**The Kentucky Department for Environmental Protection, Division of Water proposes to take certain actions, as specified below, on KPDES permits, water quality certifications and State Planning and Environmental Assessment Reports that are required to be noticed**

## Commonwealth of Kentucky Antidegradation Statement

Antidegradation determinations have been made in regard to the KPDES permits referenced in this Public Notice. Any information concerning the foundation of the Division's position as to these determinations is addressed in the permits' Statement of Basis or Fact Sheets and all supporting documentation is available in the permit files maintained at the Division central office in Frankfort, Kentucky. Kentucky's antidegradation policy is found in Regulation 401 KAR 10:029, Section 1. Antidegradation policy implementation methodology is defined in Regulation 401 KAR 10:030. The primary purposes of these regulations are to safeguard the surface waters of the Commonwealth for their designated uses, to prevent the creation of any new pollution of these waters, and to abate any existing pollution.

## GENERAL INFORMATION

## COMMENTS FOR ANY ACTION LISTED IN THIS PUBLIC NOTICE MUST BE RECEIVED BY THE RESPECTIVE SECTION OF THE DIVISION OF WATER NO LATER THAN 4:30 PM EST ON THE COMMENT DUE DATE FOR EACH TYPE OF ACTION LISTED. COMMENTS THAT DO NOT COMPLY WITH THESE SUBMISSION REQUIREMENTS WILL NOT BE CONSIDERED.

The KPDES program issues permits for all treatment facilities which discharge, or propose to discharge, to waters of the Commonwealth which are classified for domestic water supply, for fish and aquatic life, and for recreation. Proposed KPDES permits are written to protect the classified uses of receiving waters and contain limitations on the amounts of pollutants to be discharged and other conditions. The proposed permits are drafted in accordance with applicable provisions of the Kentucky Revised Statutes and appropriate regulations. The permit conditions are tentative and open to comment from the public. Persons wishing to comment upon or object to the proposed action (permit issuance, modification or termination) or the proposed permit conditions are invited to submit comments electronically via e-mail to DOWPublicNotice@ky.gov or via mail to the Division at the following address: **Department for Environmental Protection, Division of Water, Surface Water Permits Branch, 300 Sower Blvd., 3rd Floor, Frankfort, Kentucky 40601, Attention: Permit Support Section.** The comments must be received by the comment due date stated in the KPDES Permits sections of this notice. The applicant's name and KPDES number should be included in the comments. Interested persons may also request that the Director of the Division hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why a hearing is warranted. When there is a significant degree of public interest, the Director will hold a public hearing, pursuant to 401 KAR 5:075, Section 7, and the public hearing record will be considered along with submitted comments for determinations on final action.

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities involving a discharge into waters of the state and requiring a federal permit are consistent with Kentucky's water quality standards in Title 401, Chapter 10, of the Kentucky Administrative Regulations. Projects that involve the discharge of dredged or fill materials into waters of the United States, including wetlands, are regulated by the U.S. Army Corps of Engineers under Clean Water Act Section 404 and require a Section 401 Water Quality Certification by the Division of Water. Examples of activities that may require a Section 404 permit and Section 401 water quality certification are stream relocations, road crossings, stream bank protection, construction of boat ramps, placing fill, grading, dredging, ditching, mechanically clearing a wetland, building in a wetland, constructing a dam or dike, and stream diversions. The Section 401 certification is authorized by the federal Clean Water Act and KRS Chapter 224. In Kentucky, the Water Quality Certification Section in the Water Resources Branch is responsible for implementing the Section 401 program. Interested persons can submit comments on the listed Water Quality Certification applications electronically via e-mail to DOWPublicNotice@ky.gov or via mail to the following address: **Department for Environmental Protection, Division of Water, Water Quality Certification Section, 300 Sower Blvd., 3rd Floor, Frankfort, Kentucky 40601**. The comments must be received by the comment due date stated in the WQC application section of this notice. The applicant's name and Agency Interest (AI) number should be included in the comments.

The Department for Environmental Protection (DEP) is required to conduct reviews of the potential environmental impacts of projects applying for funding by the Clean Water State Revolving Fund in accordance with the procedures contained in the State Revolving Fund Operating Agreement between the Environmental Protection Agency Region IV and the Commonwealth of Kentucky. The DEP has included this required review in the listed State Planning and Environmental Assessment Reports (SPEARs). The DEP has determined that the projects in the listed SPEARs will not have a significant effect on the environment when all mitigative measures in Section F of the SPEARs are implemented. Interested persons are encouraged to submit comments on the listed SPEARs to the **Department for Environmental Protection, Division of Water, Water Infrastructure Branch, Municipal Planning Section, 300 Sower Blvd., 3rd Floor, Frankfort, Kentucky 40601.** The comments must be received by the comment due date stated in the SPEAR section of this notice. The applicant's name and SPEAR title should be included in the comments.

The Kentucky Department for Environmental Protection, Division of Water will make a determination regarding final action after consideration of comments submitted during the comment period and the requirements of the applicable federal and state statutes and regulations.

Permit or certification applications, draft permits, fact sheets or statements of basis, water quality certifications, regional facility plans and SPEARs, and additional information are available by contacting the Division of Water. Business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, except for holidays. In addition, the documents are available on a web-based searchable system that provides daily updates on actions being public noticed by the Department for Environmental Protection which can be found at the following link: https://eec.ky.gov/Environmental-Protection/Water/Pages/Water-Public-Notices-and-Hearings.aspx**.**

*The Energy and Environment Cabinet does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and provides, upon request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities.*