

ALABAMA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

WATER WORKS AND SEWER BOARD
OF THE TOWN OF CENTRE
NPDES PERMIT NO. AL0024139

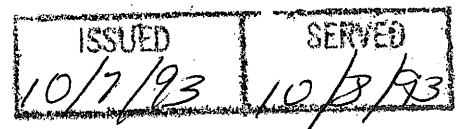
ORDER NO. 94-001-WP

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.), and 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 Water Works and Sewer Board of the Town of Centre (hereinafter, "the Permittee") operates a waste treatment facility known as Centre Lagoon which discharges pollutants from a point source into the Coosa River, a water of the State.

2. On March 28, 1990 the Department issued NPDES Permit Number AL0024139 to the Permittee which establishes limitations on the discharge of pollutants from such point source, designated therein as outfall number 001, into Coosa 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 April through August 1990 indicated that the Permittee had discharged pollutants from such point source into the Coosa River in violation of the limitations established in NPDES Permit Number AL0024139.

4. The Permittee cannot comply with the limitations on the discharge of pollutants from such point source established in NPDES Permit Number AL0024139 without construction of new or additional treatment works or modification of existing treatment works.

5. On November 6, 1990, the Department issued Administrative Order Number 91-017-WP which required that the Permittee construct new treatment works necessary to comply with the discharge limitations in NPDES Permit Number AL0024139 and to comply with all limitations, terms and conditions of said permit to the extent not inconsistent with this Order. Quarterly toxicity testing is required by the permit.

6. On September 3, 1993 the Permittee issued a notice to proceed with construction to the contractor.

7. Centre Lagoon has passed its toxicity tests during four consecutive calendar quarters and has qualified for yearly versus quarterly toxicity testing per the Toxicity Permitting Strategy of the Department's Water Division, Municipal Branch.

ORDER

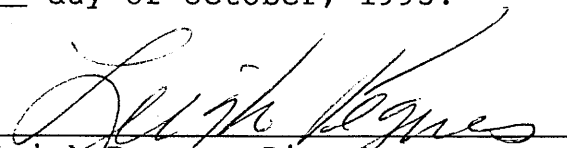
Based upon the foregoing FINDINGS OF FACT and pursuant to Code of Alabama 1975, §§ 22-22A-5(10), 22-22-9(c), 22-22-9(i) and 22-22-9(k) (1990 Rplc. Vol.) and the National Pollutant Discharge Elimination System administered by the Department and approved by the Administrator of the U.S. Environmental Protection Agency pursuant to the Federal Water Pollution Control Act § 402, 33 U.S.C. § 1342, it is hereby ORDERED:

A. That, paragraph B of Administrative Order No. 91-017-WP be modified to read as follows:

That, commencing immediately after receiving notice of this Order, the Permittee shall comply with all the monitoring and reporting provisions of NPDES Permit No. AL0024139 with the exception of toxicity testing, and shall comply with all other limitations, terms and conditions of NPDES Permit No. AL0024139 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 No. AL0024139. Yearly toxicity testing will be reinstated when directed by the Department after completion of the upgrade of the treatment plant.

B. That all provisions set out in Order No. 91-017-WP not specifically modified hereby, shall remain in full force and effect.

ORDERED and ISSUED this 7th day of October, 1993.



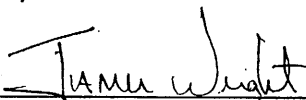
Leigh Pegues, Director
Alabama Department of
Environmental Management
1751 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36130
(205) 271-7700

CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Order No. 94-001-WP upon the Water Works and Sewer Board of the Town of Centre by sending the same, postage paid, through the U.S. Mail, as Certified Mail No. P 825 089 410, with instructions to forward and return receipt requested to:

Mr. Roy Alford, Manager
Water Works and Sewer Board
of the Town of Centre
130 South River Street
Centre, AL 35960

DONE this 7th day of October, 1993.



James L. Wright