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REBECCA W. GOODMAN  
SECRETARY

**ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

ANTHONY R. HATTON  
COMMISSIONER

300 SOWER BOULEVARD  
FRANKFORT, KENTUCKY 40601  
TELEPHONE: 502-564-2150  
TELEFAX: 502-564-4245

March 12, 2020

CERTIFIED MAIL 7017 0530 0000 2491 2117  
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 Modification 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 a project modification letter, dated December 16, 2019 (the Letter), requesting approval to eliminate Project Number S\_HC\_HN\_NB03\_S\_09A\_A\_A, (Fox Harbor Inline Storage), from the Integrated Overflow Abatement Plan (IAOP).

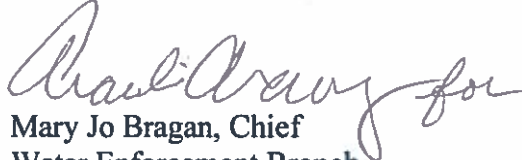
The justification provided in the Letter provides adequate explanation to justify project elimination, therefore, the Fox Harbor Inline Storage proposed project elimination is hereby approved. Attachment A of the Letter will replace the project document listed in the Integrated Overflow Abatement Plan (IOAP) under the same title and IOAP Project Numbers provided for in the letters. This project elimination is thus integrated into the IOAP and Project No. S\_HC\_HN\_NB03\_S\_09A\_A\_A is no longer an enforceable requirement of the Amended Consent Decree.

This project elimination does 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,



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



Mary Jo Bragan, Chief  
Water Enforcement Branch  
Enforcement and Compliance Assurance Division  
U.S. EPA, Region 4

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