

HENRY C. LIST
SECRETARY



PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601

NOV 14 2003

Clay W. Long, President
Fourth Avenue Corporation and Long
Corporation, a joint venture
d.b.a. Shadow Wood Subdivision
Sewer System
P.O. Box 1267
Prospect, Kentucky 40059

Re: Shadow Wood Subdivision
KPDES No.: KY0031810
Jefferson County, Kentucky

Dear Mr. Long:

Enclosed is the Kentucky Pollutant Discharge Elimination System (KPDES) permit for the above-referenced facility. This action constitutes a final permit issuance under 401 KAR 5:075, pursuant to KRS 224.16-050.

Your facility is being issued a permit that is shorter than the normal five-year term in order to synchronize permit issuance by watershed. The permit fee that is assessed for this short-term permit is prorated based on the permit duration. Implementation of watershed permitting began in the year 2001 and your targeted permit issuance is based upon your location in the watershed basin.

This permit will become effective on the date indicated in the attached permit provided that no request for adjudication is granted. All provisions of the permit will be effective and enforceable in accordance with 401 KAR 5:075, unless stayed by the Hearing Officer under Sections 11 and 13.

Any demand for a hearing on the permit shall be filed in accordance with the procedures specified in KRS 224.10-420, 224.10-440, 224.10-470 and any regulations promulgated thereto. Any person aggrieved by the issuance of a permit final decision may demand a hearing, pursuant to KRS 224.10-420(2) within thirty (30) days from the date of the issuance of this letter. Two (2) copies of request for hearing should be submitted in writing to the Natural Resources and Environmental Protection Cabinet, Office of Administrative Hearings, 35-36 Fountain Place, Frankfort, Kentucky 40601 and the Commonwealth of Kentucky, Natural Resources and Environmental Protection Cabinet, Division of Water, 14 Reilly Road, Frankfort, Kentucky 40601. For your record keeping purposes, it is recommended that these requests be sent by certified mail. The written request must conform to the appropriate statutes referenced above.



Mr. Clay W. Long
Shadow Wood Subdivision/KY0031810
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If you have any questions regarding the KPDES decision, please contact Courtney Seitz, Inventory and Data Management Section, KPDES Branch, at (502) 564-2225, extension 465.

Further information on procedures and legal matters pertaining to the hearing request may be obtained by contacting the Office of Administrative Hearings at (502) 564-7312.

Sincerely,



Jeffrey W. Pratt, Director
Division of Water

JWP:NG:ng
Enclosure

c: Louisville Regional Office
Division of Water Files

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FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601
STATEMENT OF BASIS

KPDES No.: KY0031810 **Permit Writer:** Ben Muncy **Date:** July 24, 2003

Facility Name: Shadow Wood Subdivision

Facility Location: 5497 Forest Lake Drive
Prospect, Jefferson County, Kentucky

Permitting Action: This is a reissuance of a permit for a subdivision with commercial users.

Permit Duration: Expires June 30, 2005. The Agreed Order of Dismissal of KPDES Permit Challenge, File Number DOW-23346-042, allows the Cabinet to extend this permit in increments of two (2) years if a regional sewage system is not available. The last permit extension expired June 30, 2003. The order requires the connection of this facility to a regional system within ninety (90) days after that system becomes available. This permit is scheduled for reissuance in July 2005 for the Salt/Licking Basin Management Unit.

Receiving Stream: Harrods Creek/Mile point 0.90

Stream Segment Use Classification: Warmwater Aquatic Habitat and Primary/Secondary Contact Recreation. The receiving stream is listed in Kentucky's 303(d) list of impaired waters as required by the Clean Water Act for aquatic life impairment due to organic enrichment, low dissolved oxygen, and nutrients. Sources are six package plants in the backwater. A U.S. EPA approved TMDL (total maximum daily load) analysis has been conducted on this stream segment. The TMDL calls for the elimination of this package plant. Due to nutrient concerns, phosphorus limits will be required with the reissuance of this permit.

Stream Low Flow Condition: Not applicable, Ohio River backwater

Regional Facility Plan: The plant is located within the facility planning area of Louisville and Jefferson County Metropolitan Sewer District (MSD). The current facility is compatible with the regional facility plan and MSD is currently not available for connection as defined in Regulation 401 KAR 5:002, Section 1(21). Elimination of the Shadow Wood plant is part of the River Road Interceptor Sanitary Sewer Project which is scheduled for completion in the fourth quarter of 2007 for the Morris Forman WWTP service area.

CW



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Justification of Permit Conditions:

The following regulations are pursuant to KRS 224.70-100 and KRS 224.70-110.

