

ALABAMA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF )

JEFFERSON COUNTY COMMISSION )

VALLEY CREEK WASTEWATER )

TREATMENT PLANT )

NPDES PERMIT NO. AL0023655 )

ORDER NO. 95-018-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 (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 Jefferson County Commission (the Permittee) operates a waste treatment facility known as the Valley Creek Sewage Treatment Plant which discharges pollutants from a point source into Valley Creek, a water of the State.

2. On December 1, 1994, the Department renewed NPDES Permit Number AL0023655 to the Permittee which includes an effluent limit of 0.02 mg/l for total residual chlorine which requires the Permittee to dechlorinate the effluent in order to comply with this permit limit.



3. The Permittee does not currently have the necessary equipment to dechlorinate the effluent at the Valley Creek Wastewater Treatment Plant.

4. The Permittee cannot comply with the limitations on the discharge of pollutants from such point source established in NPDES Permit Number AL0023655 without modification of existing treatment works.

5. The Permittee has executed the necessary contracts for the construction of dechlorination facilities necessary for the Permittee to achieve compliance with the discharge limitations in NPDES Permit Number AL0023655 and has issued a notice to proceed with construction to the contractor on July 21, 1994.

#### 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 and continuing through July 31, 1995, the Permittee shall not discharge pollutants from the above-mentioned point source (outfall number 001) at the Valley Creek Wastewater Treatment Plant into Valley Creek in excess of the following daily maximum discharge limitation:

DISCHARGE LIMITATIONS

<u>Pollutant Parameter</u>	<u>Daily Minimum</u>	<u>Daily Maximum</u>
Chlorine Residual Total	0.1 mg/l	0.5 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 AL0023655 and all other limitations, terms and conditions of NPDES Permit Number AL0023655 to the extent not inconsistent with this Order and shall continue to comply with said monitoring and reporting provisions each and everyday thereafter until the expiration of NPDES Permit Number AL0023655.

C. That the Permittee shall complete construction of dechlorination facilities necessary for the Permittee to achieve compliance with the discharge limitations in NPDES Permit Number AL0023655 no later than May 1, 1995.

D. That the Permittee shall comply with all discharge limitations contained in NPDES Permit Number AL0023655 no later than August 1, 1995, and shall continue to comply with said discharge limitations each and every day thereafter until the expiration date of NPDES Permit Number AL0023655.

E. That the Permittee shall prepare and submit to the Department during the months of January and July of each year through July 1995, 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

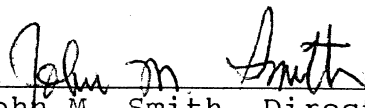
applicable date in paragraphs C and D hereof, the Permittee shall submit a written notice of compliance or noncompliance with the requirements of that paragraph. Notices of noncompliance shall state the cause of noncompliance, corrective actions taken, and a prediction of the Permittee's ability to comply with any remaining requirements of this Order. Notices and progress reports shall be mailed to:

Alabama Department of Environmental Management  
Water Division/Municipal Branch  
Post Office Box 301463  
Montgomery, Alabama 36130-1463

F. 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.

G. 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 AL0023655.

ORDERED and ISSUED this 2<sup>nd</sup> day of December, 1994.

  
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John M. Smith, 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. 95-018-WP upon the Jefferson County Commission by sending the same postage paid, through the U.S. Mail, as certified mail, with instructions to forward and return receipt requested to:

CERTIFIED MAIL NO. Z 073 536 151

Mr. Chris McNair  
Jefferson County Commission  
Room 202-A Courthouse  
Birmingham, AL 35203

DONE this 2<sup>nd</sup> day of December, 1994.

James L. Wright  
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