## Exhibit 10 Site Contamination Data



ANDY BESHEAR GOVERNOR

REBECCA W. GOODMAN SECRETARY

> ANTHONY R. HATTON COMMISSIONER

### ENERGY AND ENVIRONMENT CABINET DEPARTMENT FOR ENVIRONMENTAL PROTECTION

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

October 23, 2020

Kentucky River Area Development District 941 N. Main St. Hazard, KY 41701

Re: Breathitt Co. Water District--Breathitt Waterline Ext. Phase 2 Project (WX21025033)--SERO 2020-39

Dear Ms. McIntosh,

The Energy and Environment Cabinet serves as the state clearinghouse for review of environmental documents generated pursuant to the National Environmental Policy Act (NEPA). Within the Cabinet, the Commissioner's Office in the Department for Environmental Protection coordinates the review for Kentucky state agencies. We received your letter requesting an environmental review for this project. We have reviewed the document and provided comments below.

#### **Division of Water**

#### Water Infrastructure Branch:

The non-significant deficiency noted as a result of the most recent Sanitary Survey (October 2017) should have been sufficiently addressed by this point. Additionally, recommendations listed within the most recent Sanitary Survey results letter (dated January 18, 2018), which have not already been implemented, are highly advised. Questions should be directed to Jennifer Taimi, Municipal Planning Section, (502) 782-7087, Jennifer. Taimi@ky.gov.

Plans and specifications that have been signed stamped and dated by a licensed professional engineer in Kentucky shall be submitted to the DOW for review and approval prior to the start of construction. Questions should be directed to Terry Humphries, Engineering Section, (502) 782-6983, <a href="mailto:Terry.Humphries@ky.gov">Terry.Humphries@ky.gov</a>.

#### Water Quality Branch:

Joe Ward Fork is included as a candidate Outstanding State Resource Water (OSRW) due to the support of a federally listed threatened or endangered species in the Frozen Creek Watershed. 401 KAR 10:031 Section 8 specifies additional water quality criteria that apply to OSRWs. In addition, best management practices should be utilized to reduce runoff from project

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construction activities into nearby waters. Questions should be directed to Andrea Fredenburg, Water Quality Branch, (502) 782-6950, Andrea Fredenburg@ky.gov.

#### Water Resources Branch:

For pipeline stream crossings that are not covered under 401 KAR 4:050, a Kentucky DOW Application for Permit to Construct Across or Along a Stream must be submitted. Questions should be directed to Shawn Hokanson, Floodplain Management Section, (502) 782-6977, Shawn.Hokanson@ky.gov.

#### Watershed Management:

The pipeline construction along Big South Fork Branch Road and the pump station rehabilitation along KY-30 of this proposed project are within the Jackson Municipal Water Works designated Source Water Protection Areas, Zone #1, 2, and 3. This proposed project is calculated to add approximately .0005 to .0006 Million Gallons per Day (MGD) of water demand. Questions should be directed to Chloe Brantley, Water Supply Section, (502) 782-6898, Chloe.Brantley@ky.gov.

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, there are domestic groundwater water well users in the vicinity of the proposed work. It is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Adam Nolte, Groundwater Section, (502) 782-1312, Adam.Nolte@ky.gov or Kurtis Spears, Groundwater Section, (502) 782-7119, Kurtis.Spears@ky.gov.

#### Field Operations Branch:

Endorse. Questions should be directed to Daniel Fraley, Field Operations Branch, (606) 783-8655, <u>Daniel.Fraley@ky.gov</u>.

#### **Enforcement Branch:**

The Division of Enforcement does not object to the project proposed by the applicant. Questions should be directed to Tim Harrod, Division of Enforcement, (502) 782-6858, Timothy.Harrod@ky.gov.

#### **Division of Waste Management**

UST Branch records indicate the following underground storage tank site issues identified within the project impact area:

Active Sites:

Dex Mini Mart

MASTER AI ID: 56790

LONGITUDE: -83.34020000000001

**LATITUDE: 37.5349** 

Jiffy Mart Inc

MASTER AI ID: 56776

LONGITUDE: -83.34020000000001

**LATITUDE: 37.5349** 

Go Time 3

MASTER AI ID: 56743

LONGITUDE: -83.34020000000001

**LATITUDE: 37.5349** 

Closed Sites:

Route 30 Truck Stop MASTER AI ID: 56729 LONGITUDE: -83.46776426 LATITUDE: 37.49762697

Breathitt Co State Maintenance Garage

MASTER AI ID: 407 LONGITUDE: -83.341522 LATITUDE: 37.541881

C & J Supermarket MASTER AI ID: 56731

LONGITUDE: -83.34020000000001

**LATITUDE**: 37.5349

**Strong Property** 

MASTER AI ID: 70009

**LONGITUDE**: -83.33980000000001 **LATITUDE**: 37.5350000000000004

If any UST's are encountered during the project construction they should be reported to KDWM. Any UST issues or questions should be directed to the UST Branch.

Superfund Branch records indicate the following superfund site issue identified within the project impact area:

Breathitt Co State Maintenance Garage

**MASTER AI ID: 407** 

SUBJECT ITEM DESIGNATION: KYTC Maint. Garage CLOSURE OPTION DESC: Option B Contained/Managed

CLOSURE DATE: 04/24/2011 LAT LONG SOURCE: SI LONGITUDE: -83.341667 LATITUDE: 37.541667

Any superfund issues or questions should be directed to the Superfund Branch.

Solid Waste Branch records indicate no active or historic landfill sites within the project impact area. Any solid waste issues or questions should be directed to the Solid Waste Branch.

Hazardous Waste Branch records indicate no hazardous waste issues identified within the project impact area. Any hazardous waste issues or questions should be directed to the Hazardous Waste Branch.

RLA Branch records indicate the following RLA tracked open dumps within the project impact area:

MASTER ALID: 71850

MASTER AI NAME: Hwy 30 East Dump

USER GROUP DESCRIPTION: RCLA Dump ID

ALTERNATE AI ID: 013-005 LONGITUDE: -83.34605556 LATITUDE: 37.54855556 MASTER AI ID: 103944

MASTER AI NAME: Big Branch - South Fork Dump USER GROUP DESCRIPTION: RCLA Dump ID

ALTERNATE AI ID: 013-076 LONGITUDE: -83.3408 LATITUDE: 37.54

Any questions or issues should be directed to the RLA Branch.

All solid waste generated by this project must be disposed of at a permitted facility.

If asbestos, lead paint and/or other contaminants are encountered during this project contact the Division of Waste Management for proper disposal and closure.

The information provided is based on those facilities or sites that KDWM currently has in its database. If you would like additional information on any of these facilities or sites, you may contact the file room custodian at (502) 782-6357. Please keep in mind additional locations of releases, potential contamination or waste facilities may be present but unknown to the agency. Therefore, it is recommended that appropriate precautions be taken during construction activities. Please report any evidence of illegal waste disposal facilities and releases of hazardous substances, pollutants, contaminants or petroleum to the 24-hour Environmental Response Team at 1-800-928-2380.

#### **Division for Air Quality**

401 KAR 63:010, Fugitive Emissions, states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth-moving equipment to be deposited onto a paved street or roadway. Please note the

Fugitive Emissions Fact Sheet located at <a href="https://eec.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf">https://eec.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf</a>

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at https://eec.kv.gov/Environmental-Protection/Air/Pages/Open-Burning.aspx

The Division would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. These air quality control strategies are beneficial to the health of citizens of Kentucky.

Utilize alternatively fueled equipment.

Utilize other emission controls that are applicable to your equipment.

Reduce idling time on equipment.

The Division also suggests an investigation into compliance with applicable local government regulations.

#### **Kentucky Nature Preserves**

Your project might have the potential of impacting federally or state listed species and natural communities. Go to the Kentucky Biological Assessment Tool (kynaturepreserves.org) to obtain a Standard Occurrence Report for information regarding listed species known within your project area. The report will also provide information on public and private conservation lands, areas of biodiversity significance, and other natural resources in your project area for which the Office of Kentucky Nature Preserves maintains data.

This review is based upon the information that was provided by the applicant. An endorsement of this project does not satisfy, or imply, the acceptance or issuance of any permits, certifications or approvals that may be required from this agency under Kentucky Revised Statutes or Kentucky Administrative Regulations. Such endorsement means this agency has found no major concerns from the review of the proposed project as presented other than those stated as conditions or comments. If you should have any questions, please contact me at (502) 782-0863 or e-mail Louanna.Aldridge@ky.gov.

Sincerely,

Louanna Aldridge

Staff Assistant

Office of the Commissioner

Department for Environmental Protection

Janua C. Aldredge

Energy and Environment Cabinet



## Kentucky River

AREA DEVELOPMENT DISTRICT

941 N. MAIN ST. . HAZARD, KENTUCKY 41701 . PHONE 606-436-3158

September 23, 2020

CHAIRMAN
Pam Pilgrim
VICE-CHAIRMAN
Tracy Neice
Mayor
TRIEASURER
Terry Adams
Judge/Executive
SECRETARY
Gregory Whitson
PARLIAMENTARIAN
Laura Thomas
Mayor

#### BOARD OF DIRECTORS

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Shirley Halcomb

Executive Director
Michelle Allen

Meriwether Wash-Hail Pam Pilorim

E-Mail: michelle@kradd.org FAX NUMBER 606-436-2144 TDD NUMBER 1-800-247-2510 (Hearing Impaired) Louanna Aldridge Department for Environmental Protection 300 Sower Blvd, 2nd Floor Frankfort, KY 40601

RE: Breathitt County Water District – Breathitt Waterline Extension Phase 2 Project (WX21025033)

Dear Ms. Aldridge:

The Breathitt County Water District has received funding through the Appalachian Regional Commission for the above referenced project. This project will extend waterlines to four areas in Breathitt County; Creekside Road, War Creek Road, Joe Ward Fork, and Mann Road. This project will construct approximately 17,967 Linear Feet (LF) of 4" PVC and 930 LF of 2" PVC waterline throughout the service areas; serving approximately 28 households. Additionally, two pump stations within the Breathitt water system will be rebuilt or replace; one on 30 West and one on 30 East. The valves and piping will be replaced at the KY 541, River Caney, and KY 28 pressure reducing vaults.

This project is located throughout Breathitt County, Kentucky. This project will serve approximately 28 households in Breathitt County. Due to the scope of the project there will be ground disturbance in previously disturbed highway right-of-way or existing easements. There will be no tree removal.

