

**LANCE R. LEFLEUR**  
DIRECTOR



**ROBERT J. BENTLEY**  
GOVERNOR

**Alabama Department of Environmental Management**  
**adem.alabama.gov**

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463  
Montgomery, Alabama 36130-1463  
(334) 271-7700 ■ FAX (334) 271-7950

July 12, 2013

**CERTIFIED MAIL 91 7108 2133 3935 2913 5654**  
**RETURN RECEIPT REQUESTED**

Mr. David Carroll  
Senior Vice President & General Counsel  
Hunt Refining Company  
2200 Jack Warner Parkway, Suite 400  
Tuscaloosa, AL 35401

RE: Consent Order No. 13-111-CWP  
Permit Number AL0000973  
Hunt Refining Company  
Tuscaloosa County (125)

Dear Mr. Carroll:

Please find enclosed ADEM Consent Order No. 13-111-CWP which requires you to take certain actions in regard to alleged violations of the Alabama Water Pollution Control Act. This Consent Order has been issued with the consent of Hunt Refining Company and the Department.

If you have any questions regarding this matter, please contact Scott Ramsey at (334) 271-7838.

Sincerely,

A handwritten signature in black ink that reads "Glenda L. Dean".

Glenda L. Dean, Chief  
Water Division

GLD/cko

Enclosure

pc: Tom Johnston, ADEM Office of General Counsel  
James Wright, ADEM Office of General Counsel  
Daphne Smart, ADEM Water Division, Industrial/Municipal Branch  
Samuel Scott Ramsey, ADEM Water Division, Industrial Section  
Kimberly Minton, ADEM Water Division, Industrial Section

**Birmingham Branch**  
110 Vulcan Road  
Birmingham, AL 35209-4702  
(205) 942-6168  
(205) 941-1603 (FAX)

**Decatur Branch**  
2715 Sandlin Road, S. W.  
Decatur, AL 35603-1333  
(256) 353-1713  
(256) 340-9359 (FAX)



**Mobile Branch**  
2204 Perimeter Road  
Mobile, AL 36615-1131  
(251) 450-3400  
(251) 479-2593 (FAX)

**Mobile-Coastal**  
4171 Commanders Drive  
Mobile, AL 36615-1421  
(251) 432-6533  
(251) 432-6598 (FAX)

**ALABAMA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT**

IN THE MATTER OF: )

**Hunt Refining Company** )

1855 Fairlawn Road )

Tuscaloosa, Tuscaloosa County, AL )

**Permit No. AL0000973** )

Consent Order No. 13-111-CWP

***PREAMBLE***

This Special Order by Consent is made and entered into by the Alabama Department of Environmental Management (hereinafter "the Department") and Hunt Refining Company (hereinafter the "Permittee") pursuant to the provisions of the Alabama Environmental Management Act, Ala. Code §§ 22-22A-1 to 22-22A-16 (2006 Rplc. Vol.), the Alabama Water Pollution Control Act, Ala. Code §§ 22-22-1 to 22-22-14 (2006 Rplc. Vol.), and the regulations promulgated pursuant thereto, and § 402 of the Federal Water Pollution Control Act, 33 U.S.C. § 1342.

***STIPULATIONS***

1. The Permittee operates a petroleum refining facility (hereinafter "the Facility"), located at 1855 Fairlawn Road in the city of Tuscaloosa, Tuscaloosa County, Alabama. The Permittee discharges pollutants from a point source into the Black Warrior River, a water of the state.

2. The Department is a duly constituted department of the State of Alabama pursuant to Ala. Code §§ 22-22A-1 to 22-22A-16 (2006 Rplc. Vol.).

3. Pursuant to § 22-22A-4(n), Ala. Code (2006 Rplc. Vol.), the Department is the state agency responsible for the promulgation and enforcement of water pollution control regulations in accordance with the Federal Water Pollution Control Act, 33

U.S.C. §§ 1251 to 1387. In addition, the Department is authorized to administer and enforce the provisions of the Alabama Water Pollution Control Act (hereinafter "AWPCA"), Ala. Code §§ 22-22-1 through 22-22-14 (2006 Rplc. Vol.).

4. On October 15, 2012, the Department issued Consent Order No. 13-003-CWP to the Permittee, citing certain violations of the AWPCA and National Pollutant Discharge Elimination System (hereinafter "NPDES") Permit Number AL0000973 (hereinafter "the Permit"). Paragraph F of the Consent Order required that the Permittee comply with the limitations imposed by Part I.A of the Permit no later than 270 days after the effective date of the Consent Order, or July 12, 2013.

5. The Permittee indicated that the industrial waste stream that is affecting their ability to achieve compliance with the Permit limits was briefly sent to a local publicly owned treatment works (hereinafter "POTW") for treatment. However, due to issues with the waste stream at the POTW, the waste stream is no longer being accepted by the POTW. Since the Facility is still receiving and treating this waste stream, the Permittee has indicated that modifications must be made in order to achieve compliance with the Permit limitations. As such, the Permittee has requested that Paragraph F be modified to extend the date for compliance with the limitations imposed by Part I.A of the Permit to December 1, 2013.

#### **ORDER**

A. THEREFORE, pursuant to Ala. Code 22-22A-5-(10) (2006 Rplc. Vol.) and Paragraph S of Consent Order No. 13-003-CWP, the Department and the Permittee (collectively hereinafter "Parties") agree to modify Paragraph F of Consent Order No. 13-003-CWP to read as follows:

The Permittee agrees to comply with the limitations imposed by Part I.A of the Permit no later than December 1, 2013. The Permittee further agrees to comply

with all other terms, conditions, and limitations of its Permit immediately upon the effective date of this Consent Order.

B. The Parties further agree that all other provisions of Consent Order 13-003-CWP shall remain the same.


C. The Parties further agree that failure to comply with the provisions of this Consent Order shall constitute cause for commencement of legal action by the Department against the Permittee for recovery of additional civil penalties, criminal fines, or other appropriate sanctions or relief.

Executed in duplicate, with each part being an original.

HUNT REFINING COMPANY

ALABAMA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

By: 

By: 

Its: Senior Vice President & General Counsel

Its: Deputy Director

Date: 11 July 2013

Date: July 12, 2013