

221 – Wastewater Collection Systems

Kentucky Division of Water

<http://water.ky.gov/permitting/Pages/WastewaterConstruction.aspx>

221.1 Plans Review - Regulations and Requirements: Regulation [401 KAR 5:005](#) lists the fees and requirements for the design, construction and approval of clean water collection systems. The designs and specifications shall also meet the guidelines contained in the 2004 edition of Recommended Standards for Wastewater Facilities, also referred to as Ten State Standards, available from [Health Education Services](#) (HES).

Construction Permits: Prior to issuing a construction permit, the Division of Water (DOW) reviews plans and specifications with respect to the sanitary features of design.

The **Construction Permit Application for Clean Water Collection System** (Form: S-1a) should be submitted with the plans and specifications.

Sanctions: The DOW also reviews sewer sanction exemption requests, which include sanitary sewer extension sanctions and tap-on sanctions. The Sewer Sanction Exception Form must accompany exception requests.

Division of Water

Permitting and Approvals

The Division of Water (DOW) issues permits and approvals for a variety of water-related activities.

<http://water.ky.gov/permitting/Pages/default.aspx>

Kentucky Department of Environmental Protection
Division of Compliance Assistance

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221.2 Wastewater Municipal Planning Section

<http://water.ky.gov/Pages/WMPS.aspx>

The Wastewater Municipal Planning Section (WMPS) reviews 20-year regional planning documents for municipal (public) facilities, as required by 401 KAR 5:006. Reviewers look for efficiency through regionalization and application of the best available technology with the primary focus on preventing municipal water pollution.

Responsibilities and Functions

The WMPS is responsible for the planning of municipal wastewater collection and treatment systems, with emphasis on project implementability, environmental soundness and cost effectiveness.

Municipalities or sewer districts and an engineering consultant meet with WMPS in a preplanning meeting to discuss the elements of the Facilities plan project scope and timing, feasibility, alternatives and conceptual planning.

When the plan arrives at WMPS, a project engineer reviews it for compliance with regulation 401 KAR 5:006. The project engineer is responsible for seeking comments from various environmental agencies such as the U.S. Department of Fish and Wildlife, Kentucky Department of Fish and Wildlife, Kentucky Heritage Council and Kentucky State Nature Preserves Commission.

The project engineer then drafts a State Planning and Environmental Assessment Report (SPEAR) or a Categorical Exclusion Determination and forwards it to the commissioner of the Kentucky Department for Environmental Protection for approval. SPEARs are then sent to the State Clearinghouse for review. On receiving comments from the clearinghouse, the project engineer prepares the final approval.

The applicant is required to give public notice of the facilities plan in the local area and invite public comment. For the convenience of municipalities, the public and consultants, samples of Notice of Public Hearing are available from this site.

The WMPS also places sewer sanctions on those wastewater treatment plants that are at or above 90 percent or 95 percent of their hydraulic and/or organic capacity. This Municipal Water Pollution Prevention Program was devised to help municipalities avoid possible violations and fines by beginning planning early to meet the community's economic and population growth.

See the Sewer Sanction List and the Sewer Sanction Release List. <http://water.ky.gov/Pages/WMPS.aspx>

You may also access the Sewer Sanction Exemption Request Form. Contact Anshu Singh at 502-564-3410 or by e-mail at anshu.singh@ky.gov if you have questions about these documents. Same <http://water.ky.gov/Pages/WMPS.aspx>

