

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
OFFICE OF ADMINISTRATIVE HEARINGS

RONALD W. RUTLEDGE
Petitioner

v.

KENTUCKY ENERGY AND ENVIRONMENT CABINET
Respondent

PETITION FOR ADMINISTRATIVE HEARING AND REVIEW
(Challenging Agency Determination Dated March 4, 2026)

I. INTRODUCTION

Petitioner, Ronald W. Rutledge, hereby petitions for administrative review of the Cabinet's determination dated March 4, 2026, which concluded that "no violations were found."

This determination is arbitrary, capricious, unsupported by substantial evidence, and the result of a deficient and incomplete investigation.

II. JURISDICTION

This Petition is brought pursuant to KRS Chapter 224 and KRS Chapter 13B.

III. STATEMENT OF FACTS

Petitioner reported conduct involving manipulation of treatment system conditions and compliance sampling in November 2025.

On or about November 20, 2025, a decision was made to shut down the lift station feeding the C-615 treatment system.

Between November 20 and November 24, 2025, a fire hose was used to flush solids and alter treatment conditions.

On November 24, 2025, compliance sampling was conducted during these altered conditions.

Multiple witnesses, including Petitioner and third-party contractors, were present.

On March 4, 2026, the Cabinet issued a determination stating "no violations found."

IV. GROUNDS FOR APPEAL

The Cabinet's conclusion is unsupported and fails to address material facts, including:

- Shutdown of influent flow
- Use of a fire hose to manipulate system conditions
- Timing of actions prior to sampling
- Presence of witnesses
- Potential surveillance evidence

The investigation failed to include critical steps such as interviewing witnesses, reviewing footage, and analyzing operational records.

The Cabinet failed to apply governing KPDES standards requiring accurate representation of discharge conditions.

V. RELIEF REQUESTED

Petitioner requests:

1. Administrative hearing
2. Vacating of the "no violations found" determination
3. Full independent re-investigation
4. Preservation of evidence

VERIFICATION

I affirm under penalty of perjury that the foregoing is true and correct.

/s/ Ronald W. Rutledge
Ronald W. Rutledge
Date: March 27, 2026

Ronald W. Rutledge

4908 Thornwood Knoll
Acworth, Georgia 30102
678-508-2678.... Cell
ronaldrutledge@gmail.com

Mixed Waste Transportation Environmental, Health and Safety Compliance Manager

Seeking employment opportunities where I can use my knowledge and experience in the RCRA, waste, environmental, safety and transportation arenas bringing added value in obtaining the organizations goals.

Qualifications

Offering over 30 years of progressive and combined experience as an environmental, health and safety compliance manager. Subjects of expertise include regulatory compliance, contract/project management; RCRA hazardous waste management, Clean Air, Water, health and safety oversight; transportation; and facility compliance with all aspects of EPA Federal and State environmental regulations. Managed waste and RCRA operations, safety, environmental and personnel for an eight multi-million-dollar domestic chemical resin-manufacturing facilities.

- Extensive experience in environmental compliance, RCRA, waste management, transportation, health and safety
- Proven experience in interpreting and applying regulations under CFR 40, 10, 29, and 49.
- Experience with Environmental Compliance and Radioactive Transportation Software which includes: Low Track, Epoch Material Tracking and Environmental Reporting, WIXEL and eMWaste hazardous waste tracking, RadCalcs, Atlas Radioactive Manifesting, and LWIS-G.

Employment History

Environmental Compliance & Environmental Report Specialist

- October 2019 – Current – DOE, Four Rivers Nuclear Plant (FRNP), Paducah, KY, (Contractor Value Added Solutions, Inc.), Environmental Compliance and Environmental Report Specialists to DOE, KDEP and EPA.

Radioactive and Hazardous Waste Transportation Specialist

Extensive transportation experience in both the private sector and government contracting arena. Served as a Radioactive and Hazardous Waste Shipper for the Department of Energy's largest active nuclear decommissioning project. Part of a team that shipped over 25,000 cubic yards of regulated radioactive and hazardous waste with no violations meeting site targets in a challenging environment. Experience with developing training programs and data management systems to support transportation programs.

- November 2017 – April 2018 – DOE, Flour B&W, Portsmouth (Contractor City State Logistics) Excess Chemical Project for Lab Packs.

- May 2014 – October 2014, March 2015 – October 2015: DOE, Fluor B&W, Portsmouth (Contractor AECOM & Value-Added Solutions)
- November 2014 – March 2015: USACE, Radioactive Transportation Specialist (Contractor Hopper & Associates, Inc.), Deepwater, NJ (DuPont)
- November 2013 – April 2014: DOE, Detroit Edison Fermi 1 & 2 Commercial Nuclear Power Plant (Contractor Turnkey Technical Services, LLC.)
- 2011 – 2012: Honeywell International, Metropolis, IL. (Contractor ENERCON)
- 2009 – 2010: DOE; National Nuclear Security Administration Facility (Y-12) Oak Ridge, TN (Contractor City State Logistics)

Site Safety Manager

July 2013 – October 2013: DOD, Knolls Atomic Power Laboratory (KAPL), Ballston Spa, NY (Contractor Turnkey Technical Services, LLC)

- Site safety manager responsible safety and security for the Demolition and Disposal of the S8G Nuclear Refueling Facility at KAPL; Kesselring Site Operations. During tenure oversaw 15 employees with no violations and no loss time accidents or injuries.

