



JAN 15 2016

ENERGY AND ENVIRONMENT CABINET

Matthew G. Bevin
Governor

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Charles G. Snively
Secretary

DIVISION OF ENFORCEMENT
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FRANKFORT, KENTUCKY 40601
PHONE (502) 564-2150
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January 11, 2016

CERTIFIED MAIL 7014 0150 0002 1559 1603
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
Fairmount Road Pump Station and SSO Storage Basin
Amended Consent Decree, Civil Action No. 3:08-cv-00608-CRS
DOJ Case No. 90-5-1-1-08254

Dear Mr. Parrott:

The Kentucky Department for Environmental Protection (KDEP) and the U.S. Environmental Protection Agency (EPA) have reviewed the Metropolitan Sewer District (MSD)'s letter, dated December 21, 2015, requesting approval of a minor project modification to the Fairmount Road Pump Station and SSO Storage Basin, IOAP Project No. S_FF_CC_81316-M_03_C_A as set forth in MSD's Integrated Overflow Abatement Plan (IOAP). The requested modification seeks an extension to the project completion date from December 31, 2015, to March 31, 2016 due to weather-related delays.

The proposed project modification is hereby approved and the new completion date will supersede and replace the project completion date listed in the IOAP under the same title and IOAP Project Numbers. This project modification is 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.

This project modification 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

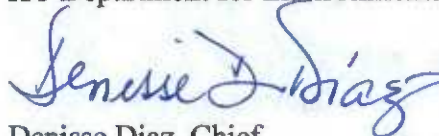
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necessary to update the District Court of these revisions to ensure the Court's record is up to date. If you have any questions, you may contact Courtney Seitz of KDEP at (502) 564-3410 ext. 4914, or you may contact Mr. Dennis Sayre of EPA at (404) 562-9756.

Sincerely,



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



Denisse Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division
USEPA, Region 4