



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 Goodman
SECRETARY

Anthony R. Hatton
COMMISSIONER

July 19, 2022

Camp Dick Robinson Elementary
Attn: Mr. Kevin Stull
322 W Maple Ave
Lancaster, KY 40444

Re: AI Name: Camp Dick Robinson
Elementary
AI No. 35348
Case No. DOW-22-3-0054
Activity No. ERF20210001
Facility ID: KY0100421
Garrard County

Dear Mr. Stull:

Thank you for attending the administrative conference held on July 19, 2022. The purpose of this letter is to summarize the settlement offered tendered to Garrard County Board of Education by the Division of Enforcement (DENF). The DENF proposes to enter into an Agreed Order with the following conditions:

1. Within thirty (30) days of execution of the Agreed Order, the Responsible Party shall develop and submit to the Cabinet for review and acceptance a Corrective Action Plan (hereinafter "CAP"). The CAP shall include, but not be limited to the following:
 - a. An explanation of why the cited violations occurred;
 - b. A report of completed corrective actions;
 - c. A list of proposed corrective actions to be completed to avoid future non-compliance;
 - d. A schedule of implementation for proposed corrective action items; and
 - e. A final compliance date for each proposed corrective action in the plan.
2. At the end of the first calendar quarter following the execution of the Agreed Order, GCBE shall submit quarterly progress reports for each three-month period no later than the thirtieth (30th) day of the month following the end of the quarter to the Cabinet that describes its progress in complying with the Agreed Order. The quarterly report shall include, at a minimum:
 - a. A detailed description of projects and activities conducted and completed during the past reporting period to comply with the requirements of the Agreed Order;
 - b. The anticipated projects and activities that will be performed in the upcoming three month period to comply with the requirements of the Agreed Order; and

[Type here]

- c. Any additional information necessary to demonstrate that Kevil WWTP is adequately implementing its CAP.
3. By the date specified in the CAP, GCBE shall comply with KRS 224, KPDES Permit No. KY0100421, and the Agreed Order.
4. The DENF has proposed a civil penalty in the amount of eight thousand dollars (\$8,000) for the violations cited at the facility. You may submit a counteroffer with justification for lowering the penalty amount.
5. The Agreed Order shall contain stipulated penalty language:
 - a. Following the execution of the Agreed Order by the Cabinet's Secretary (or designee) until the termination of the Agreed Order, the Cabinet may assess stipulated penalties up to five hundred dollars (\$500) for each instance where:
 - i. The violation of the effluent limits for any Group I parameter (as defined by 40 CFR 123.45, Appendix A) which is more than 40% above the permitted limit at least twice within two consecutive quarters.
 - ii. The violation of the effluent limits for any Group II parameter (as defined by 40 CFR 123.45, Appendix A) which is more than 20% above the permitted limit at least twice within two consecutive quarters.
 - iii. The violation of the effluent limits for any parameter which is in violation of the permitted limit at least 4 times within two consecutive quarters.
 - b. For each failure to timely submit the CAP a stipulated penalty in the amount of five hundred dollars (\$500) per instance may be assessed.
 - c. For each failure to timely complete, each action identified in the accepted CAP a stipulated penalty in the amount of two hundred and fifty dollars (\$250) per instance may be assessed.

This is the Cabinet's proposal to resolve the outstanding violations at your facility. The DENF requires a response to this letter by August 24, 2022. Failure to respond by the above stated deadline may result in a referral to the Cabinet's Office of General Counsel for the initiation of formal legal proceedings. Should this become necessary, the Division will seek full and total resolution, which may include the maximum penalties allowed under the Kentucky Revised Statutes.

You may reach me at 502-782-6266 or amber.hawkins@ky.gov with any questions concerning this settlement proposal. Thank you for your attention to this matter.

Sincerely,

X *Amber Hawkins*

Amber Hawkins
Signed by: Amber Hawkins
Environmental Enforcement Specialist
Division of Enforcement