

APPENDIX I

**WASTEWATER TREATMENT PLANT EFFLUENT LIMITS
FORT McCLELLAN**

- I.1 - ADMINISTRATIVE ORDER NO. 90-039-WP**
- I.2 - FOLLOW-UP LETTER**

APPENDIX I.1

**WASTEWATER TREATMENT PLANT
ADMINISTRATIVE ORDER NO. 90-039-WP
(as received)**

ADEM

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT



Guy Hunt
Governor

John Pegues, Director

December 19, 1989

1751 Cong. W. L.
Kinson Drive
Montgomery, AL
36130
205/271-7700

CERTIFIED MAIL (P 070 963 659)
RETURN RECEIPT REQUESTED

Mr. John C. Borden, General Manager
The Water Works and Sewer Board
of the City of Anniston
Post Office Box 2268
Anniston, Alabama 36202-2268

Field Offices:

Unit 806, Building 8
225 Oxmoor Circle
Birmingham, AL
35209
205/942-6168

Box 953
Decatur, AL
35602
205/353-1713

2204 Perimeter Road
Mobile, AL
36688
205/479-2336

Dear Mr. Borden:

Enclosed please find Administrative Order No. 90-039-WP which requires The Water Works and Sewer Board of the City of Anniston, Fort McClellan Wastewater Treatment Plant to take certain actions regarding the discharge of pollutants into waters of the State.

Please be advised that failure to comply with the terms of this Order can result in penalties of up to \$25,000 per day for each violation as well as possible criminal penalties. Pursuant to Code of Alabama 1975, §22-22A-7(c)(1) this Order may be appealed by filing a request for hearing before the Environmental Management Commission within 15 days after receiving notice of this Order. The request should be addressed to the Chair of the Environmental Management Commission and should comply with the requirements of ADEM Admin. Code R. 335-2-1-.04. Copies of ADEM Admin. Code, Division 2, Environmental Management Commission regulations may be obtained by submitting a request in writing along with a check or money order for \$1.25 for each copy requested. Written requests should be sent to the attention of the Office of General Counsel.

If you have any questions, please feel free to contact me at (205) 271-7977.

Yours very truly,

James L. Wright
Associate General Counsel

JLW/daf

Enclosures

CC: Bob Bretzer, Water Division
Public Information Office
Doug Lankford, U.S. EPA, Region IV
Catherine Lamar, Public Information Office

ALABAMA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF
WATER WORKS AND SEWER BOARD
OF THE CITY OF ANNISTON
NPDES PERMIT NO. ALO024520

ORDER NO. 90-039-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 (1984 and 1989 Cum. Supp.), and the Alabama Water Pollution Control Act, Code of Alabama 1975, §§ 22-22-1 through 22-22-14 (1984 and 1989 Cum. Supp.), 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 City of Anniston (hereinafter, "the Permittee") operates a waste treatment facility known as Fort McClellan Wastewater Treatment Plant which discharges pollutants from a point source into Cane Creek, a water of the State.

2. On April 14, 1989 the Department issued NPDES Permit Number ALO024520 to the Permittee which establishes limitations on the discharge of pollutants from such point source,

designated therein as outfall number 001, into Cane 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 May and June 1989 indicate that the Permittee has discharged pollutants from such point source into Cane Creek in violation of the limitations established in NPDES Permit Number AL0024520.

4. The Permittee cannot comply with the limitations on the discharge of pollutants from such point source established in NPDES Permit Number AL0024520 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), 22-22A-5(18), 22-22-9(c), 22-22-9(i) and 22-22-9(k) (1989 Cum. Supp.) 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 January 31, 1994, the

Permittee shall not discharge pollutants from the above-mentioned point source (outfall number 001) at the Fort McClellan Wastewater Treatment Plant into Cane Creek in excess of the following discharge limitations:

DISCHARGE LIMITATIONS

Pollutant Parameter	Monthly Average lbs/day	Weekly Average lbs/day	Other Units Monthly Average	(Specify) Weekly Average
Biochemical Oxygen Demand (5 Day)	563	844	30 mg/l	45 mg/l
Ammonia as Nitrogen (NH ₃ -N)	150	225	8 mg/l	12 mg/l
Dissolved Oxygen			<u>Daily Minimum</u> 4 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 AL0024520 and all other limitations, terms and conditions of NPDES Permit Number AL0024520 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 Number AL0024520.

C. That the Permittee shall prepare, and submit to the Department no later than February 15, 1990, an engineering report which investigates the need 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 AL0024520 and which meets the content requirements of 40 C.F.R. §35.2030 (1986).

D. That the Permittee shall submit not later than August 15, 1990, an Environmental Impact Study which provides a comprehensive analysis of current wastewater management strategies and an analysis of the impact of available alternative wastewater management strategies for the Fort McClellan area.

E. That the Permittee shall prepare, and submit to the Department no later than September 15, 1991, 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 AL0024520.

F. That the Permittee shall prepare, and submit to the Department no later than September 15, 1991, 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 AL0024520.

G. 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 AL0024520 and issue a notice to proceed with construction to the contractor no later than February 1, 1992.

H. 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 AL0024520 no later than February 1, 1994.

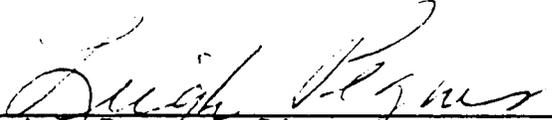
I. That the Permittee shall comply with all discharge limitations contained in NPDES Permit Number AL0024520 no later than February 1, 1994, and shall continue to comply with said discharge limitations each and every day thereafter until the expiration date of NPDES Permit Number AL0024520.

J. That the Permittee shall prepare and submit to the Department during the months of January and July of each year through July 1993, 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 G, H, and I 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 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36130

K. 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 19th day of December, 1989.

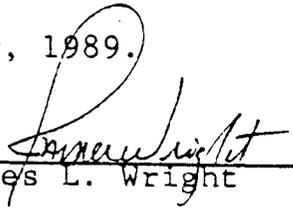

Leigh Pegues, Director
Alabama Department of
Environmental Management
1751 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36130
(205) 271-7700

CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Order No. 90-039-WP upon the Water Works and Sewer Board of the City of Anniston by sending the same, postage paid, through the U.S. Mail, as Certified Mail No. P 070 963 659, with instructions to forward and return receipt requested to:

Mr. John C. Borden, General Manager
The Water Works and Sewer Board
of the City of Anniston
Post Office Box 2268
Anniston, Alabama 36202-2268

Done this 19th day of December, 1989.



James L. Wright

APPENDIX I.2

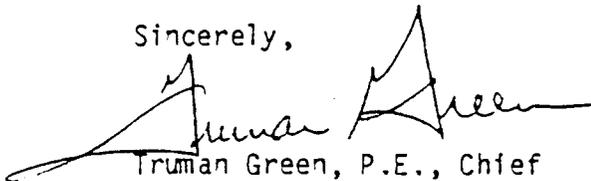
FOLLOW-UP LETTER
(as received)

Mr. Charles Lay
Page 2
May 3, 1990

3. The new permit will contain chlorination and dechlorination requirements as now required in the existing permit. Plans should be developed as soon as possible to install these facilities for the summer months.
4. Once the new permit is issued, the Department will revoke the current Administrative Order. However significant non-compliance with the new permit will, in all probability, result in issuance of another Order.

If you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Truman Green", written over a horizontal line.

Truman Green, P.E., Chief
Municipal Branch
Water Division

TG:mbg

cc: Lt. Col. Richard L. Goodyear
Mr. Art Linton
Mr. Ron Harris