

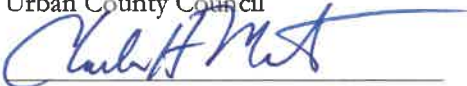
MAYOR JIM GRAY



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Jim Gray
Urban County Council

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

DATE: May 16, 2018

SUBJECT: Agreed Order between the Kentucky Energy and Environment Cabinet and LFUCG

Request

The Division of Water Quality requests a resolution approving an Agreed Order between the Kentucky Energy and Environment Cabinet and Lexington-Fayette Urban County Government (LFUCG) to resolve a violation of KRS Chapter 224 and the regulations promulgated pursuant thereto, and authorizing the Director of the Division of Water Quality, on behalf of the Urban County Government, to execute the Agreed Order and any other documents related thereto. The minimum expenditure required to meet the Agreed Order obligation is \$35,000.

Purpose of Request

On May 17, 2017, LFUCG was issued a Notice of Violation for the unauthorized discharge of wastewater. This unauthorized discharge was the result of a broken 30-inch diameter sanitary force main located in proximity of Spurr Road. The Cabinet and the Division of Water Quality (DWQ) have negotiated a settlement for those violation that includes DWQ's implementation of a Supplemental Environmental Project (SEP) in lieu of a civil penalty payment.

The SEP concept and objectives were presented in the April 24, 2018 Environmental Quality and Public Works Committee meeting. The committee recommended that DWQ move forward with the SEP as recommended.

Are Funds Budgeted

Funding for fully meeting the Agreed Order obligation is budgeted in 4002-303401-3401-78321.

Martin/Hoskins-Squier

