

ALABAMA DEPARTMENT  
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF )

THE CITY OF ALBERTVILLE )  
NPDES PERMIT NO. AL0020192 )

ORDER NO. 86-107-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 supra), 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 City of Albertville (hereinafter, "the Permittee") operates a waste treatment facility known as Albertville Eastside Sewage Treatment Plant which discharges pollutants from a point source into Turkey Creek, a water of the State.

2. The Permittee has a valid NPDES Permit Number AL0020192 which establishes limitations on the discharge of pollutants from such point source, designated therein as outfall number 001, into Turkey

Creek. 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 May 1986 indicate that the Permittee has discharged pollutants from such point source into Turkey Creek in violation of the limitations established in NPDES Permit Number AL0020192.

#### 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 Albertville Eastside Sewage Treatment Plant into Turkey Creek 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
Biochemical Oxygen Demand (5 Day)	530(1168)	794(1751)	40mg/l	60mg/l
Dissolved Oxygen				<u>Daily Minimum</u> 4mg/l

B. That commencing immediately after receiving notice of this Order, the Permittee shall comply with all the limitations, terms and conditions of NPDES Permit Number AL0020192 to the extent not inconsistent with this Order.

C. That the Permittee shall prepare and submit to the Department no later than February 1, 1987, 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 AL0020192.

D. That, based upon the report referred to in paragraph C above, the Permittee shall prepare and submit to the Department no later than March 1, 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;

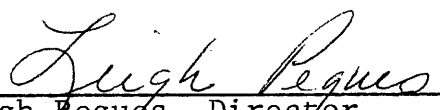
2. Discuss the corrective steps required to achieve compliance, including their estimated costs and the proposed method of financing; and

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 AL0020192.

ORDERED and ISSUED this 2nd day of September 1986.


  
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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. 86-107-WP upon the City of Albertville by sending the same, properly addressed and postage prepaid through the U.S. Mail, as Certified Mail No. 563838476, with instructions to forward and return receipt requested, to:

Raymond Chandler, Superintendent  
Water Pollution Control  
City of Albertville  
P.O. Box 920  
Albertville, Alabama 35950

on this 2nd day of September 1986.

  
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David A. Ludder