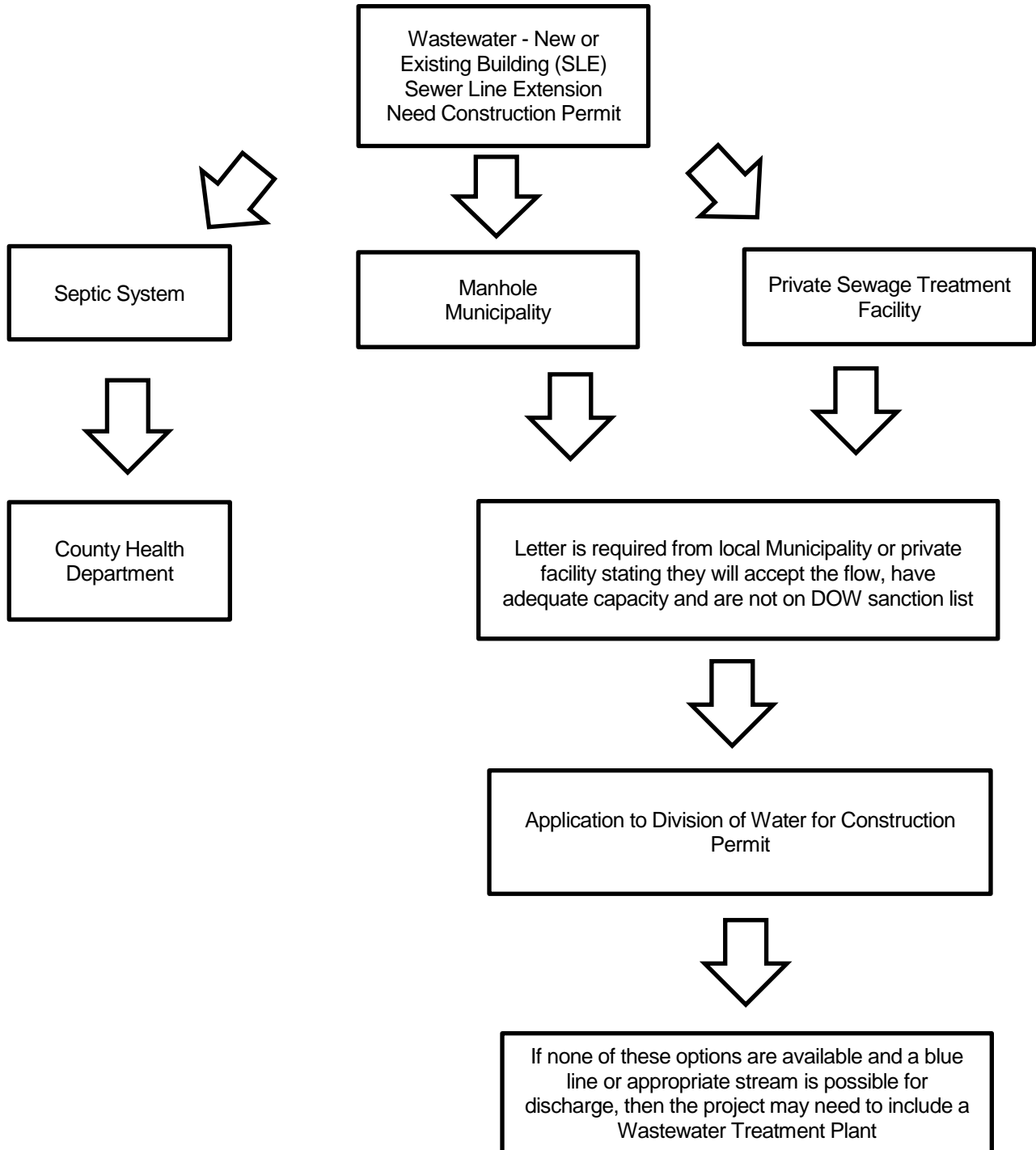
The WMPS also estimates the funds public wastewater systems need to meet Clean Water Act requirements. The 2008 Federal Clean Watersheds Needs Survey, as approved by the U.S. Environmental Protection Agency, provides more information.

<http://water.ky.gov/Pages/WMPS.aspx>

The WMPS prepares a priority list, ranking the order of wastewater improvement projects eligible to borrow money at a low interest rate from the state revolving fund.

Wastewater Permitting Process

Kentucky Division of Water Wastewater Collections Section



Existing Wastewater Treatment Plant or STP

If the facility proposes to connect to an existing Waste Water Treatment Plant the following steps shall be taken:

- Review the 201 Facility Plan with the Owner Operator
- Work with the Owner Operator to determine if the existing WWTP has the capacity to allow a connection from the project.
- If the facility is at capacity and cannot allow any future connections then either work with the existing facility operator to upgrade their facilities or construct new facilities appropriate to the project.

New Wastewater Treatment Plant

- Requires a construction permit from the Division of Water
- Requires a WLA (Waste Load Allocation) from the Division of Water.
- Requires a KPDES Permit.
- Requires US Army Corps of Engineers permits.
- The discharge point of the WWTP shall be 5 miles above any existing water intake structure.
- May require NEPA compliance for endangered species or cultural resources.

Kentucky Infrastructure Authority <http://kia.ky.gov/>

- The Waste Water Planning Section (WMPS) prepares a priority list, ranking the order of wastewater improvement projects eligible to borrow money at a low interest rate from the state revolving fund.
- Administers the State Revolving Fund (SRF).
<http://water.ky.gov/Funding/Pages/CleanWaterStateRevolvingFund.aspx>

SLE - Sewer Line Extension

- SLE's that cross a creek will need, at a minimum, a Floodplain permit, Water Quality Certification from the Kentucky Division of Water and Army Corps of Engineers 404 permit.