The Kentucky River Area Development District has been asked to undertake a NEPA environmental review of this project to ascertain the impact of the proposed activities. Please provide comments from the following Divisions under the Kentucky Department for Environmental Protection jurisdiction:

- Division for Air Quality
- Division of Waste Management
- Division of Water
- Division of Water Floodplain Management

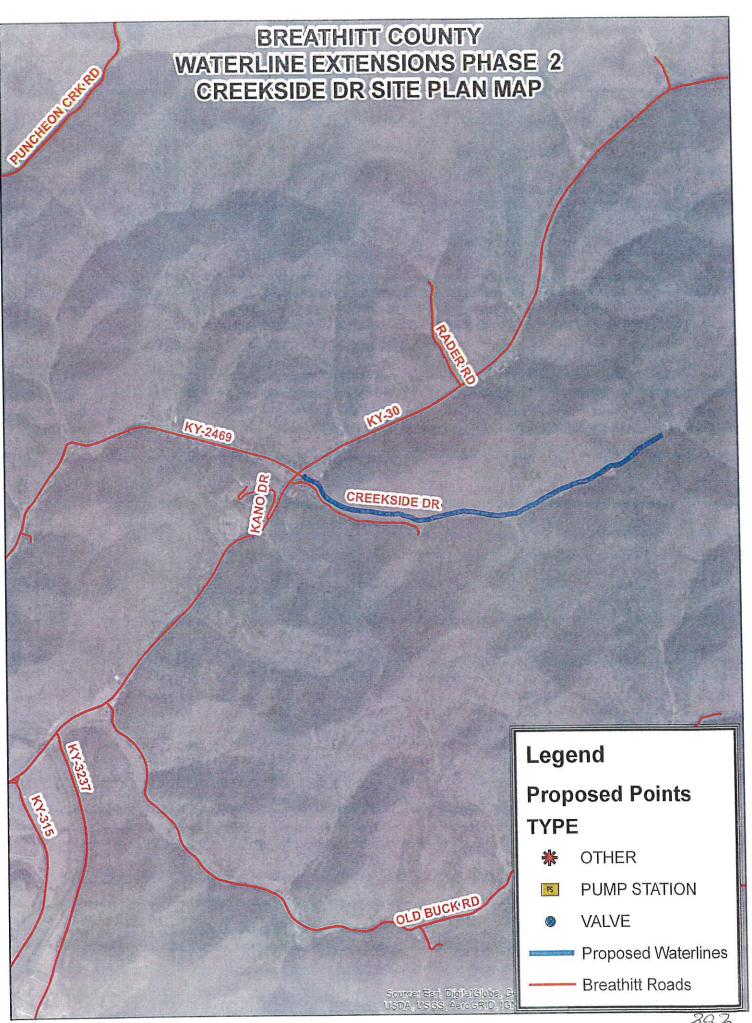
I have enclosed a project location, floodplain, and wetlands map(s) and project description for your reference.

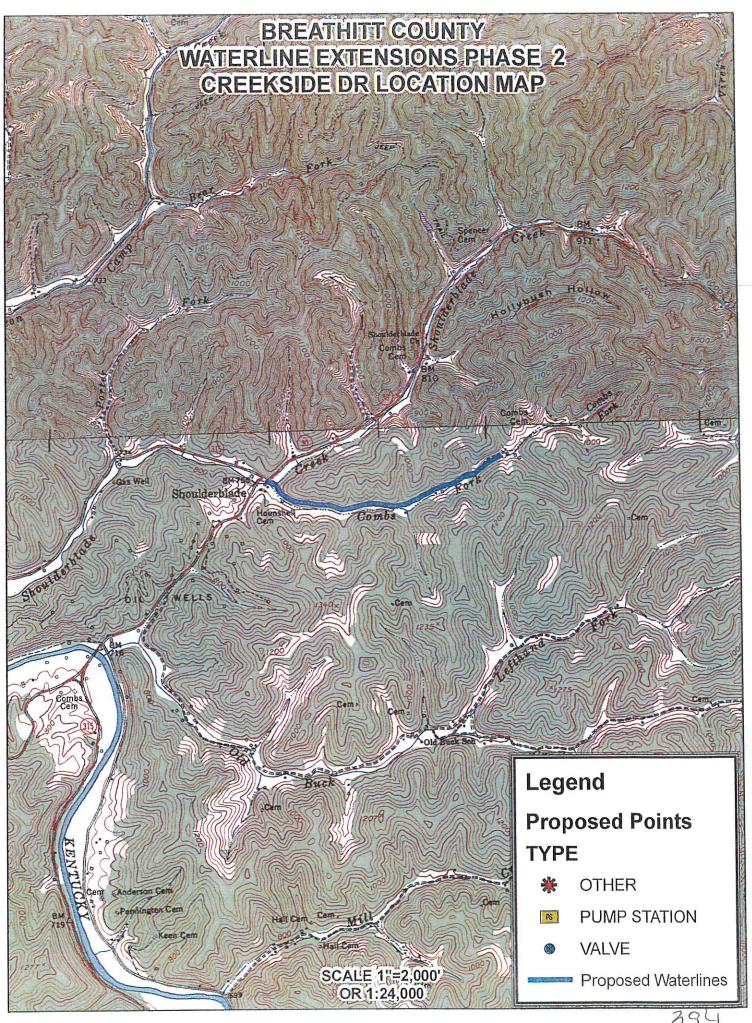
Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Reponses can be sent by email to: <a href="mailto:jennifer@kradd.org">jennifer@kradd.org</a>. Thank you, for your time and assistance.