Environmental Health and Safety Manager and Maintenance Supervisor

1986– 2009: Hexion Specialty Chemicals, formerly Resolution Specialty Materials, Eastman Chemical Company, McWhorter Technologies, and Cargill Inc., Atlanta, GA

Eastern Regional Environmental Manager

- Environmental Health and Safety Manager subsequently promoted to Eastern Regional Manager. Responsible for managing personnel and operations for 8 U.S. resin manufacturing facilities located in Forest Park, GA, Atlanta, GA, Philadelphia, PA, 2-Chicago, IL area facilities, Ennis, TX, Lynwood, CA., for RCRA, OSHA and TSCA waste Compliance, waste tracking, generation, disposal, inventory, and cost management; directly reporting to Corporate EHS Manager.
- Ensured that plants met all compliance requirements applicable to environmental and RCRA permits and safety regulations, including preparation of all manifests; and management and training of employees on DOT requirements.
- Proficient knowledge of Department of Transportation, Environmental Protection Agency, Georgia Environmental Protection Division, Occupational Safety and Health Administration, Codes of Federal Regulation as it pertains to hazardous waste, solid waste, hazardous waste water, storm water, asbestos, industrial hygiene monitoring and employee exposure.
- Developed and managed on-site treatment of RCRA hazardous wastewater by neutralization, eliminating the need for our RCRA Part B Hazardous Waste Incinerator. Cost savings of nearly 1.75 Million dollars by avoiding upgrades required for the Hazardous Waste Combustor MACT. Implemented at our Forest Park, GA and Chicago, IL area resin manufacturing facilities.

- Successfully managed and completed closure of our RCRA Part B Permit Hazardous Waste incinerator.
- Successfully managed and completed our RCRA Facility Assessment and RCRA Facility Investigation from 1996–2009, for soil and groundwater investigation and corrective actions. Manage the sites Corrective Action Permit issued by Georgia EPD.

RCRA, OSHA and TSCA WASTE MANAGEMENT EXPERIENCE

Managed all waste activities including sampling protocols, testing, chain of custody and analytical reports to insured compliance with on-site and off-site RCRA waste disposal as well as compliance with our RCRA Part B Permits.

- Responsible for management of the RCRA Part B Hazardous Waste Incinerator, managed RCRA permit required stack testing. Developed plans to change the management of our RCRA on-site waste which resulted in the closure of the RCRA hazardous waste incinerator and three RCRA hazardous waste storage tanks. Interacted with Georgia Environmental Protection Division (GEPD) to develop RCRA Closure Plans to include sampling strategies, chain-of-custody, analytical methods and analytical testing requirements.
- Perform all site RCRA waste characterization, sampling, chain of custodies, analytical, profiling, and disposal completing over 1000 RCRA waste shipments and RCRA lab pack projects and maintaining responsibility of technical and administrative functions, to include unknown materials identification and disposal.
- Created and implemented a project to eliminate three RCRA bulk liquid Part-B Hazardous Waste Storage Permit's. Managed and completed closure of three RCRA storage tanks. Interacted with GEPD to develop Closure Plans to include sampling strategies, including hazardous waste being stored, wipe samples of interior tank surfaces, chain-of-custody, analytical methods and testing requirements. One tank now being operated as a process storage tank, two tanks were re-opened as hazardous waste 90-day accumulation tanks. Cost saving estimated at \$100,000/year.
- Complete regular reporting requirements, as required by our operating permits and regulatory requirements including SARA 313, SARA 312, RCRA Biennial Hazardous Waste Reports and RCRA Waste Minimization Reports. On-site and off-site RCRA Hazardous Waste Fee Reports and annual fee payments.
- Supervise fugitive emissions monitoring and reporting of hazardous waste water system through Subpart BB, Leak Detection and Repair and Method 21 testing.
- Assure that regulatory and permit compliance and record keeping requirements are met. Responsible for numerous reports as required by our Synthetic Minor Air Permit are submitted to EPD and/or available for inspection.
- Maintain site environmental, RCRA, OSHA and TSCA waste and safety files.
- Facilitate plant safety and environmental programs/committees.
- Manage and coordinated air emissions, wastewater, storm water, NPDES and waste characterization sampling, chain of custody and analytical requirements.
- Identify opportunities to minimize RCRA and all waste generation.
- Identify opportunities to reduce air emissions; implement solutions.
- Incorporate environmental and permit requirements into Operating Guides.
- Develop operating, inspections and maintenance procedures for air, RCRA waste and wastewater controls.

