

IN THE MATTER OF

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\*

[NAME OF INDUSTRY]  
[ADDRESS]

\*

NOTICE OF VIOLATION

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LEGAL AUTHORITY

The following findings are made and notice issued pursuant to the authority vested in the Public Works Director of Wastewater Services, under Article VI of the city's Sewer Use Ordinance. This order is based on findings of violation of the conditions of the industrial user permit issued under Article VI of the city's Sewer Use Ordinance.

FINDINGS

1. City of Lawrenceburg is charged with construction, maintenance and control of its sewer system and treatment works.

2. To protect the sewer system and treatment works, City of Lawrenceburg administers a pretreatment program.

3. Under this pretreatment program, [Name of Industry] was issued a discharge permit.

4. The discharge permit issued to [Name of Industry] contained numerical limits on the quality of pollutants, which [Name of Industry] could discharge and self-monitoring requirements.

5. On [Date], pollutant analysis revealed that the quantity of [pollutant] exceeded the permit limitation.

NOTICE

THEREFORE, BASED ON THE ABOVE FINDINGS, [NAME OF INDUSTRY] IS HEREBY NOTIFIED THAT:

1. It is the violation of its Industrial User Permit and the Lawrenceburg Sewer Use Ordinance.

Signed: \_\_\_\_\_

Larry Hazlett  
Public Works Director/  
Administrator



IN THE MATTER OF

\*

\*

[NAME OF INDUSTRY]  
[ADDRESS]

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CEASE AND DESIST ORDER

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#### LEGAL AUTHORITY

The following findings are made and order issued pursuant to the authority vested in the Public Works Director of Wastewater Services, under Article VI of the city's Sewer Use Ordinance. This order is based on findings of violation of the conditions of the industrial user permit issued under Article VI of the city's Sewer Use Ordinance.

#### FINDINGS

1. [Industry] discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the City of Lawrenceburg.

2. [Industry] is a "significant industrial user" as defined by Article I of the City's Sewer Use Ordinance.

3. [Industry] was issued a wastewater discharge permit on [Date] which contains prohibition, restrictions and other limitations on the quality of the wastewater it discharges to the sanitary sewer.

4. Pursuant to the ordinance and the above-referenced permit, data is routinely collected or submitted on the compliance status of [Industry].

5. This data shows that [Industry] has violated the Sewer Use Ordinance in the following manner:

a. [Industry] has continuously violated its permit limits for [pollutant] in each sample collected between [Date] and [Date].

b. [Industry] has also failed to comply with an administrative compliance order requiring [procedures required by compliance schedule] by [compliance date].

c. [Industry] has failed to appear at a show cause hearing pursuant to an order requiring said attendance.

## ORDER

THEREFORE, BASED ON THE ABOVE FINDINGS, [NAME OF INDUSTRY] IS HEREBY NOTIFIED THAT:

1. Within 24 hours of receiving this order, cease all nondomestic discharges into the city's sanitary sewer. Such discharges shall not recommence until such time as [Industry] is able to demonstrate that it will comply with its current permit limits.
2. Failure to comply with this order may subject [Industry] to having its connection to the sanitary sewer sealed by the city, and assessed the costs therefore.
3. Failure to comply with this order shall also constitute a further violation of the sewer use ordinance and may subject [Industry] to civil or criminal penalties or such other enforcement response as may be appropriate.
4. This order, entered this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, shall be effective upon receipt by [Industry].

Signed: \_\_\_\_\_  
Larry Hazlett  
Public Works Director/  
Administrator



IN THE MATTER OF	*	
	*	PUBLIC WORKS DIRECTOR
[NAME OF INDUSTRY]	*	CITY OF LAWRENCEBURG, KY
	*	
[ADDRESS]	*	
	*	

CONSENT ORDER

WHEREAS, the City of Lawrenceburg pursuant to the powers, duties and responsibilities vested in and imposed upon the Public Works Director of Wastewater Services by provisions of the city's Sewer Use Ordinance, have conducted an ongoing investigation of [Industry] and have determined that:

1. The City owns and operates a wastewater treatment plant which is adversely impacted by discharges from industrial users, including [Industry] and implemented a pretreatment program to control such discharges.

2. [Industry] has consistently violated the pollutant limits in its industrial user permit as set forth in Exhibit I, attached hereto.

