

ALABAMA DEPARTMENT  
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF  
CITY OF HALEYVILLE WATER &  
SEWER BOARD  
NPDES PERMIT NO. AL0023621

ORDER NO. 85-025-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) and the Alabama Water Pollution Control Act, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (1984), the Alabama Department of Environmental Management (hereinafter, "the Department") makes the following FINDINGS OF FACT:

1. The City of Haleyville Water & Sewer Board (hereinafter, "the Permittee") operates a waste treatment facility known as Wastewater Treatment Plant, North which discharges pollutants from a point source into Flat Creek, a water of the State.
2. The Permittee has a valid NPDES Permit Number AL0023621 which establishes limitations on the discharge of pollutants from such point source, designated therein as outfall number 001, into Flat Creek.
3. Discharge Monitoring Reports submitted to the Department by the Permittee for the month(s) of February through September 1984 indicate that the Permittee has discharged pollutants from such point

source into Flat Creek in violation of the limitations established in NPDES Permit Number AL0023621.

4. The Permittee cannot comply with the limitations on the discharge of pollutants from such point source established in NPDES Permit Number AL0023621 without construction of new or additional treatment works or modification of existing treatment works.

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(j) and 22-22-9(1) (1984), it is hereby ORDERED:

A. That, commencing immediately after receiving notice of this Order and continuing until July 1, 1988, the Permittee shall not discharge pollutants from the above-mentioned point source (outfall number 001) at the Wastewater Treatment Plant, North into Flat Creek in excess of the following discharge limitations:

DISCHARGE LIMITATIONS

<u>Pollutant Parameter</u>	<u>Monthly Average Kg/day (lbs/day)</u>	<u>Weekly Average Kg/day (lbs/day)</u>	<u>Other Units (Specify) Monthly Average</u>	<u>Weekly Average</u>
Biochemical Oxygen Demand (5 day)	46(102)	70(153)	35 mg/l	52.5 mg/l
Ammonia as Nitrogen (NH <sub>3</sub> -N)	9(20)	14(31)	7 mg/l	10.5 mg/l

B. That, commencing immediately after receiving notice of this Order, the Permittee shall comply with all limitations, terms and conditions of NPDES Permit Number AL0023621 to the extent not inconsistent with this Order.

C. That the Permittee shall prepare, and submit to the Department no later than May 1, 1986, final design drawings and specifications for new or additional treatment works or modification of existing treatment works necessary for the Permittee to achieve compliance with the discharge limitations in NPDES Permit Number AL0023621.

D. That the Permittee shall prepare, and submit to the Department no later than May 1, 1986, a financial plan describing in detail the sources and methods which the Permittee will utilize in financing construction of new or additional treatment works or modification of existing treatment works necessary for the Permittee to achieve compliance with the discharge limitations in NPDES Permit Number AL0023621.

E. That the Permittee shall execute the necessary contracts for the construction of new or additional treatment works or modification of existing treatment works necessary for the Permittee to achieve compliance with the discharge limitations in NPDES Permit Number AL0023621 and issue a notice to proceed with construction to the contractor no later than January 1, 1987.

F. That the Permittee shall complete construction of new or additional treatment works or complete modification of existing treatment works necessary for the Permittee to achieve compliance with the discharge limitations in NPDES Permit Number AL0023621 no later than March 1, 1988.

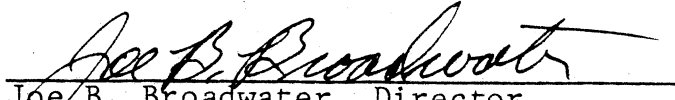
G. That the Permittee shall comply with all discharge limitations contained in NPDES Permit Number AL0023621 no later than July 1, 1988.

H. That the Permittee shall prepare and submit to the Department during the months of January and July of each year beginning in January 1986 through 1988, a progress report describing in detail the Permittee's progress toward compliance with each provision of this Order. In addition, not later than 14 days following each applicable date in paragraphs E, F and G hereof, the Permittee shall submit a written notice of compliance or noncompliance with the requirements of that paragraph. Notices of noncompliance shall state the cause of noncompliance, corrective actions taken, and a prediction of the Permittee's ability to comply with any remaining requirements of this Order. Notices and progress reports shall be mailed to:

Alabama Department of Environmental Management  
Water Division  
Municipal Branch  
1751 Federal Drive  
Montgomery, Alabama 36130

I. That the provisions of any order previously issued to the Permittee by the Department or the Alabama Water Improvement Commission which are inconsistent with the provisions contained herein are hereby revoked.

ORDERED and ISSUED this 31st day of January 1985.

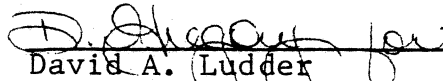
  
Joe B. Broadwater, Director  
Alabama Department of Environmental  
Management  
1751 Federal Drive  
Montgomery, Alabama 36130  
(205) 271-7700

CERTIFICATE OF SERVICE

I hereby certify that I have served Order No. 85-025-WP upon the City of Haleyville Water & Sewer Board by sending the same, postage paid, through the United States Mail as Certified Mail, with instructions to forward and return receipt requested to:

David Cox, Manager  
Haleyville Water and Sewer Board  
City Hall  
Haleyville, Alabama 35565

Done this 31st day of January 1985.

  
\_\_\_\_\_  
David A. Ludder

1/31/85 Final Order No. 85-025-WP

PS Form 3811, July 1983

**SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.

2. ☐ Restricted Delivery.

3. Article Addressed to:  
David Cox, Manager  
Haleyville Water and Sewer Board, City Hall  
Haleyville, Alabama 35565

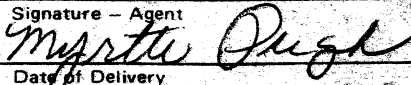
4. Type of Service: Article Number

<input type="checkbox"/> Registered	<input type="checkbox"/> Insured
<input checked="" type="checkbox"/> Certified	<input type="checkbox"/> COD
<input type="checkbox"/> Express Mail	

**50537**

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee  
X

6. Signature - Agent  
X 

7. Date of Delivery  
2-6-85

8. Addressee's Address (ONLY if requested and fee paid)  
Haleyville Water & Sewer Board  
City Hall  
Haleyville, AL 35565

DOMESTIC RETURN RECEIPT