AIR MANAGEMENT EXPERIENCE

- Responsible for the sites existing air permit compliance requirements prior to Title V.
- Managed and implemented the sites Title V Synthetic Minor Air Permit and subsequent compliance requirements.
- Assisted the Chicago facility with their Title V air permit application.

NPDES and STORMWATER MANAGEMENT EXPERIENCE

- Developed and managed the Stormwater Permit application and compliance to Federal and State Stormwater Regulations and compliance.
- Managed the Federal NPDES non-contact cooling water permit and compliance requirements.

PROJECT MANAGEMENT EXPERIENCE

- Ensures that the plants meet all applicable environmental, permits and safety regulations, including preparation of all manifests; and management and training of employees on DOT requirements.
- Proficient knowledge of Department of Transportation, Environmental Protection Agency, Georgia Environmental Protection Division, Occupational Safety and Health Administration, Codes of Federal Regulation as it pertains to RCRA hazardous waste, solid waste, hazardous waste water, storm water, OSHA asbestos, TSCA PCB wastes and industrial hygiene monitoring and employee exposure.
- Developed and managed on-site treatment of RCRA hazardous wastewater by neutralization, eliminating the need for our Part B Hazardous Waste Incinerator. Cost savings of nearly 1.75 Million dollars by avoiding upgrades required for the Hazardous Waste Combustor MACT. Implemented at our Forest Park, GA and Chicago, IL area resin manufacturing facilities.
- Managed EHS operations and personnel of multi-million-dollar resin manufacturing facility.
- Eastern Regional Environmental Manager for over-site responsibilities for 4 resin manufacturing facilities located in Atlanta and Forest Park, GA., Columbus, GA., and Philadelphia, PA.
- Successfully managed and completed closure of our RCRA Part B Permit Hazardous Waste incinerator.
- Successfully managed and completed the State required RCRA Facility Assessment (RFA) and RCRA Facility Investigation (RFI). Interfaced with GEPD in developing sampling and analytical plans for soil and groundwater investigations. Manage the sites Corrective Action Permit issued by Georgia EPD as a result of the RFI, which included managed the 4 bedrock monitoring wells sampling, analytical and reporting requirements
- Developed and implemented strategies for RCRA, OSHA and TSCA waste disposal contracts and retained respective P&L responsibilities.
- Employed knowledge in identification, segregation, transportation, routing and problem solving to include crisis management and train new personnel.
- Investigated accidents and identified root causes, prepared Site Health and Safety plans, and performed assessments to compile comprehensive analysis/findings reports.
- Responsible for all aspects of sites EHS budgets and management of costs.

- Supervised 6 contract EHS personnel.
- Integrated and provided in-field training on the Wixel Manifesting System, 1989-2002, including SARA 313 Reporting module.
- Integrated and provided training on the Logical Data Solutions, EPOCH program for waste tracking, manifesting and SARA 312 and SARA 313 Reporting.
- Completed or managed permit applications for air, wastewater, NPDES and storm water permits and modifications/renewals.

HEALTH AND SAFETY EXPERIENCE

- Respiratory Protection Plan Development
- Conduct safety audits for lock-out (equipment isolation), confined space entry and respiratory protection including respirator fit testing.
- Support and manage the plant safety program.
- Present safety and environmental training programs to workers and supervisors.
- Conduct incident investigations.
- Participate in process hazard analysis.
- Prepare, manage and revise the Emergency Action Plan/Contingency Plan.
- Conduct Emergency Plan training and annual evacuation/response drills.
- Managed the sites RCRA Facility Investigation, RCRA Facility Assessment and subsequent soil and ground water testing and analysis.
- Manage four bedrock groundwater wells as a result of the RCRA Facility Assessment.
- Manage the sites Risk Management Program (RMP), as a Level 1 Facility

Maintenance Supervisor

- Responsible for maintenance of all manufacturing equipment, air and water treatment processes of the Forest Park Chemical Manufacturing Facility.
- Responsible for site Preventative Maintenance Program to include inventory control of critical parts inventory. Established tool room minimum and maximum inventory levels and responsible for developing and implementing automatic Purchase Orders.

1973 – 1986: Cargill Incorporated, Dayton Ohio

In 1973 I was hired by Cargill Inc., at their newly constructed Wet Corn Mill in Dayton, Ohio as a laborer where I quickly advanced to a department operator and later a shift leadman; I served as a union steward and was elected as a chief steward and elected to the union bargaining team.

In 1976 was promoted as a Shift Supervisor; 1983 I was promoted to Corn Syrup Department Supervisor responsible for 5 shift supervisors and 30 hourly employees. Responsible for safety, production, quality, budget, maintenance and housekeeping.

Training and Certifications

- Advanced Mixed Radioactive Shipper Certificate, Certified every year from 9/2009-10/2018.

- IATA Certificate, Certified every year from 9/2009- 8/2018
- Current 40 Hour HAZWOPER and subsequent Annual Refreshers,
- RCRA Hazardous Waste SME
- Alliance of Hazardous Materials Professionals (AHMP)
- Pass Certified Hazardous Materials Manager (CHMM)

Education

Two years college course work, core curriculum math and science