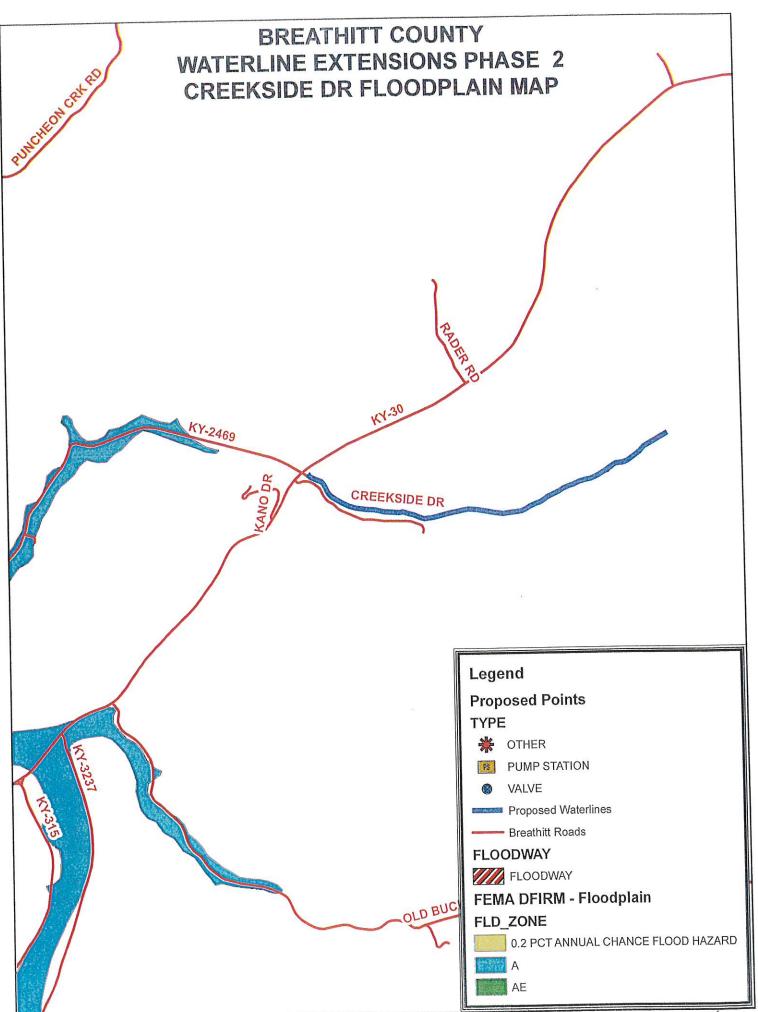
Sincerely,

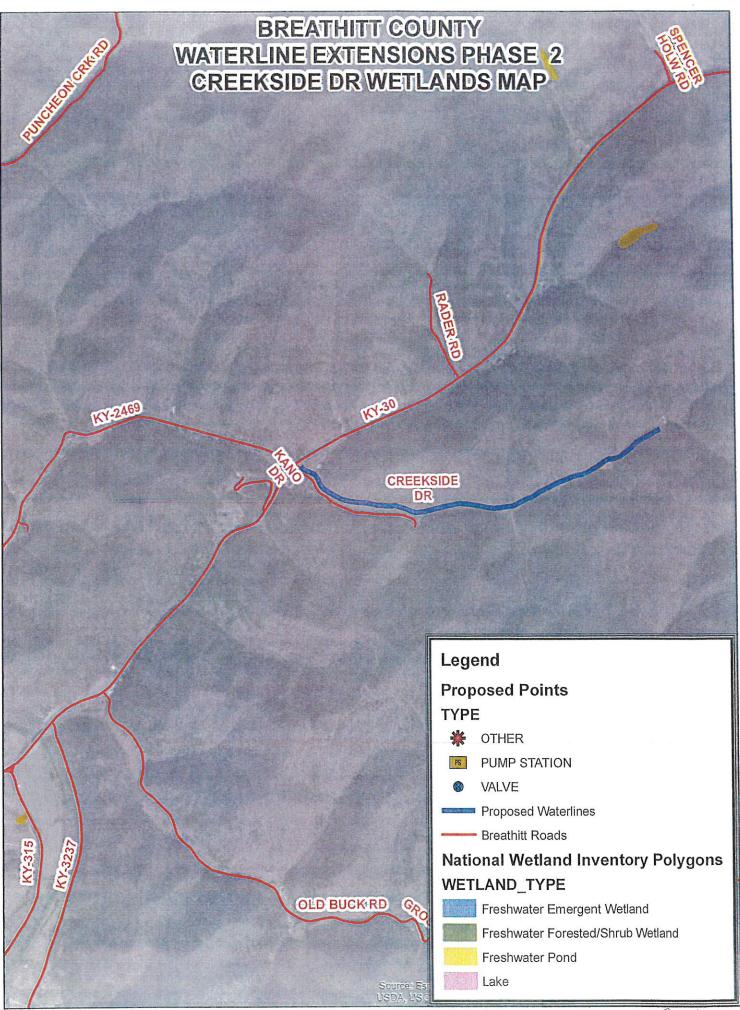
Jennifer McIntosh

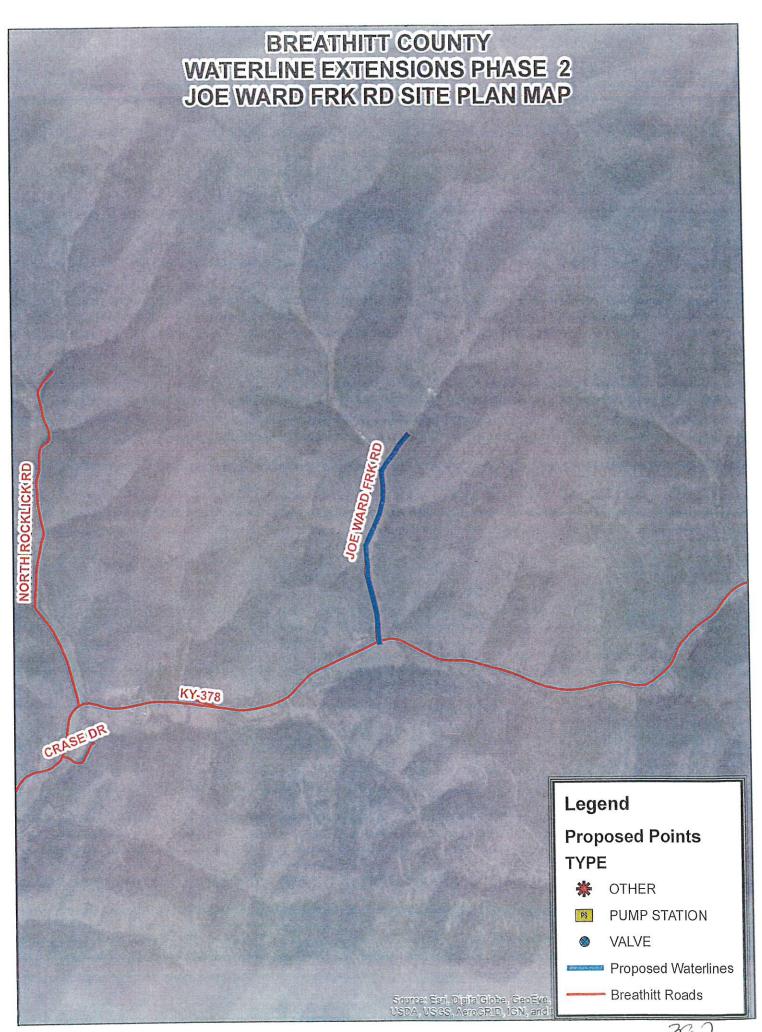
Water & Wastewater Planner

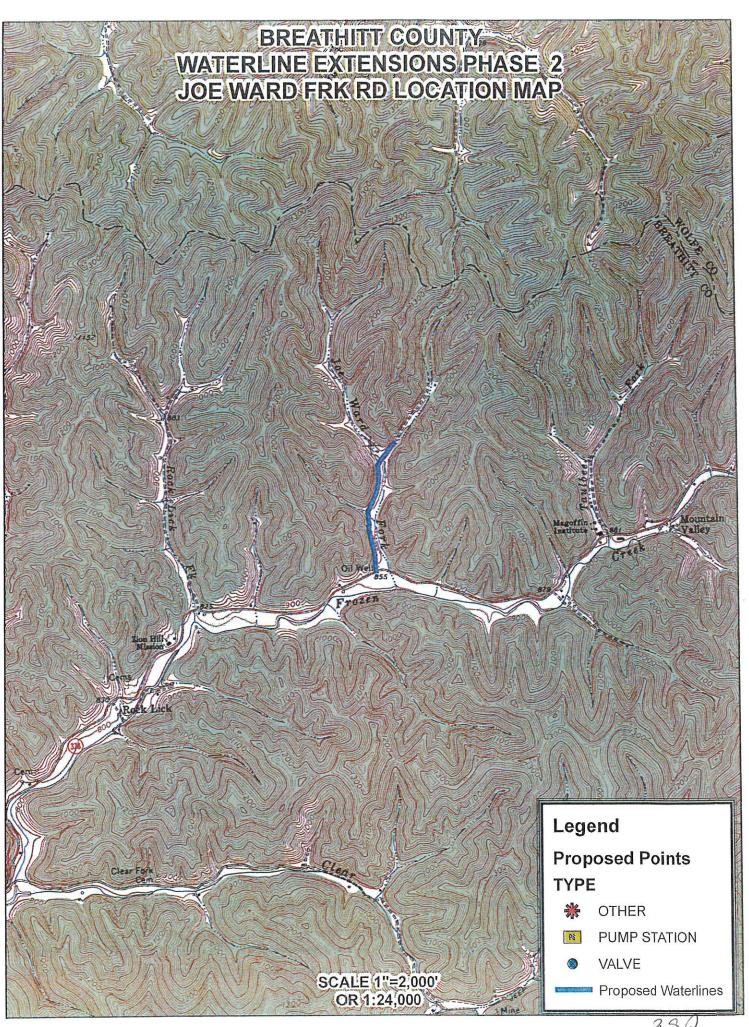