3. Therefore, to ensure that [Industry] is brought into compliance with its permit limits at the earliest possible date, ITS IS HEREBY AGREED AND ORDERED, BETWEEN [Industry] AND THE PUBLIC WORKS DIRECTOR FOR THE CITY OF LAWRENCEBURG, that [Industry] shall:

a. By [Date], obtain the services of the licensed professional engineer specializing in wastewater treatment for the purpose of designing a pretreatment system which will bring [Industry] into compliance with its industrial user permit.

b. By [Date], submit plans and specifications for the proposed pretreatment system to the city for review.

c. By [Date], install the pretreatment system in accordance with the plans and specifications submitted in item b above.

d. By [Date], achieve compliance with the limits set forth in Exhibit I.

e. [Industry] shall pay \$1,000 per day for each and every day it fails to comply with the schedule set out in items a-d above. The \$1,000 per day penalty shall be paid to the cashier of the city within five (5) days of being demanded by the city.

4. In the event [Industry] fails to comply with any of the deadlines set forth, [Industry] shall, within one (1) working day after expiration of the deadline, notify the city in writing. This notice shall describe the reasons for [Industry]'s failure to comply, the additional amount of time needed to complete the remaining work and the steps to be taken to avoid future delays. This notification in no way excuses [Industry] from its responsibility to meet any later milestones required by this Consent Order.

5. Compliance with the terms and conditions of this Consent Order shall not be construed to relieve [Industry] of its obligation to comply with its industrial user permit which remains in full force and effect. The city reserves the right to seek any and all remedies available to it under Article X of the Sewer Use Ordinance.

6. Violation of this Consent Order shall constitute a further violation of the city's Sewer Use Ordinance and subjects [Industry] to all penalties described by Section X of the Sewer Use Ordinance.

7. Nothing in this Consent Order shall be construed to limit any authority of the city to issue any other orders or take any other action which it deems necessary to protect the wastewater treatment plant, the environment or the public health and safety.

## SIGNATORIES

FOR [INDUSTRY]

\_\_\_\_\_  
Date\_\_\_\_\_  
Name  
[Industry]

FOR THE CITY OF LAWRENCEBURG, KY

\_\_\_\_\_  
Date\_\_\_\_\_  
Larry Hazlett  
Public Works Director/  
Administrator





## ORDER

THEREFORE, BASED ON THE ABOVE FINDINGS, [NAME OF INDUSTRY] IS HEREBY ORDERED TO:

1. Appear at a meeting with the Public Works Director to be held on [date] at [time], at City Hall.
2. At this meeting [Industry] must demonstrate why the city should not pursue a judicial enforcement action against [Industry] at this time.
3. This meeting will be closed to the public.
4. Representatives of [Industry] may be accompanied by legal counsel if they so chose.
5. Failure to comply with this order shall also constitute a further violation of the Sewer Use Ordinance and may subject [Industry] to civil or criminal penalties or such other appropriate enforcement response as may be appropriate.
6. This order, entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, shall be effective upon receipt by [Industry].

Signed: \_\_\_\_\_  
Larry Hazlett  
Public Works Director/  
Administrator





## ORDER

THEREFORE, BASED ON THE ABOVE FINDINGS, [NAME OF INDUSTRY] IS HEREBY ORDERED TO:

1. Within 180 days, install pretreatment technology which will adequately treat [Industry]'s wastewater to a level which will comply with its industrial user permit.

2. Within 5 days, submit all periodic compliance reports due since [date].

3. Within 10 days, pay to the cashier's office of the city, a fine of \$[amount of fine] for the above-described violations in accordance with Article XI of the Sewer Use Ordinance.

4. Report, on a monthly basis, the wastewater quality and the corresponding flow and production information as described on page [page number] of the industrial user permit for a period of one year from the effective date of this order.

5. All reports and notices required by this order shall be sent , in writing, to the following address:

Larry Hazlett  
Public Works Director/Administrator  
City Hall  
Lawrenceburg, KY 40342

6. This order does not constitute a waiver of the industrial user permit which remains in full force and effect. The city of Lawrenceburg reserves the right to seek any and all remedies available to it under Article X of the Sewer Use Ordinance for any violation cited by this order.

7. Failure to comply with the requirements of this order shall constitute a further violation of the sewer use ordinance and may subject [Industry] to civil or criminal penalties or such other appropriate enforcement response as may be appropriate.

8. This order, entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, shall be effective upon receipt by [Industry].

Signed: \_\_\_\_\_  
Larry Hazlett  
Public Works Director/  
Administrator