



Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Richard Moloney
Acting Commissioner

April 13, 2012

RE: Civil Action No. 5:06-cv-386
Lexington-Fayette Urban County Government – Kentucky
Group Two Sanitary Sewer System and WWTP Remedial Measures Plan

Chief, Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
Box 7611 Ben Franklin Station
Washington, D.C. 20044-7611
DOJ No. 90-5-1-1-08858

Chief
Water Programs Enforcement Branch
Environmental Protection Agency Region 4
61 Forsyth Street
Atlanta, Georgia 30303

Dear Sir / Madam:

In accordance with the provisions of Section VII, Paragraph 15.G.(f) of the above referenced document, the Lexington-Fayette Urban County Government (LFUCG) is providing the Group Two Sanitary Sewer System and WWTP Remedial Measures Plan (RMP). This plan is the work product of various professional engineering firms that compiled the required information via independent contracts with LFUCG. The team of Hazen and Sawyer, CDM, and Stantec Consulting Services prepared this report under the direction of LFUCG.

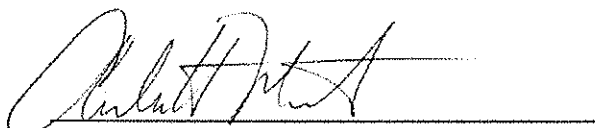
LFUCG is requesting that consideration be given to the tentative nature of the Figure 5-5 Implementation Plan. It is LFUCG's recommendation that the overall project schedule be revised upon completion and approval of all three RMP documents so that an integrated, system-wide implementation may occur so that:

- Individual, prioritized SSO elimination may proceed expeditiously without artificial delay created by the advance prioritization of the grouped watersheds,
- SSO elimination may occur in a logical sequence that follows a predictable and manageable cash flow model, thus minimizing rate payer exposure to widely variable rate hikes, and

- Capital project sequences occur in a manner that allows the construction market to adapt, rather than flooding the market with capital projects in a way that overwhelms the current market conditions.

If you should have any questions, please contact me at (859) 425-2400.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.


Signed

4-13-12
Date

Charles H. Martin, P.E., Director
Division of Water Quality
Lexington-Fayette Urban County Government

cc: Director of the Division of Enforcement
Department for Environmental Protection
300 Fairs Oaks Lane
Frankfort, KY 40601

Janet Graham, LFUCG, Commissioner of Law
Richard Moloney, LFUCG, Acting Commissioner of Environmental Quality & Public Works

Enclosure

2 copies – Water Programs Enforcement Branch
1 copy – all other addresses