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May 10, 2018

CERTIFIED MAIL 7010 0290 0001 4823 3855
RETURN RECEIPT REQUESTED

Mr. James A. Parrott
Executive Director
Louisville and Jefferson County Metropolitan Sewer District
700 West Liberty Street
Louisville, Kentucky 40203

Re: Approval of MSD's Integrated Overflow Abatement Plan
Project Modifications Request
Amended Consent Decree, Civil Action No. 3:08-cv-00608-CRS
DOJ Case No. 90-5-1-1-08254

The Kentucky Department for Environmental Protection (KDEP) and the U.S. Environmental Protection Agency (EPA) have reviewed the Metropolitan Sewer District (MSD)'s letters, dated March 22, 2018, requesting approval of project modifications listed below.

1. Middle Fork Relief Interceptor, Wet Weather Storage, and UMFLS Diversion
IOAP Project No. S_MISF_NBO1_M_01_C_A1
2. Southwester Parkway Storage Basin
IOAP Project No. L_OR_MF_105_M_13_B_A_0

The proposed project modifications are hereby approved and will supersede and/or replace the projects listed in the Integrated Overflow Abatement Plan (IOAP) under the same title and IOAP Project Numbers provided for in the letters. These project modifications are thus integrated into the IOAP as an enforceable requirement of the Amended Consent Decree in accordance with Paragraphs 25.a.(3) and 25.b.(2) therein.

These project modifications do not significantly alter the requirements of the IOAP, and we therefore agree that such change is a non-material modification to the Amended Consent Decree pursuant to Paragraph 60 of the Amended Consent Decree. Please note that it will be necessary to update the District Court of these revisions to ensure the Court's record is up to date. If you have any questions, you may contact Courtney Seitz of KDEP at (502) 782-7066, or you may contact Mr. Dennis Sayre of EPA at (404) 562-9756.

Sincerely,



Jeffrey Cummins, Director
Division of Enforcement
KY Department for Environmental Protection



Daniel J. O'Lone, Acting Chief
NPDES Permitting and Enforcement Branch
Water Protection Division
U.S. EPA, Region 4

Enclosure

cc: Mr. Courtney Seitz
Division of Water, KDEP