Biochemical Oxygen Demand (5-day), Total Suspended Solids, Fecal Coliform, and pH

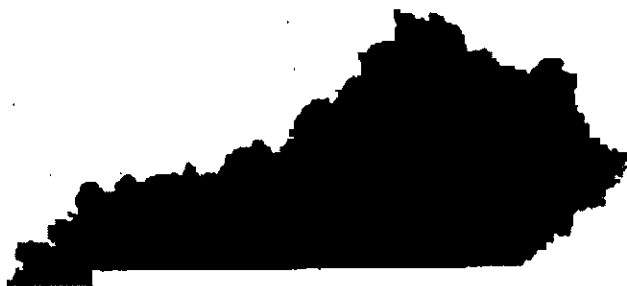
The effluent limitations for the above permit parameters are consistent with 401 KAR 5:045.

Ammonia Nitrogen, Total Phosphorus, and Dissolved Oxygen

The effluent limitations for the above permit parameters are consistent with 401 KAR 5:031. Due to nutrient concerns for the receiving stream, phosphorus monitoring is being required for this permit reissuance. A limitation may be required in the future.

Antidegradation:

The conditions of 401 KAR 5:029, Section 1(1) have been satisfied by this permit action. A review under Section 1(2), (3), and (4) is not applicable.

KPD&S**KENTUCKY POLLUTANT
DISCHARGE ELIMINATION
SYSTEM****PERMIT**

PERMIT NO.: KY0031810

**AUTHORIZATION TO DISCHARGE UNDER THE
KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM**

Pursuant to Authority in KRS 224,

Fourth Avenue Corporation and Long Corporation, a joint venture
d.b.a. Shadow Wood Subdivision Sewer Service
P.O. Box 1267
Prospect, Kentucky 40059

is authorized to discharge from a facility located at

Shadow Wood Subdivision
5497 Forest Lake Drive
Prospect, Jefferson County, Kentucky

to receiving waters named

Harrods Creek at mile point 0.90

in accordance with effluent limitations, monitoring requirements and other conditions
set forth in Parts I, II, and III hereof. The permit consists of this cover sheet,
and Part I 2 pages, Part II 1 page, and Part III 1 page.

This permit shall become effective on **JAN 1 2004**

This permit and the authorization to discharge shall expire at midnight,
June 30, 2005.

NOV 14 2003

Date Signed

Jeffrey W. Pratt, Director
Division of Water

Robert W. Logan
Commissioner

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water, Frankfort Office Park, 14 Reilly Road, Frankfort, Kentucky 40601

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PART I
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Permit No.: KY0031810

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge from Outfall serial number: 001, Sanitary Wastewater.

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS

DISCHARGE LIMITATIONS

MONITORING REQUIREMENTS

| | lbs/day | | Other Units (Specify) | | Report | Continuous | Instantaneous | Influent or Effluent |
|---|--------------|--------------|-----------------------|------------|----------------------|------------|---------------|----------------------|
| | Monthly Avg. | Daily Max. | Monthly Avg. | Daily Max. | | Frequency | Sample Type | |
| Flow, Design (0.085 mgd) | N/A | N/A | | | Report | | | |
| Biochemical Oxygen Demand (5-day), Carbonaceous | 7.09 | 14.2 | 10 mg/l | | 20 mg/l | 1/Week | Composite | Effluent |
| Total Suspended Solids | 21.3 | 42.6 | 30 mg/l | | 60 mg/l | 1/Week | Composite | Effluent |
| Fecal Coliform Bacteria, N/100 | N/A | N/A | 200 | | 400 | 1/Week | Grab | Effluent |
| Ammonia (as N) | 1.42 3.54 | 2.84 7.08 | 2 mg/l* 5 mg/l** | | 4 mg/l* 10 mg/l** | 1/Week | Composite | Effluent |
| Dissolved Oxygen shall not be less than 7 mg/l | | | | | | 1/Week | Grab | Effluent |
| Total Phosphorus (as P) | N/A | N/A | Report | | Report | 1/Week | Composite | Effluent |

The pH of the effluent shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per week by grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The effluent shall not cause a visible sheen on the receiving water.

* Effective May 1 - October 31

** Effective November 1 - April 30

PART I
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B. Schedule of Compliance

1. The permittee shall achieve compliance with all requirements on the effective date of this permit.
2. 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.
3. The Agreed Order of Dismissal of KPDES Permit Challenge, File Number DOW-23346-042, allows the Cabinet to extend this permit in increments of two (2) years if a regional sewage system is not available. The order also requires connection of this facility to a regional system within ninety (90) days after that system becomes available.

PART II
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STANDARD CONDITIONS FOR KPDES PERMIT

The permittee is also advised that all KPDES permit conditions in KPDES Regulation 401 KAR 5:065, Section 1, will apply to all discharges authorized by this permit.

This permit has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal and local agencies.

It is the responsibility of the permittee to demonstrate compliance with permit parameter limitations by utilization of sufficiently sensitive analytical methods.