

ALABAMA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

TOWN OF PINE HILL  
NPDES PERMIT NO. AL0024147

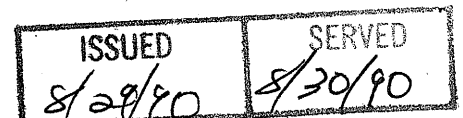
ORDER NO. 90-159-WP

FINDINGS OF FACTS

Pursuant to the provisions of the Alabama Environmental Management Act, Code of Alabama 1975, §§ 22-22A-1 through 22-22A-16 (1984 Rplc. Vol. and 1989 Cum. Supp.), and the Alabama Water Pollution Control Act, Code of Alabama 1975, §§ 22-22-1 through 22-22-14 (1984 Rplc. Vol. 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 FACTS:

1. The Town of Pine Hill (hereinafter, "the Permittee") operates a waste treatment facility known as Pine Hill Lagoon which discharges pollutants from a point source into Cub Creek, a water of the State.

2. On December 8, 1989, the Department issued NPDES Permit Number AL0024147 to the Permittee which establishes limitations on the discharge of pollutants from such point source,



designated therein as outfall number 001, into Cub 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 January through May 1990 indicate that the Permittee has discharged pollutants from such point source into Cub Creek in violation of the limitations established in NPDES Permit Number AL0024147.

4. The Permittee cannot comply with the limitations on the discharge of pollutants from such point source established in NPDES Permit Number AL0024147 without construction of new or additional treatment works or modification of existing treatment works.

#### ORDER

Based upon the foregoing FINDINGS OF FACTS and pursuant to Code of Alabama 1975, §§ 22-22A-5(10), 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 September 29, 1991, the Permittee shall not discharge pollutants from the

above-mentioned point source (outfall number 001) at the Pine Hill Lagoon into Cub 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)	25	37	40 mg/l	60 mg/l
Suspended Solids	56	84	90 mg/l	135 mg/l
Ammonia as Nitrogen (NH <sub>3</sub> -N)	8	12	12 mg/l	18 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 AL0024147 and all other limitations, terms and conditions of NPDES Permit Number AL0024147 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 AL0024147.

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 AL0024147 and issue a notice

to proceed with construction to the contractor no later than October 31, 1990.

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 AL0024147 no later than March 30, 1991.

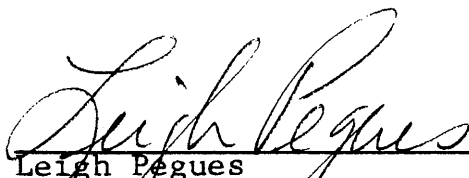
E. That the Permittee shall comply with all discharge limitations contained in NPDES Permit Number AL0024147 no later than September 30, 1991, and shall continue to comply with said discharge limitations each and every day thereafter until the expiration date of NPDES Permit Number AL0024147.

F. That the Permittee shall prepare and submit to the Department during the months of January and July of each year through July 1991, 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 Cong. W.L. Dickinson Drive  
Montgomery, AL 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 29<sup>th</sup> day of August, 1990.

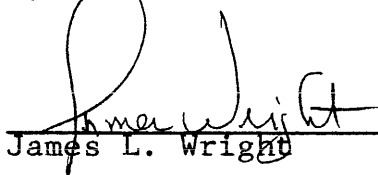
  
Leigh Pegues  
Alabama Department of  
Environmental Management  
1751 Cong. W.L. Dickinson Drive  
Montgomery, AL 36130  
(205) 271-7700

CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Order No. 90-159-WP upon the Town of Pine Hill by sending the same postage paid, through the U.S. Mail, as Certified Mail No. 506 631 941, with instructions to forward and return receipt requested to:

Honorable Harold E. Swearingen  
Mayor, Town of Pine Hill  
Post Office Drawer 347  
Pine Hill, AL 36769

Done this 29<sup>th</sup> day of August, 1990.

  
James L. Wright