of Water

C: John Pierce, GQWD