

ALABAMA DEPARTMENT  
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF  
UTILITIES BOARD OF THE  
CITY OF HARTSELLE  
NPDES PERMIT NO. AL0021229

ORDER NO. 85-048-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 Utilities Board of the City of Hartselle (hereinafter, "the Permittee") operates a waste treatment facility known as Hartselle Lagoon which discharges pollutants from a point source into Shoal Creek to Flint Creek, waters of the State.

2. The Permittee has a valid NPDES Permit Number AL0021229 which establishes limitations on the discharge of pollutants from such point source, designated therein as outfall number 001, into Shoal Creek to Flint 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 month(s) of August through December 1984 indicate that the Permittee has discharged pollutants from such point

source into Shoal Creek to Flint Creek in violation of the limitations established in NPDES Permit Number AL0021229. Said reports also failed to include the results of all monitoring required to be performed by the Permittee.

4. The Permittee cannot comply with the limitations on the discharge of pollutants from such point source established in NPDES Permit Number AL0021229 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 June 30, 1987, the Permittee shall not discharge pollutants from the above-mentioned point source (outfall number 001) at the Hartselle Lagoon into Shoal Creek to Flint 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)</u>	
			<u>Monthly Average</u>	<u>Weekly Average</u>
Biochemical Oxygen Demand (5 day)	100(220)	150(330)	30 mg/l	45 mg/l
Suspended Solids	183(403)	275(605)	55 mg/l	82.5 mg/l
Ammonia as Nitrogen (NH <sub>3</sub> -N)	23(51)	35(77)	7 mg/l	10.5 mg/l
				<u>Daily Minimum</u>
Dissolved Oxygen				4.0 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 AL0021229 and all other limitations, terms and conditions of NPDES Permit Number AL0021229 to the extent not inconsistent with this Order.

C. 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 AL0021229 and issue a notice to proceed with construction to the contractor no later than May 1, 1985.

D. 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 AL0021229 no later than July 1, 1987.

E. That the Permittee shall comply with all discharge limitations contained in NPDES Permit Number AL0021229 no later than July 1, 1987.

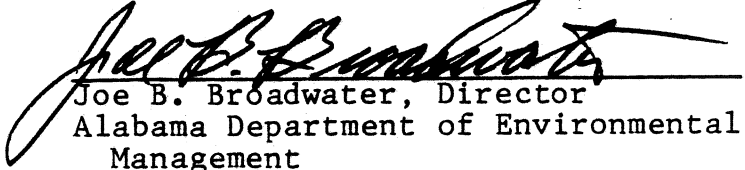
F. That the Permittee shall prepare and submit to the Department during the months of January and July of each year through January 1987, a progress report describing in detail the Permittee's progress toward compliance with each provision of this Order. In addition, not later than 14 days following each applicable date in paragraphs C, D and E 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

G. 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 25th day of March 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. 85-048-WP upon the City of Hartselle by sending the same, postage paid, through the United States Mail, as Certified Mail No. 9714802, with instructions to forward and return receipt requested to:

Mr. Mel Waterman, Utilities Manager  
Utilities Board  
City of Hartselle  
P.O. Box 390  
Hartselle, Alabama 35640

Done this 25th day of March 1985.

  
David A. Ludder

P15 9714802

## RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

SENT TO		
Mr. Mel Waterman, Manager		
City of Hartselle		
P.O. Box 390		
Hartselle, Alabama 35640		
POSTAGE \$		
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	\$
	SPECIAL DELIVERY	\$
	RESTRICTED DELIVERY	\$
	OPTIONAL SERVICES	
	RETURN RECEIPT SERVICE	
	SHOW TO WHOM AND DATE DELIVERED	\$
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	\$
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	\$
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	\$
TOTAL POSTAGE AND FEES \$		
POSTMARK OR DATE		

PS Form 3800, Apr. 1976

DAL/rdg 85-048-WP 3/25/85

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 fee and check box(es) for service(s) requested.

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

2. ☐ Restricted Delivery.


3. Article Addressed to:  
Mr. Mel Waterman, Manager  
City of Hartselle  
P.O. Box 390  
Hartselle, Alabama 35640

4. Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail

Article Number: 9714802

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee  
X

6. Signature - Agent  
X 

7. Date of Delivery  
3/26/85

8. Addressee's Address (ONLY if requested and fee paid)  
P.O. BOX 968  
Hartselle AL 35640