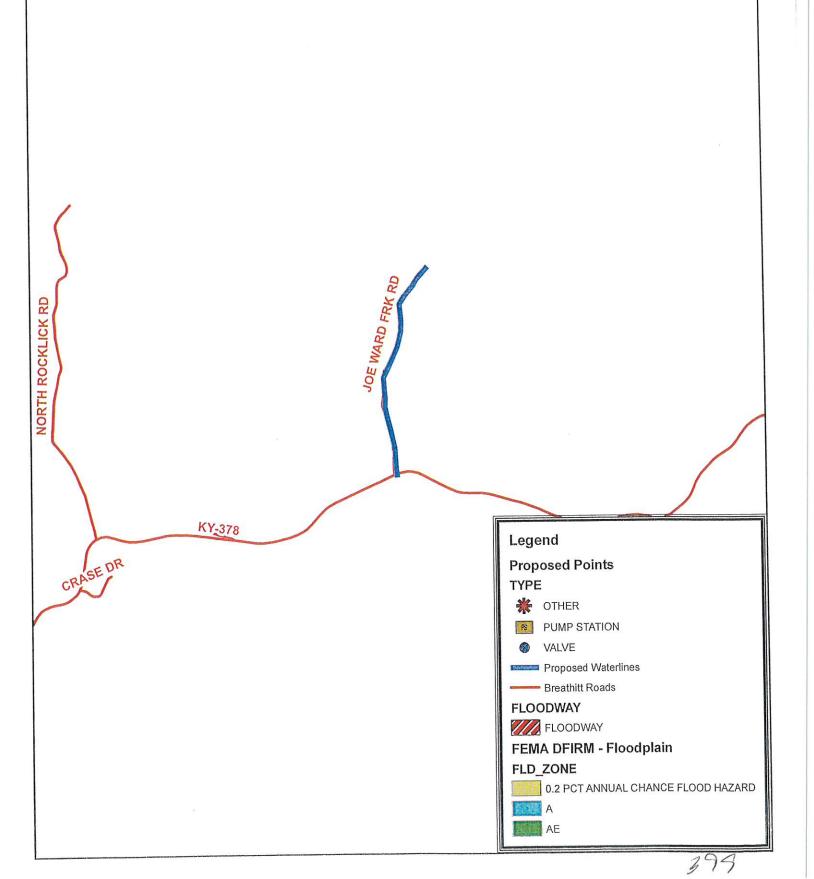


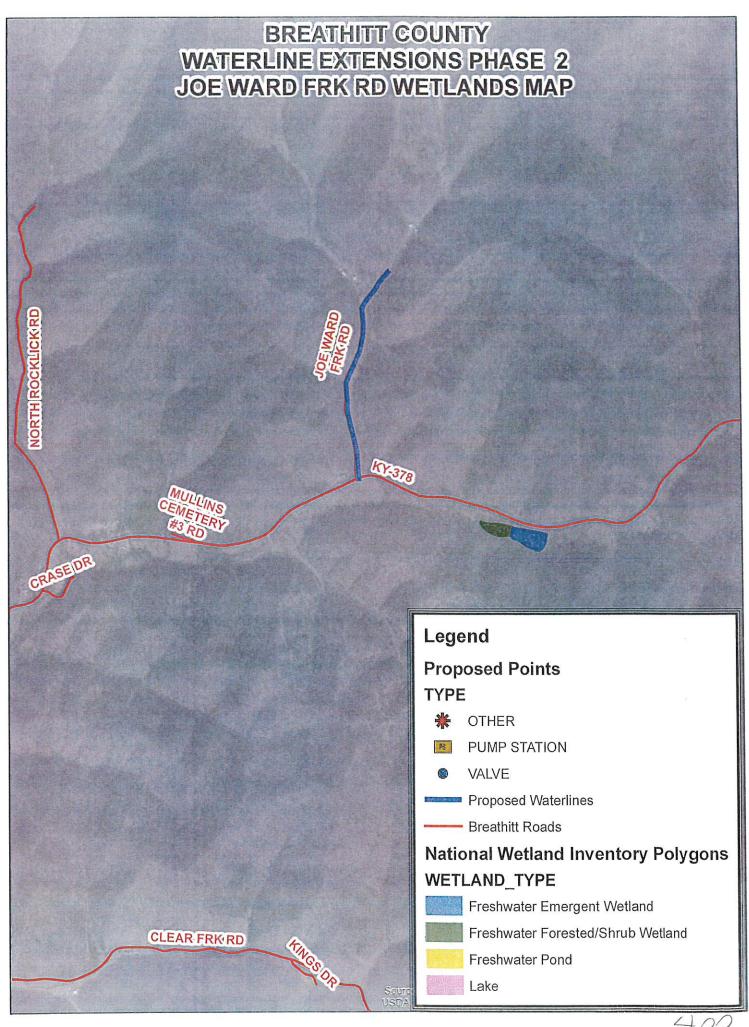


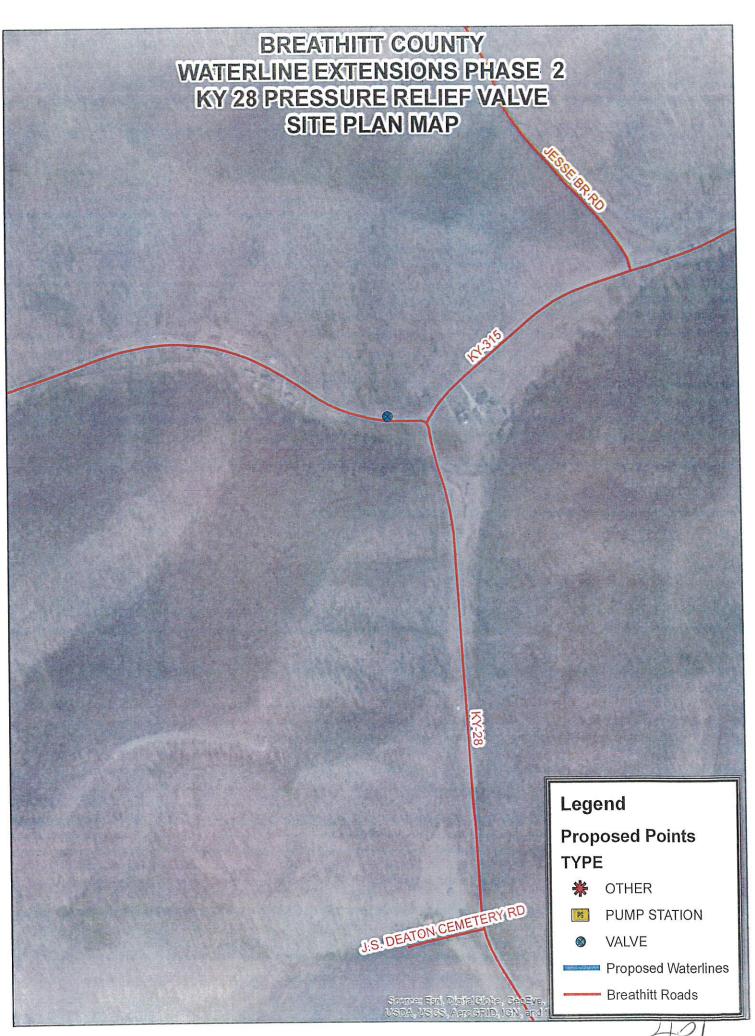


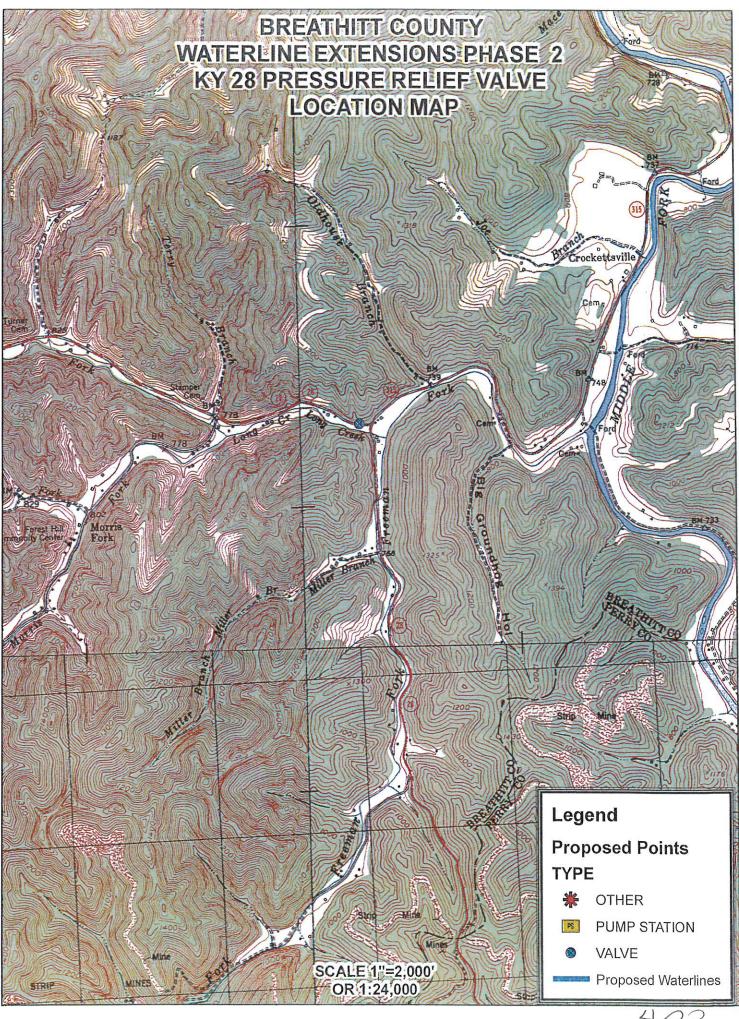


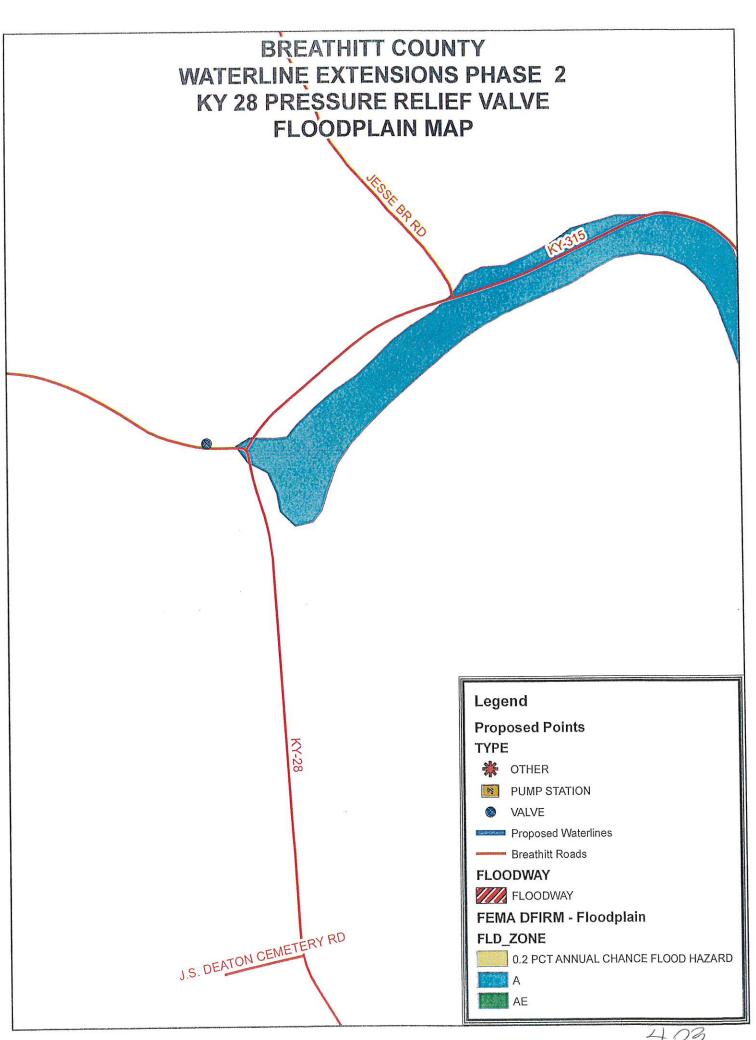
# BREATHITT COUNTY WATERLINE EXTENSIONS PHASE 2 JOE