




Lexington-Fayette Urban County Government  
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray  
Mayor

David L. Holmes  
Commissioner

**TO:** Mayor Jim Gray  
Urban County Council

**FROM:** Charles H. Martin, P.E., Director   
Division of Water Quality

**DATE:** September 4, 2014

**SUBJECT:** **Agreement with JFG Enterprises for the Construction of Sanitary Sewerage Facilities Serving Properties Located in the Blue Sky Rural Activity Center and the Dedication of Those Facilities to LFUCG**

The purpose of this memorandum is to request approval of an agreement between LFUCG and JFG Enterprises, owners of the Boonesboro Manor Package Treatment Plant, for the purpose of providing municipal sanitary sewer service to un-served and underserved properties located within the boundaries of the Blue Sky Rural Activity Center (RAC). The Boonesboro Manor Package Treatment Plant is located off Athens-Boonesboro Road just west of Interstate 75 and is capable of providing sanitary sewer service to the Blue Sky area west of the interstate.

The Consent Decree (Appendix K-1) contains a Supplemental Environmental Project (SEP) that requires LFUCG to eliminate the existing Blue Sky Wastewater Treatment Plant, which currently serves the Blue Sky area located on the east side of the interstate. The SEP also contains text indentifying "*Accommodation of eventual elimination of the Boonesboro Manor Package Treatment Plant*" as a beneficial outcome of SEP completion.

In late 2012 and early 2013, the Division of Water Quality (DWQ) and representatives of JFG Enterprises appeared before the council's Environmental Quality Committee to present scenarios for meeting the objective of the SEP, particularly defining how LFUCG would accommodate the eventual elimination of the Boonesboro Manor Package Treatment Plant. This agreement represents DWQ's understanding of the directive issued by the committee.

Key points of this agreement:

- LFUCG would (and has) constructed the Blue Sky force main with sufficient capacity to serve the two western quadrant of the Blue Sky RAC in a full development scenario based on Development Plans on file with the Division of Planning. Sufficient capacity was calculated and capped at 500 gallons per minute (gpm) and is exclusively reserved for future development within the two western quadrants.
- JFG Enterprises would construct any and all sanitary sewer infrastructure necessary to eliminate the existing package plant and connect to a force main tee provided by LFUCG as part of the Blue Sky

force main construction. Upon completion of routine inspection and testing, JFG will dedicate all constructed sanitary sewer infrastructure to LFUCG for future operation and maintenance.

This project was undertaken in connection with the settlement of an enforcement action under the Clean Water Act, United States et al v. Lexington-Fayette Urban County Government, brought on behalf of the U.S. Environmental Protection Agency.

If you have any questions or need additional information, please contact me at 425-2455.