

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF)

THE BOARD OF WATER AND SEWER)
COMMISSIONERS OF THE)
CITY OF FLORENCE)
NPDES PERMIT NO. AL0023884)

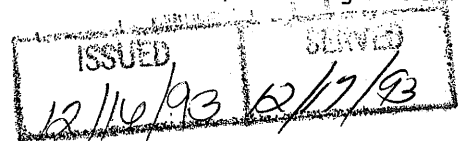
ORDER NO. 94-017-WP

FINDINGS OF FACT

Pursuant to the provisions of the Alabama Environmental Management Act, Code of Alabama 1975, §§ 22-22A-1 through 22-22A-16 (1990 Rplc. Vol.), the Alabama Water Pollution Control Act, Code of Alabama 1975, §§ 22-22-1 through 22-22-14 (1990 Rplc. Vol.), 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 Board of Water and Sewer Commissioners of the City of Florence (hereinafter, "the Permittee") operates a waste treatment facility known as the Cypress Creek Wastewater Treatment Plant which discharges pollutants from a point source into the Tennessee River, a water of the State.

2. On February 15, 1990, the Department issued NPDES Permit Number AL0023884 to the Permittee which establishes limitations on the discharge of pollutants from such point source, designated



therein as outfall number 001 for treated effluent, into the Tennessee 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 month(s) of January 1993, March 1993, April 1993, May 1993, June 1993, July 1993, and August 1993 indicate that the Permittee has discharged pollutants from such point source into the Tennessee River in violation of the limitations established in NPDES Permit Number AL0023884.

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) (1990 Rplc. Vol.) 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 Cypress Creek Wastewater Treatment Plant into the Tennessee River in excess of the following discharge limitations:

DISCHARGE LIMITATIONS

<u>Pollutant Parameter</u>	<u>Monthly Average (lbs/day)</u>	<u>Weekly Average (lbs/day)</u>	<u>Other Units Monthly Average</u>	<u>(Specify) Weekly Average</u>
Suspended Solids	6880	10320	55 mg/l	83 mg/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 AL0023884 and all other limitations, terms and conditions of NPDES Permit Number AL0023884 to the extent not inconsistent with this Order and shall continue to comply with said monitoring and reporting provisions each and every day thereafter until the expiration of NPDES Permit Number AL0023884.

C. That the Permittee shall prepare, and submit to the Department no later than 90 days after receipt of this Order, an engineering report or corrective action report which investigates the need for changes in maintenance and operation procedures, and the need for any modification of existing treatment works necessary for the Permittee to achieve compliance with the discharge limitations in NPDES Permit Number AL0023884. The compliance plan shall:

1. Identify the causes of noncompliance;
2. Describe the corrective measures required to achieve compliance, including their estimated costs and the proposed method of financing; and

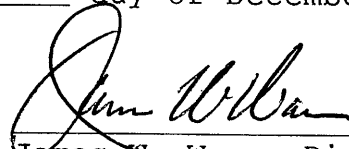
3. Provide an expeditious schedule for implementation of the measures required to achieve compliance.

D. A registered professional engineer shall prepare those portions of the compliance plan referred to in paragraph D above which relates to the identification of the causes of noncompliance and the corrective measures required to achieve compliance and shall affix his seal and/or signature to such portions of the plan.

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 or others against the Permittee.

F. That issuance of this Order does not preclude the Department or others from seeking civil penalties, criminal fines, or other appropriate sanctions or relief against the Permittee for the violations of its NPDES Permit Number AL0023884.

ORDERED and ISSUED this 15th day of December, 1993.



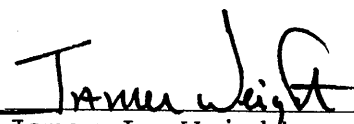
James W. Warr, Director
Alabama Department of
Environmental Management
1751 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36130
(205) 271-7700

CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Administrative Order No. 94-017-WP upon The Board of Water and Sewer Commissioners of the City of Florence by sending the same postage paid, through the U.S. Mail, as Certified Mail No. P 045 122 842, with instructions to forward and return receipt requested to:

Mr. James Hughes, Manager
Board of Water and Sewer Commissioners
Post Office Box 1023
Florence, AL 35631

DONE this 16th day of December, 1993.


James L. Wright