WARD FRK RD FLOODPLAIN MAP

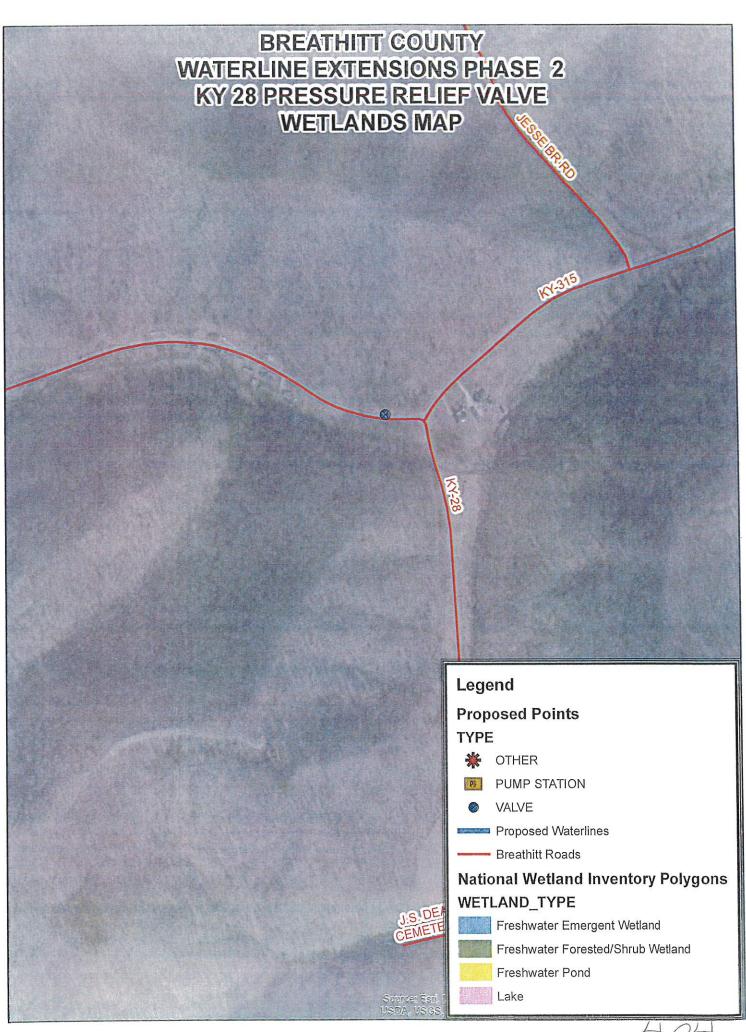


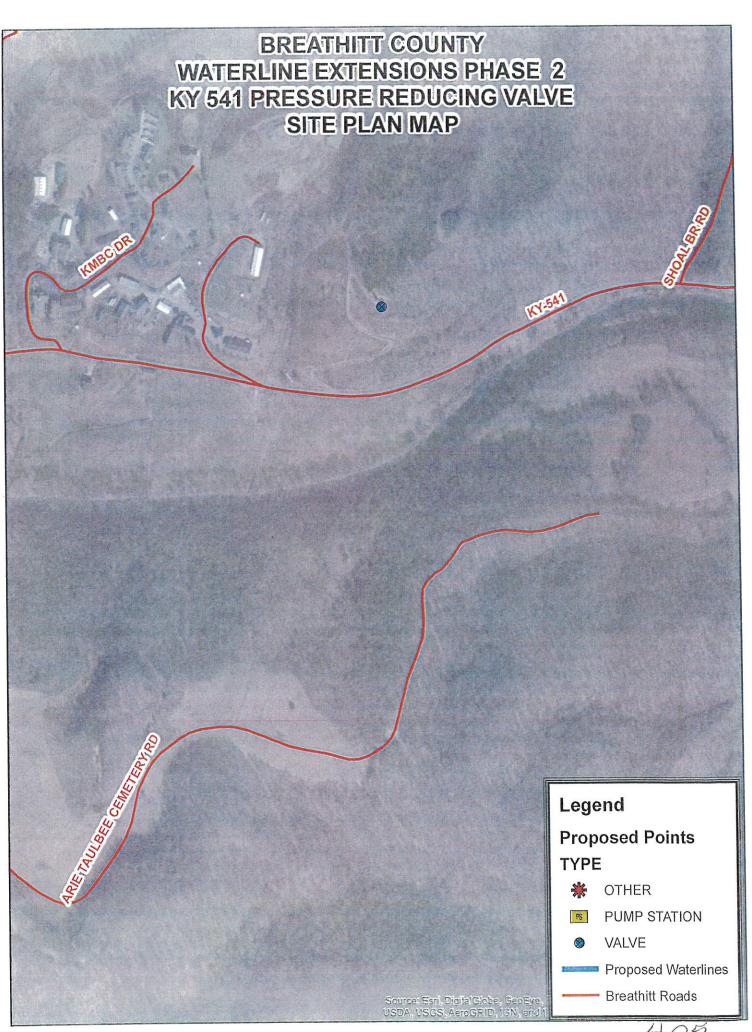


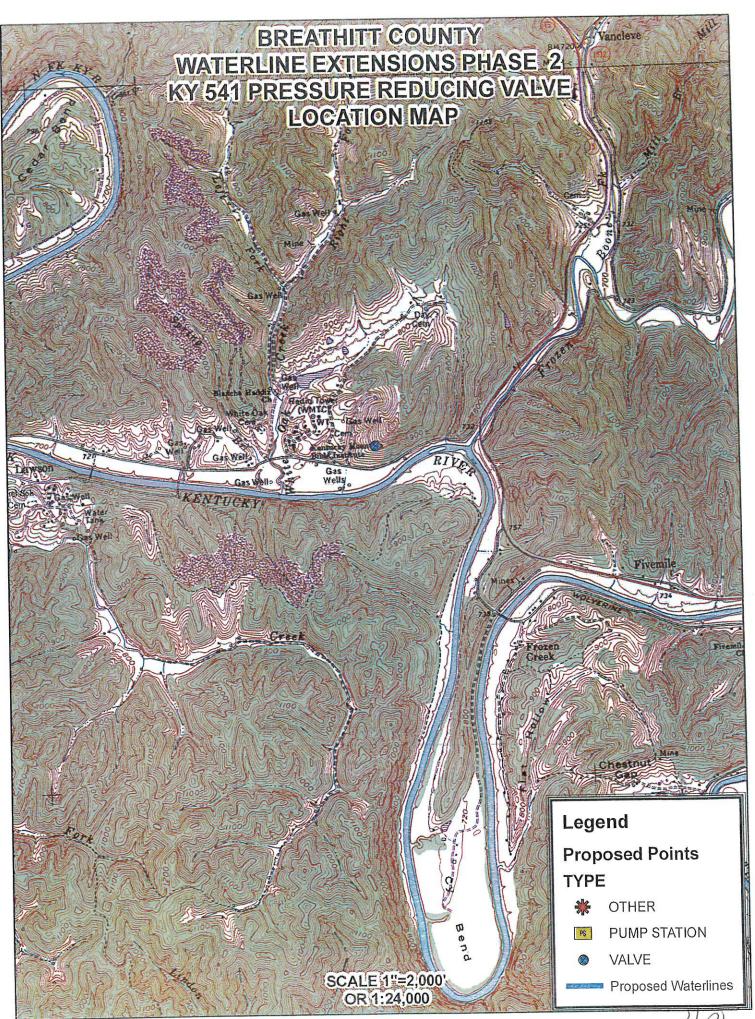


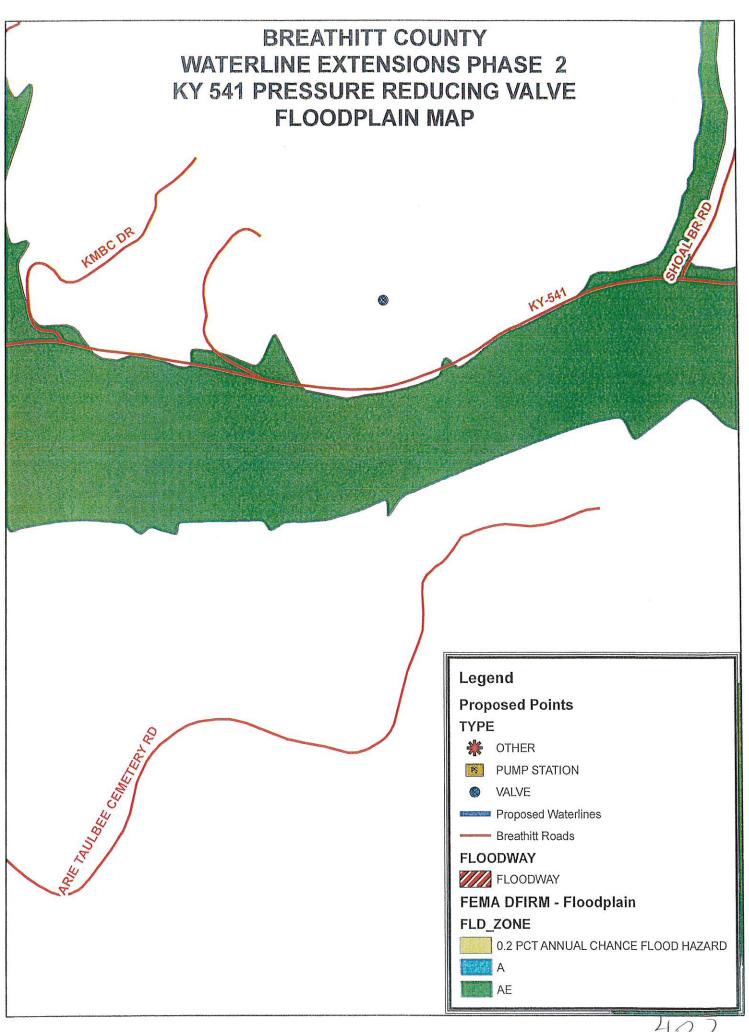


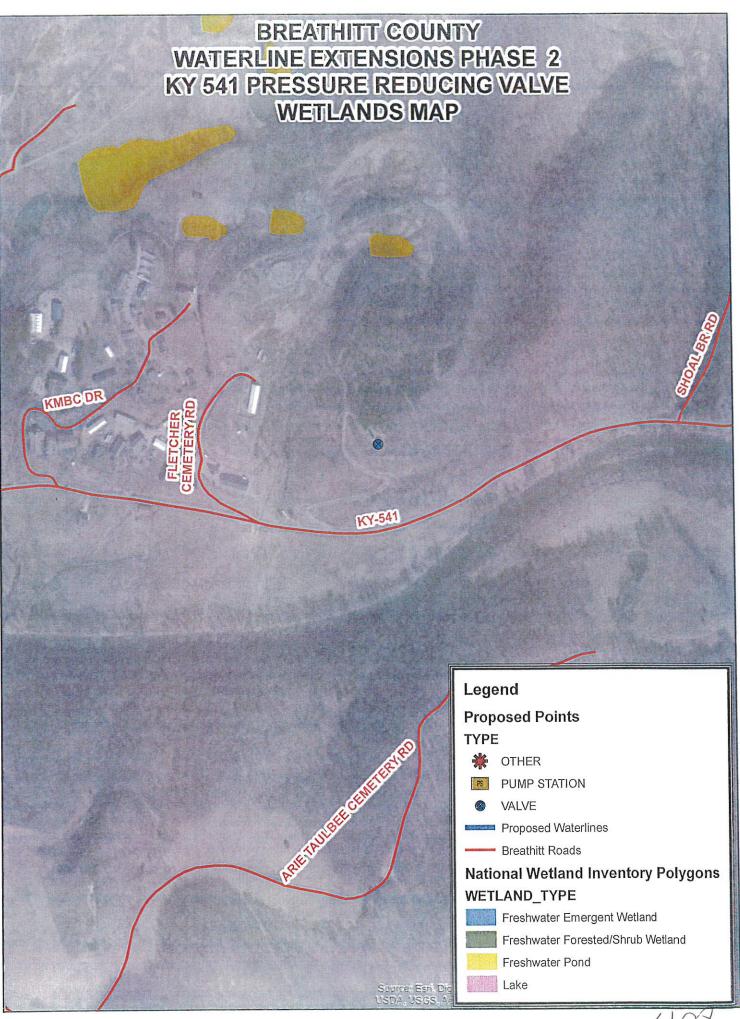


