

ALABAMA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

EAST ALABAMA WATER, SEWER AND
FIRE PROTECTION DISTRICT
NPDES PERMIT NO. AL0024724

ORDER NO. 86-106-WP

FINDINGS OF FACT

Pursuant to the provisions of the Alabama Environmental Management Act, Code of Alabama 1975, §§ 22-22A-1 to 22-22A-15 (1984 as amended by Act No. 86-542, 1986 Regular Session, approved April 30, 1986), the Alabama Water Pollution Control Act, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (1984 as amended by Act No. 86-542, 1986 Regular Session, approved April 30, 1986), and the National Pollutant Discharge Elimination System administered by the Alabama Department of Environmental Management (hereinafter, "the Department") and approved by the Administrator of the U.S. Environmental Protection Agency pursuant to the Federal Water Pollution Control Act § 402, 33 U.S.C. § 1342, the Department makes the following FINDINGS OF FACT:

1. The East Alabama Water, Sewer and Fire Protection District (hereinafter, "the Permittee") operates a waste treatment facility known as Lower Valley Treatment Plant which discharges pollutants from a point source into the Chattahoochee River, a water of the State.

2. The Permittee has a valid NPDES Permit Number AL0024724 which establishes limitations on the discharge of pollutants from such point source, designated therein as outfall number 001, into the Chattahoochee River. Said permit also requires that the Permittee monitor its discharge and submit periodic Discharge Monitoring Reports to the Department describing the results of its monitoring.

3. Discharge Monitoring Reports submitted to the Department by the Permittee for the months of October 1985 through June 1986 indicate that the Permittee has discharged pollutants from such point source into the Chattahoochee River in violation of the limitations established in NPDES Permit Number AL0024724.

ORDER

Based upon the foregoing FINDINGS OF FACT and pursuant to Code of Alabama 1975, §§ 22-22A-5(10), 22-22-9(c), 22-22-9(i) and 22-22-9(k) (1984 as amended by Act No. 86-542, 1986 Regular Session, approved April 30, 1986), and the National Pollutant Discharge Elimination System administered by the Department and approved by the Administrator of the U.S. Environmental Protection Agency pursuant to the Federal Water Pollution Control Act § 402, 33 U.S.C. § 1342, it is hereby ORDERED:

A. That, commencing immediately after receiving notice of this Order, the Permittee shall not discharge pollutants from the above-mentioned point source (outfall number 001) at the Lower Valley Treatment Plant into the Chattahoochee River in excess of the following discharge limitations:

DISCHARGE LIMITATIONS

<u>Pollutant Parameter</u>	Monthly Average Kg/day (lbs/day)	Weekly Average Kg/day (lbs/day)	Other Units (Specify)	
			Monthly Average	Weekly Average
Total Suspended Solids	868(1914)	1279(2860)	85mg/l	127mg/l

B. That, commencing immediately after receiving notice of this Order, the Permittee shall comply with all the monitoring and reporting provisions of NPDES Permit Number AL0024724 and all other limitations, terms and conditions of NPDES Permit Number AL0024724 to the extent not inconsistent with this Order.

C. That the Permittee shall prepare and submit to the Department no later than December 15, 1986, an engineering report which investigates the need for changes in maintenance and operation procedures, and the need for any modification of existing treatment works or any new or additional treatment works necessary for the Permittee to achieve compliance with the discharge limitation in NPDES Permit Number AL0024724.

D. That, based upon the report referred to in paragraph C above, the Permittee shall prepare and submit to the Department no later than January 15, 1987, a detailed compliance plan which outlines the steps necessary to achieve compliance with its NPDES permit. The said compliance plan should:

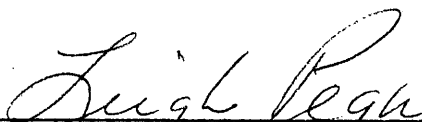
1. Explain the causes of noncompliance;
 2. Discuss the corrective steps required to achieve compliance, including their estimated costs and the proposed method of financing;
- and

3. Provide an expeditious schedule for completing the steps required in order to achieve compliance.

E. That failure to comply with this Order shall constitute cause for the commencement of legal action for the recovery of civil penalties, criminal fines or other appropriate relief by the Department against the Permittee.

F. That issuance of this Order does not preclude the Department from seeking civil penalties, criminal fines, or other appropriate sanctions or relief against the Permittee for the violations of its NPDES Permit Number AL0024724.

ORDERED and ISSUED this 29th day of August 1986.



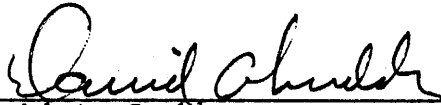
Leigh Pegues, Director
Alabama Department of
Environmental Management
1751 Federal Drive
Montgomery, Alabama 36130
(205) 271-7700

CERTIFICATE OF SERVICE

I hereby certify that I have served Order No. 86-106-WP upon the East Alabama Water, Sewer and Fire Protection District by sending the same, postage paid, through the United States Mail, as Certified Mail No. 279368733, with instructions to forward and return receipt requested to:

Mr. Stephen C. Hamilton, General Manager
East Alabama Water, Sewer and
Fire Protection District
P.O. Box 37
Valley, Alabama 36864-0037

Done this 29th day of August 1986.



David A. Ludder