



Lexington Fayette Urban County Government

DIVISION OF WATER QUALITY

NOTICE OF VIOLATION
STORM SEWER SYSTEM

RESPONSIBLE PARTY

Bryan Naranjo, Environmental Compliance
Norfolk Southern Railway Company
1200 Peachtree Street NE, Box 13
Atlanta, GA 30309

VIOLATION ISSUE DATE 04/12/2017
RE: PROPERTY Railroad adjacent to 272 Derby Dr, Lexington, KY
DATE AND TIME OF OFFENSE 04/07/2017, 10:30 AM

You are hereby given notice that the violations cited below must be abated by 06/01/2017. Failure to correct the violations by the date specified will result in civil citation and a civil penalty.

Industrial and High Risk Commercial Facilities (Section 16-90)

- Failure to submit a Stormwater Pollution Prevention Plan (SWPPP) or written notification that no changes have been made to a SWPPP previously submitted in compliance with the ordinance (a, b).
Failure to submit monitoring results to the Division of Water Quality for samples collected and analyzed in (year) (c, d).
Failure to implement a monitoring program, as part of the facility's SWPPP, to determine levels of pollution in stormwater discharges (c, d).

Illicit Discharges/Illicit Connections (Section 16-93)

- Creating, causing, continuing, or authorizing an Illicit discharge prohibited by the ordinance (a).
Construction, use, maintenance, or continued existence of illicit connection to the storm drainage system (b).
Illicit discharge/illicit connection (b).
Failure to eliminate Illicit discharge/illicit connection (a, b).

Watercourse Protection (Section 16-97)

- Failure of the property owner or controller to maintain a watercourse and keep it free of trash, debris and other obstacles that can pollute, contaminate, or significantly retard the flow of water through the watercourse.

Transportation, Relocation of Dirt and Debris (Section 16-106)

- Transporting dirt, earth or debris, including yard waste, within the urban county in a manner that caused it to wash, drain or otherwise be caused to enter and be deposited in or upon the streets, sanitary sewers, storm sewers and/or other drainage facilities, except as authorized by a land disturbance permit (a).
Failure to remove and relocate dirt, earth or debris to a safe location and clean areas affected by improper transportation or placement (b).

SPECIFICS OF VIOLATION: Ballast deterioration slurry is being hydraulically pumped to the surface and sides of the railroad track and discharging into Lexington-Fayette Urban County Government's (LFUCG) storm sewer system located at 272 Derby Dr. The section of track running south from 272 Derby Dr for approximately 1700 feet has numerous locations where mud is actively pumping to the surface and being conveyed to LFUCG's MS4 during precipitation events.

CORRECTIVE ACTIONS: Eliminate mud/slurry discharge or install Best Management Practices (BMP's) (Which may include manufactured treatment devices) to remove sediment from wet weather discharges, prior to the discharges reaching the storm sewer system.

If you have questions or would like more information, you may contact:

Name of LFUCG Representative: Richard Lamey Title: Compliance and Monitoring Manager
Address: 125 Lisle Industrial Avenue, Ste. 180 Phone Number: 859-425-2412
Lexington, Kentucky 40511

Issued by: Richard Lamey this 12th day of April, 2017

Signed: [Signature]