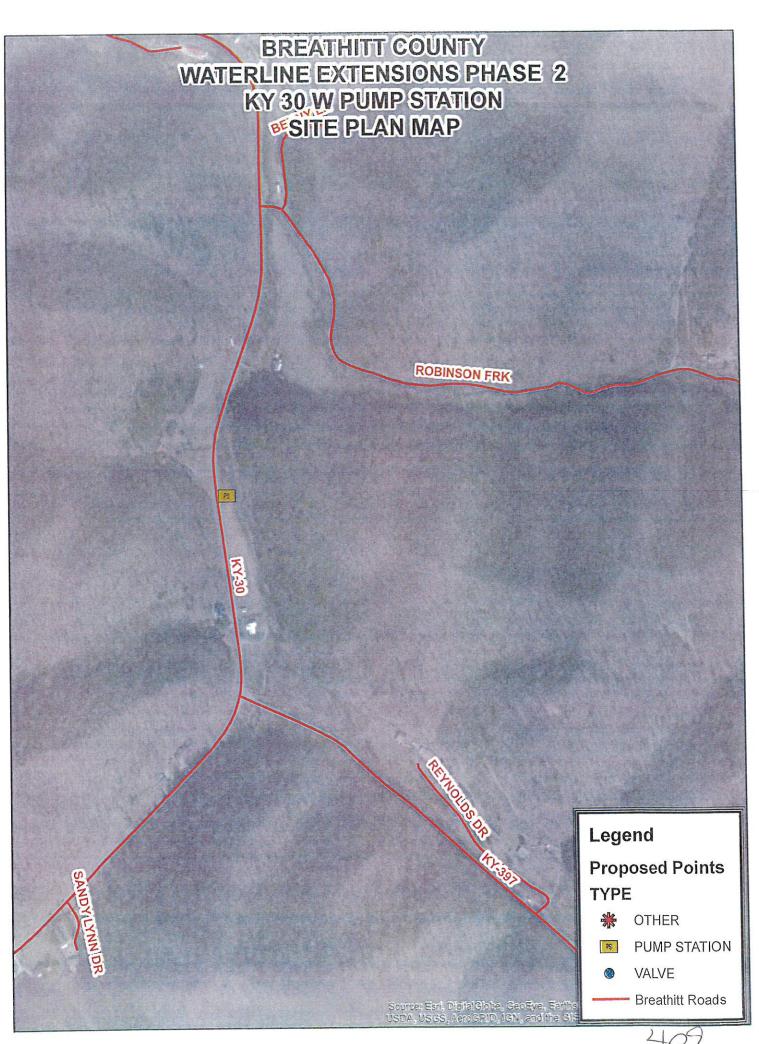


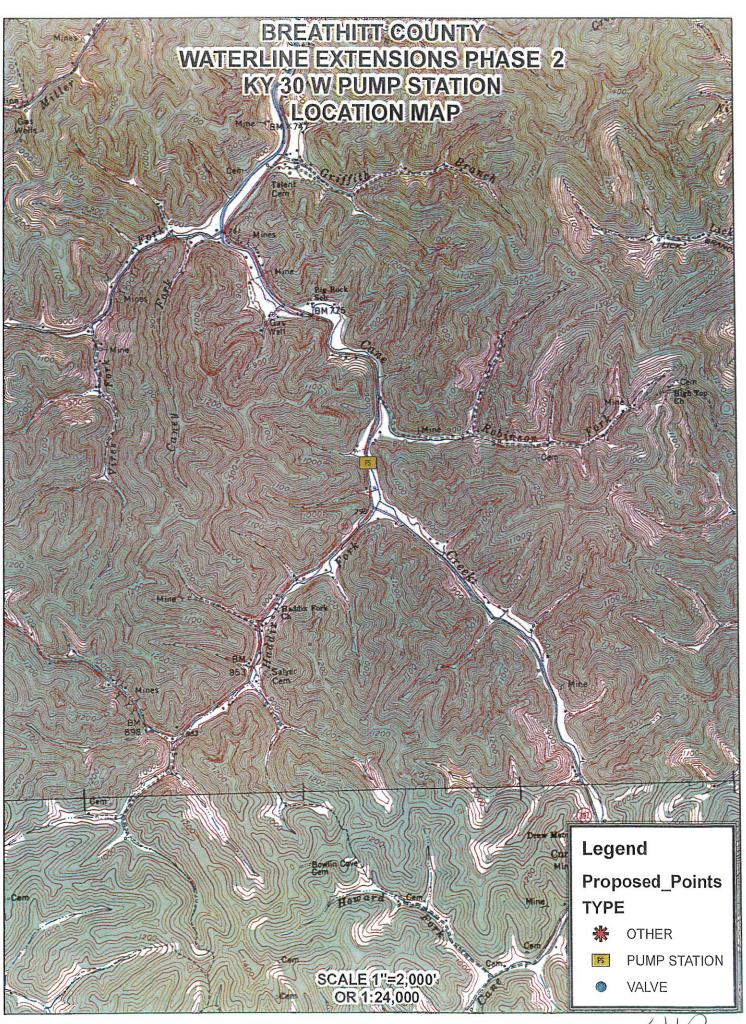


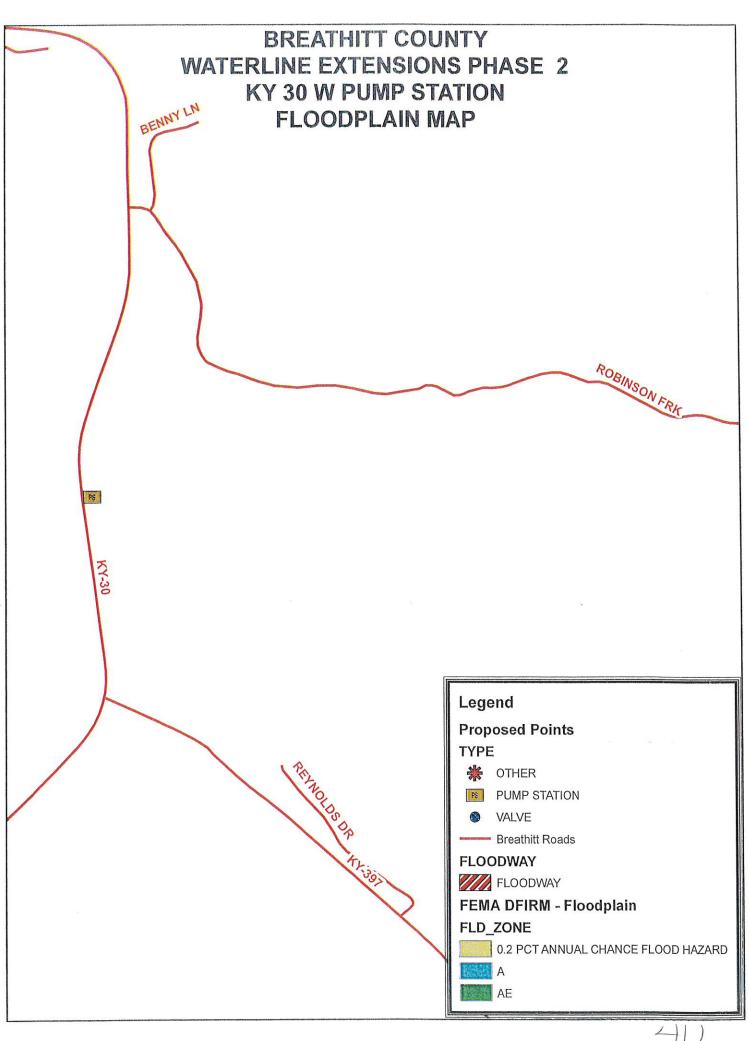


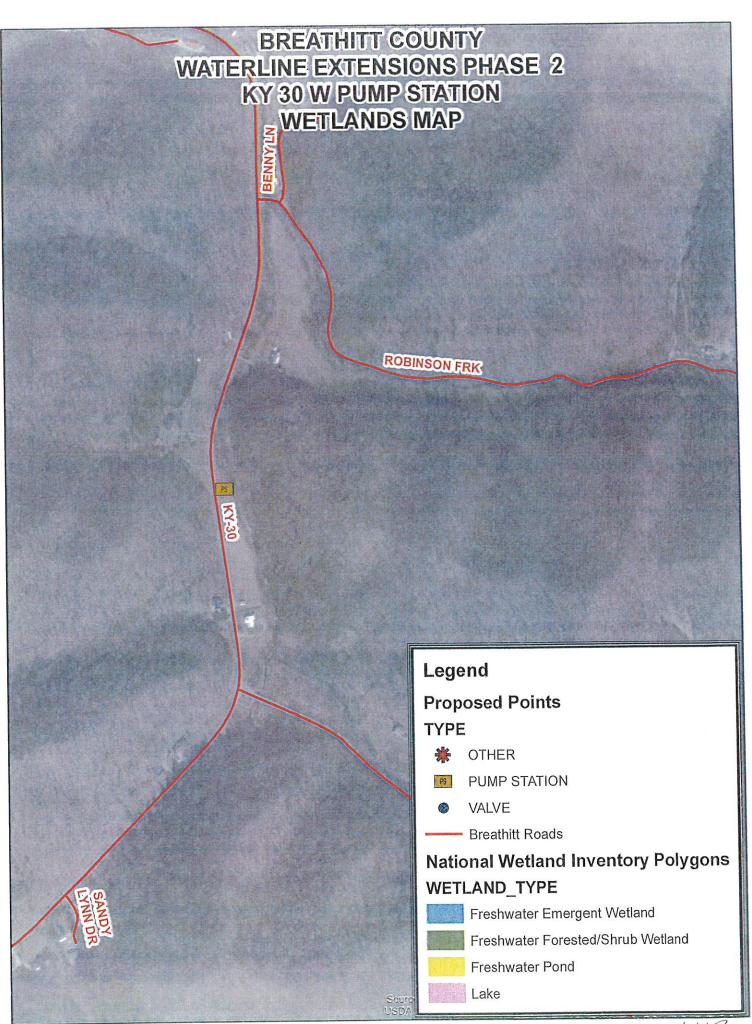


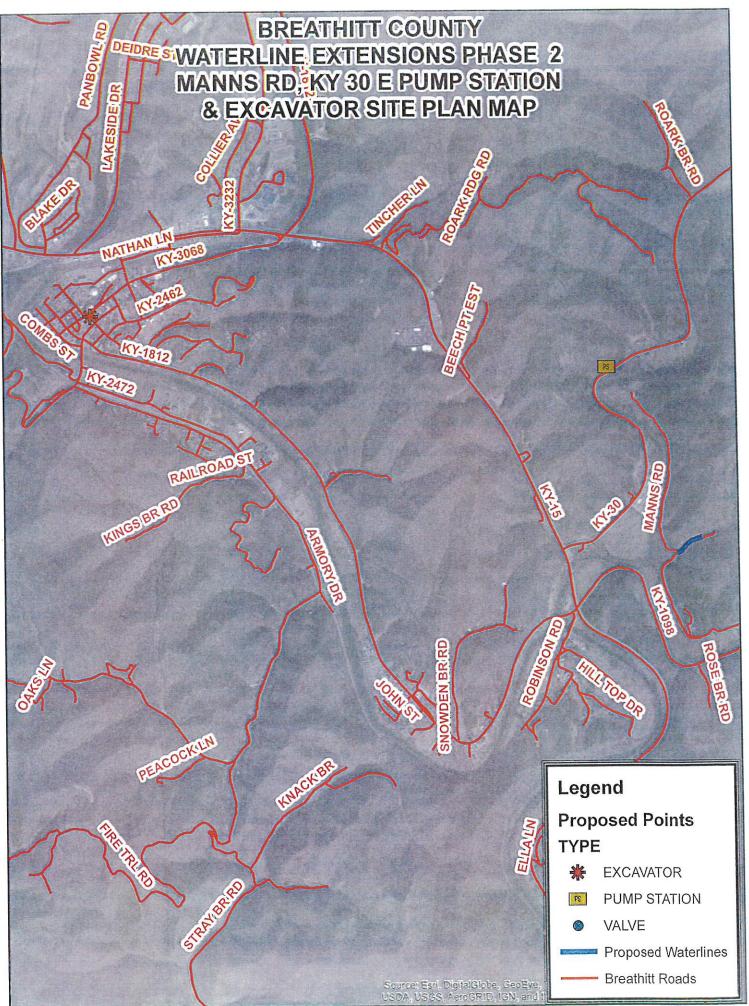


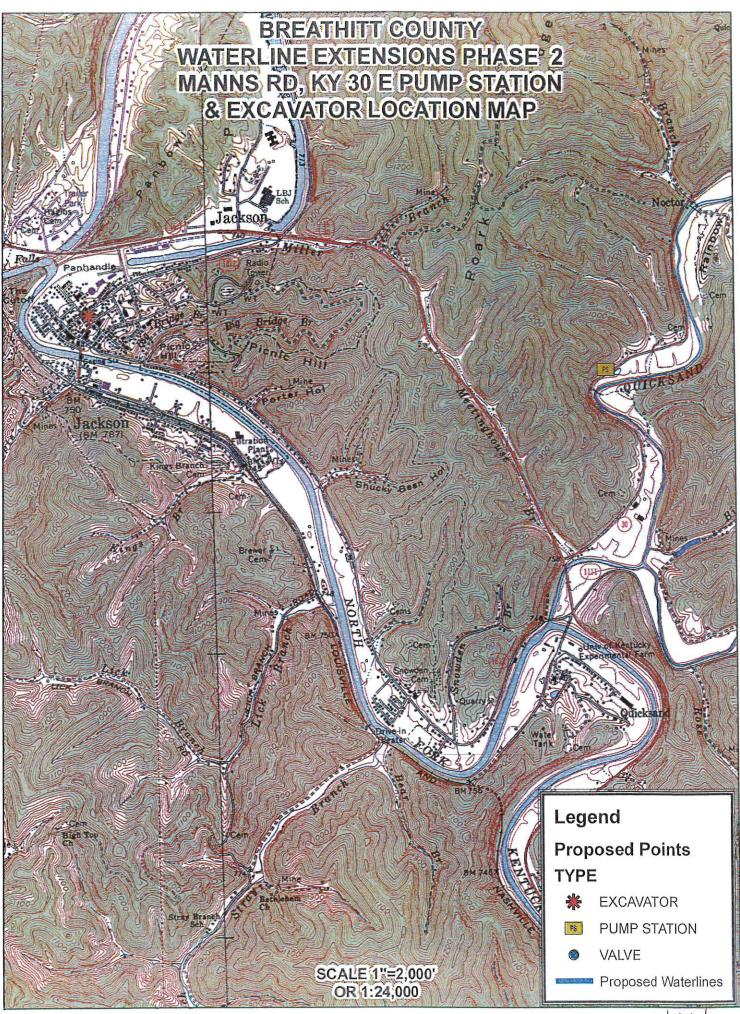


