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CHARLES G. SNAVELY  
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**ENERGY AND ENVIRONMENT CABINET**  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON  
COMMISSIONER

300 SOWER BOULEVARD  
FRANKFORT, KENTUCKY 40601

October 1, 2018

OCT 15 2018

CERTIFIED MAIL 7009 1680 0000 9374 6370  
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) received project modification letters, dated September 6, 2018, requesting approval of project modifications for projects listed below.

1. 13th Street & Rowan Street Storage Basin  
IAOP Project No.: L\_OR\_MF\_155\_M\_09B\_B\_A\_4
2. Story Avenue & Main 31.8 MG Street Storage Basin  
IAOP Project No.: L\_OR\_MF\_020\_S\_09B\_B\_A\_8
3. Lexington Rd & Payne Street Storage Basin  
IAOP Project No.: L\_SO\_MF\_083\_M\_09B\_B\_A\_8
4. I-64 and Grinstead Road Storage Basin  
IAOP Project No.: L\_MI\_MF\_127\_M\_09B\_B\_A\_8
5. CSO108 Dam Modification  
IAOP Project No.: L\_SO\_MF\_108\_S\_09A\_B\_A\_4

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.

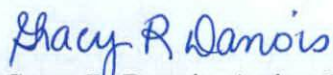
These project modifications do not significantly alter the requirements of the IOAP, and we therefore agree that such change is a non-material modification to the Amended Consent Decree

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 Mr. Paul Bridges of KDEP at (502) 782-6900, or you may contact Mr. Dennis Sayre of EPA at (404) 562-9756.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael B. Kroeger".

Michael B. Kroeger, Director  
Division of Enforcement  
KY Department for Environmental Protection

A handwritten signature in blue ink, appearing to read "Gracy R. Danois".

Gracy R. Danois, Acting Chief  
NPDES Permitting and Enforcement Branch  
Water Protection Division  
U.S. EPA, Region 4

cc: Mr. Paul A. Bridges, P.E.  
Division of Water, KDEP