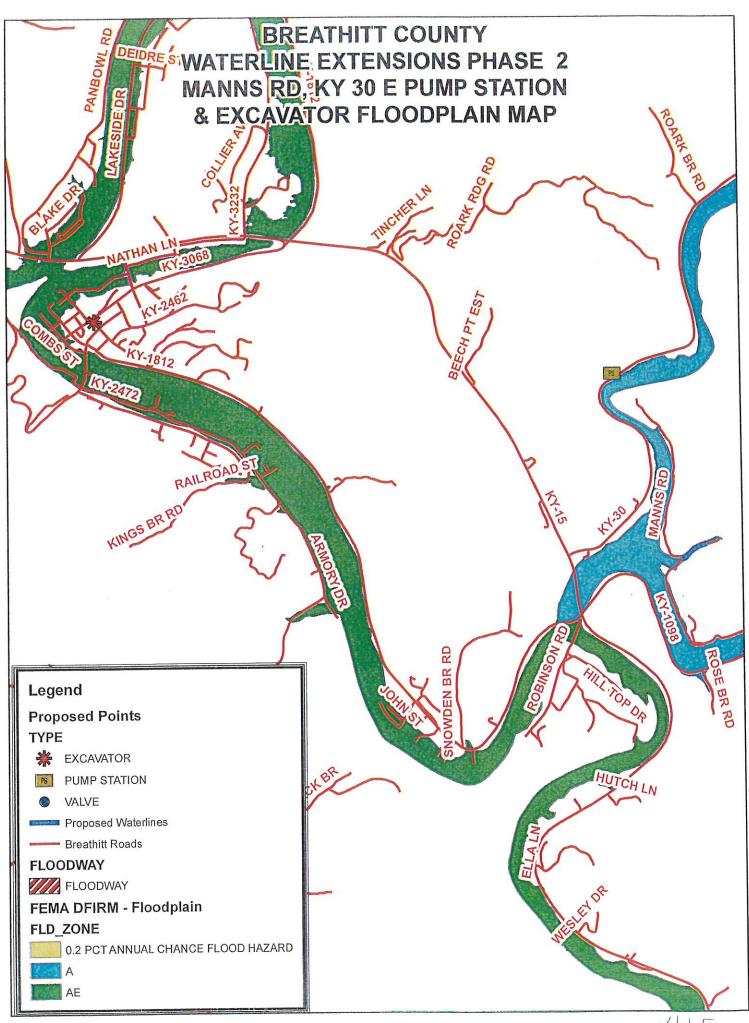


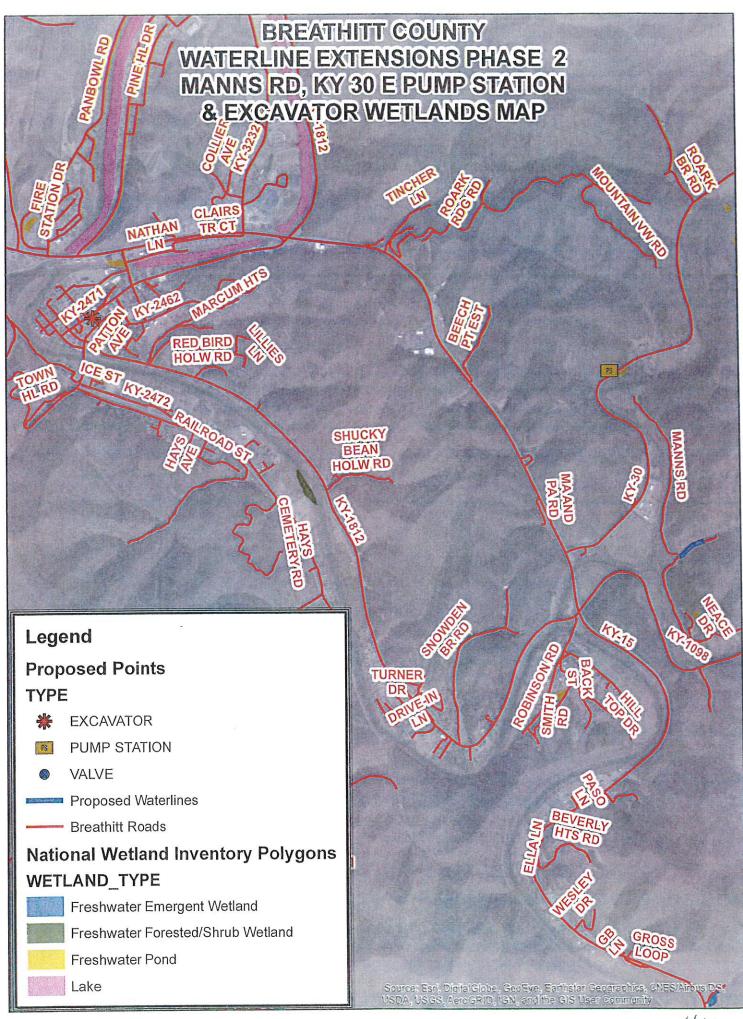


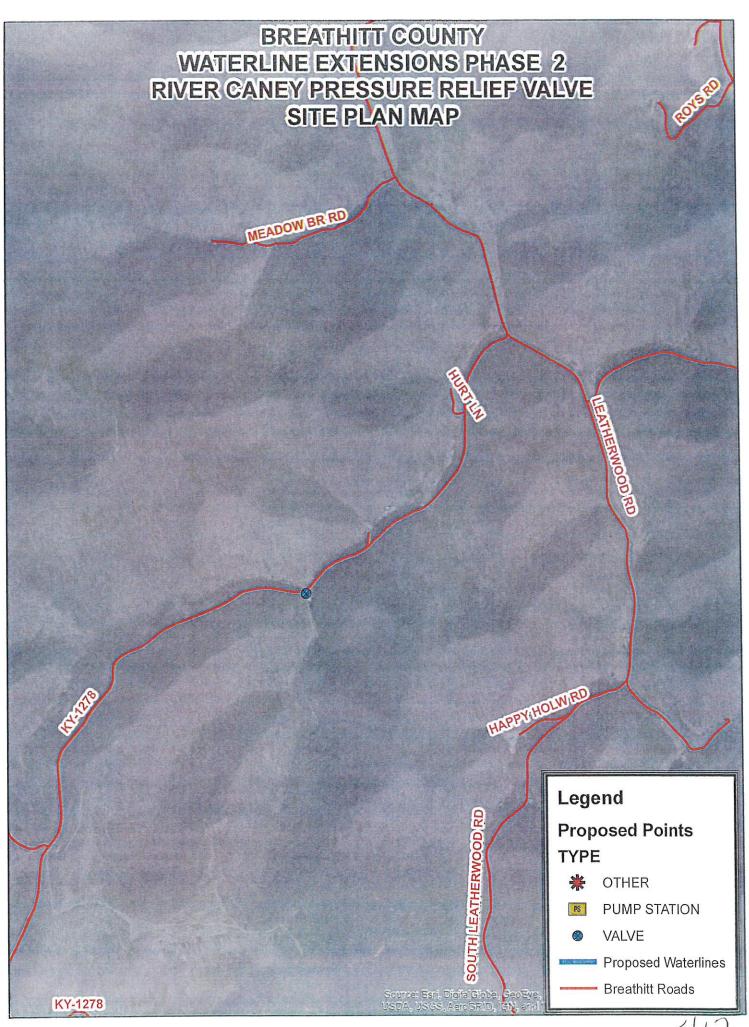


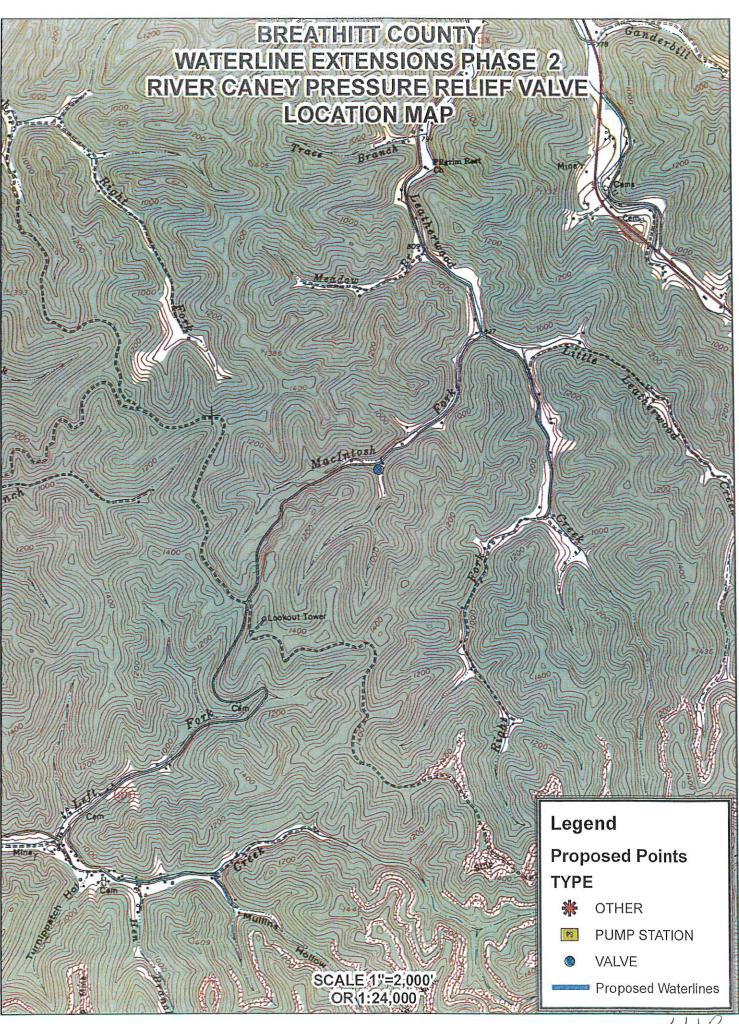


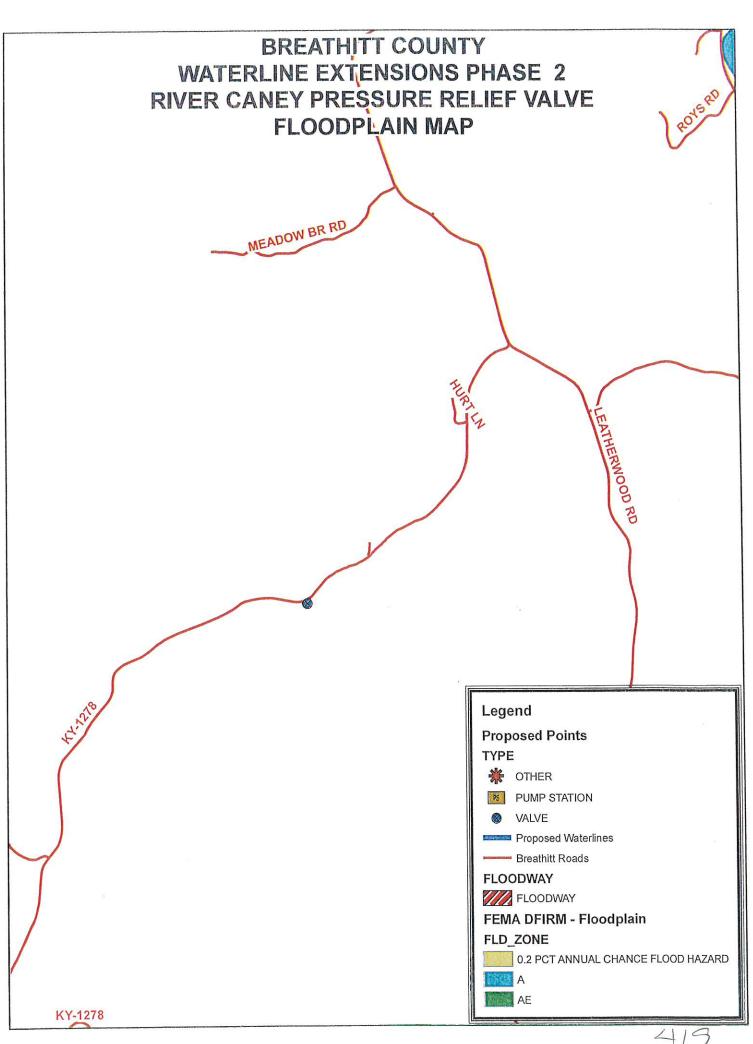


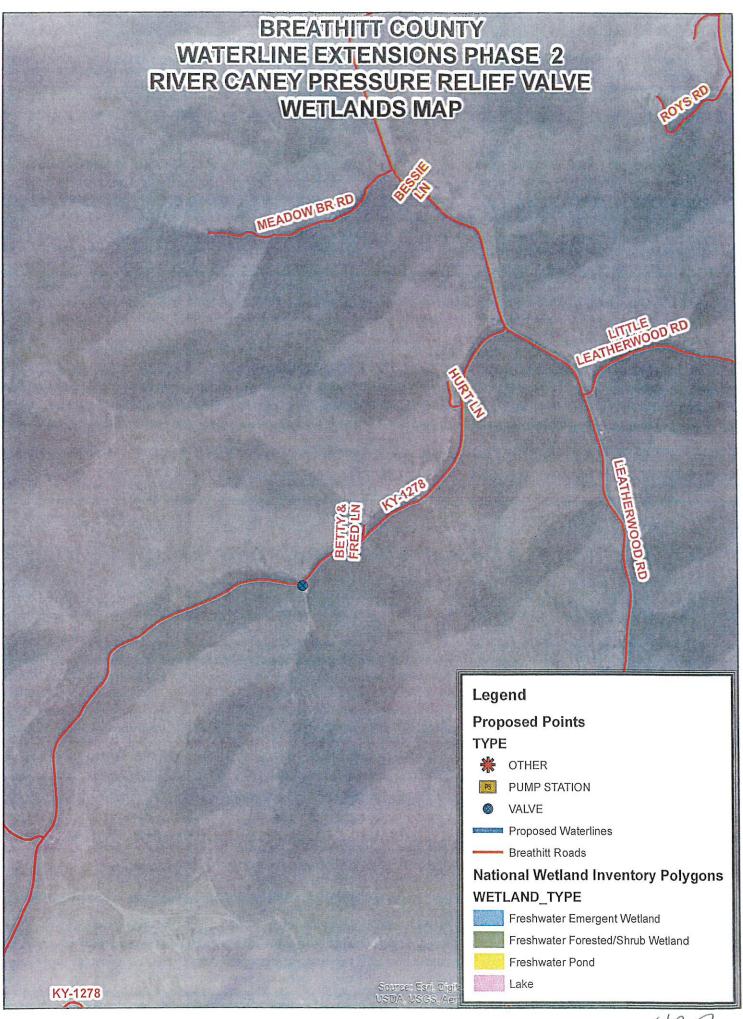


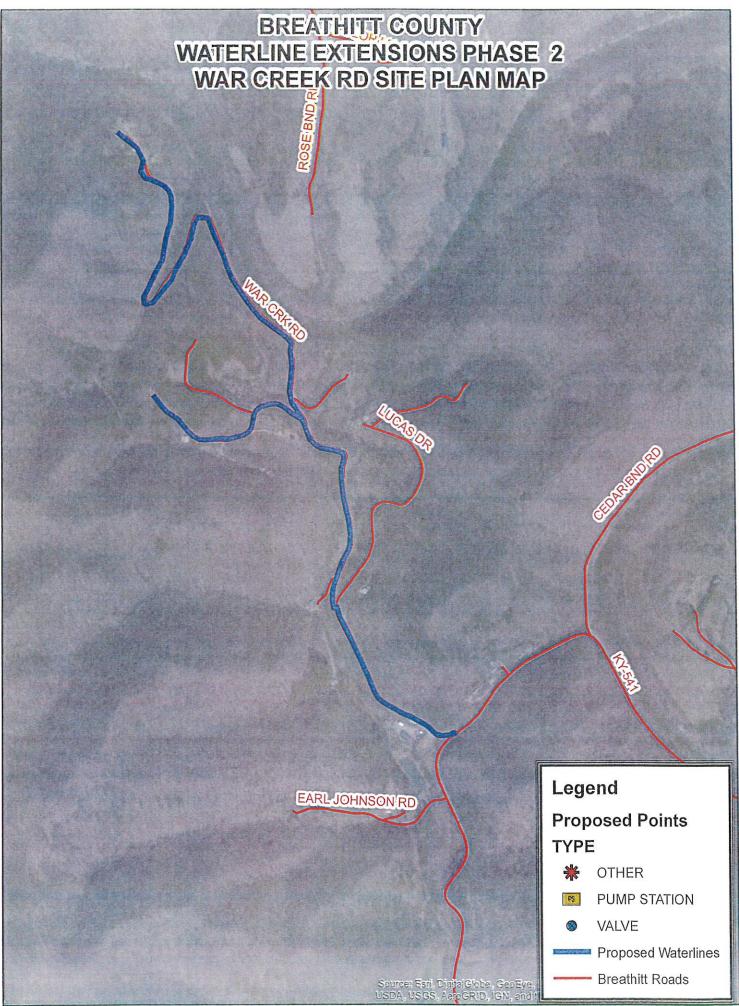


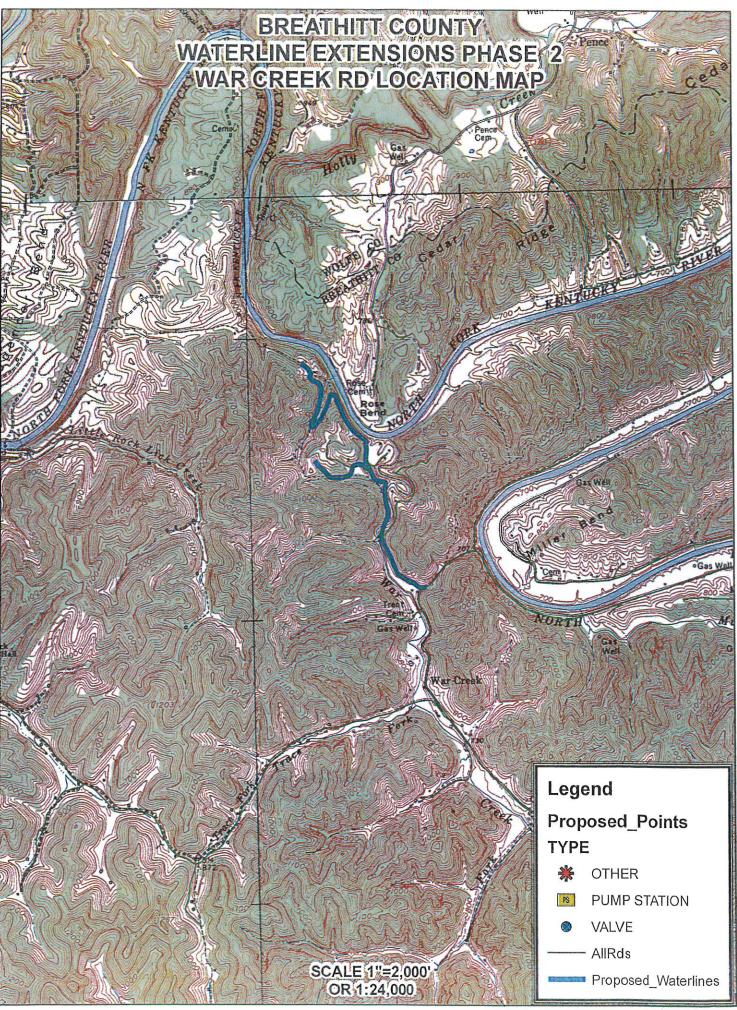


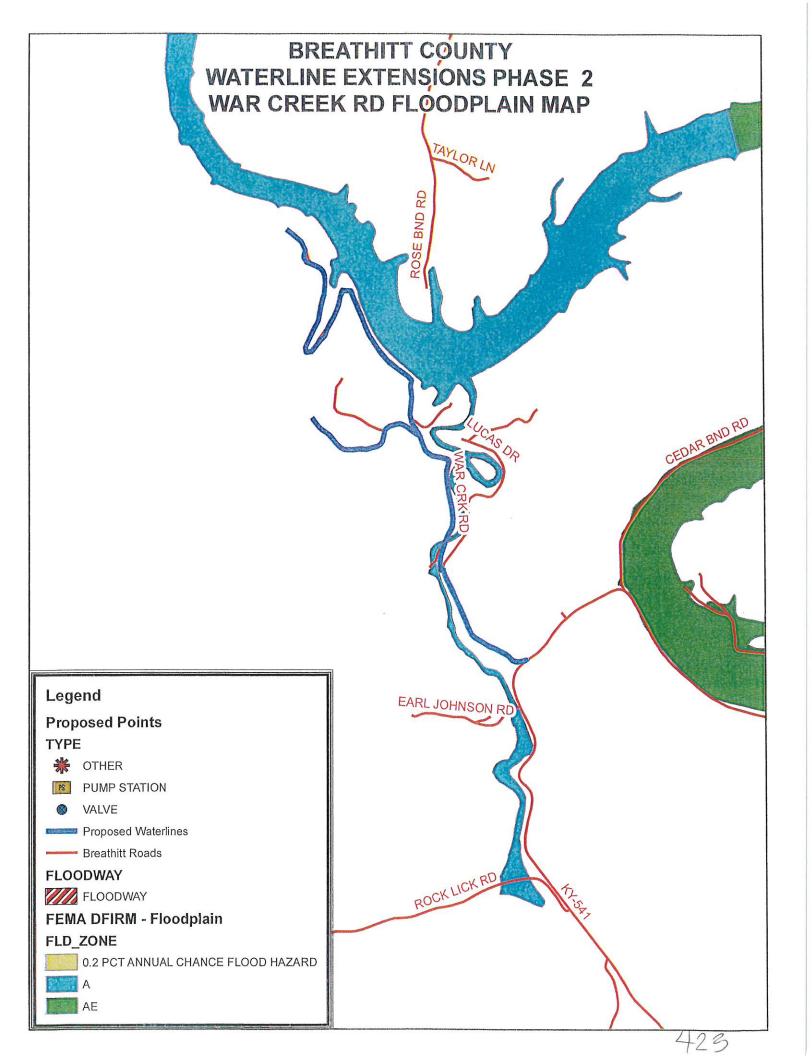


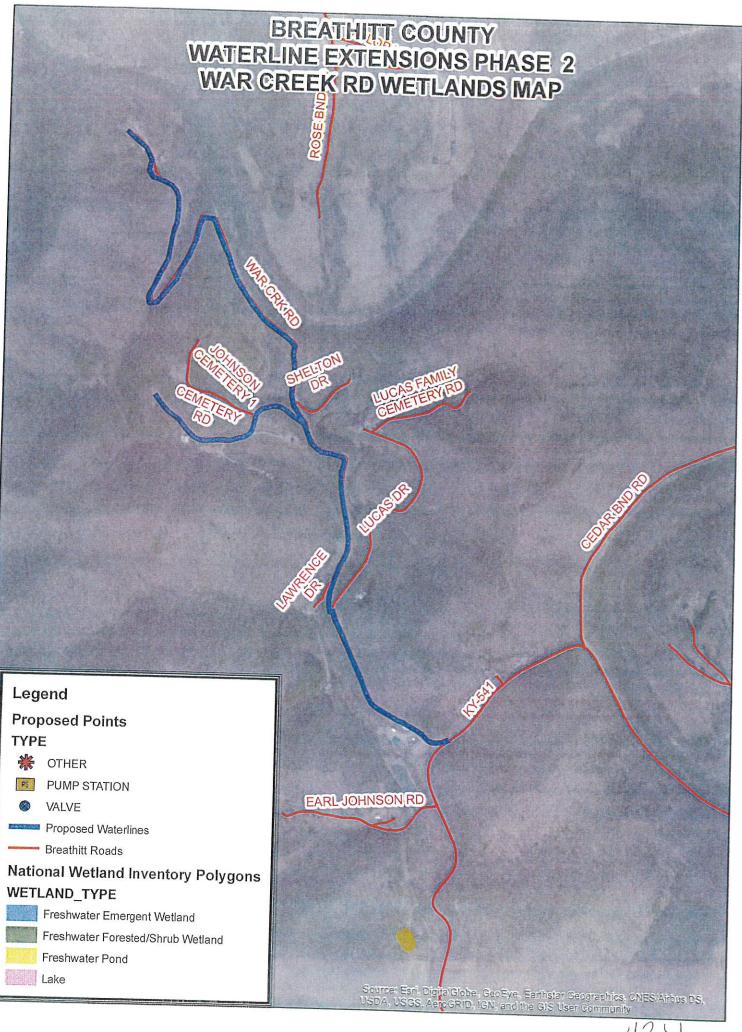












# Exhibit 11 Sole Source Aquifer Data

