

ALABAMA DEPARTMENT  
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

THE WATER WORKS AND SEWER BOARD  
OF THE CITY OF PRICHARD  
NPDES PERMIT NO. AL0023191

ORDER NO. 85-063-WP

FINDINGS OF FACT

Pursuant to the provisions of the Alabama Environmental Management Act, Code of Alabama 1975, §§ 22-22A-1 to 22-22A-15 (1984), the Alabama Water Pollution Control Act, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (1984) 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 Prichard (hereinafter, "the Permittee") operates a waste treatment facility known as Eight Mile Wastewater Treatment Plant which discharges pollutants from a point source into Eight Mile Creek, a water of the State.
2. The Permittee has a valid NPDES Permit Number AL0023191 which establishes limitations on the discharge of pollutants from such point source, designated therein as outfall number 001, into Eight Mile 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 1984 through March 1985 indicate that the Permittee has discharged pollutants from such point source into Eight Mile Creek in violation of the limitations established in NPDES Permit Number AL0023191.

4. The Permittee cannot comply with the limitations on the discharge of pollutants from such point source established in NPDES Permit Number AL0023191 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), 22-22-9(c), 22-22-9(j) and 22-22-9(1) (1984) 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 June 30, 1988, the Permittee shall not discharge pollutants from the above-mentioned point source (outfall number 001) at the Eight Mile Wastewater Treatment Plant into Eight Mile Creek in excess of the following discharge limitations:

DISCHARGE LIMITATIONS

<u>Pollutant Parameter</u>	Monthly Average Kg/day (lbs/day)	Weekly Average Kg/day (lbs/day)	Other Units (Specify)	
			Monthly Average	Weekly Average
Biochemical Oxygen Demand (5 day)	170(375)	255(563)	50 mg/l	75 mg/l
Suspended Solids	170(375)	255(563)	50 mg/l	75 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 AL0023191 and all other limitations, terms and conditions of NPDES Permit Number AL0023191 to the extent not inconsistent with this Order.

C. That the Permittee shall prepare, and submit to the Department no later than May 1, 1986, 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 AL0023191.

D. That the Permittee shall prepare, and submit to the Department no later than August 1, 1986, 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 AL0023191.

E. 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 AL0023191 and issue a notice to proceed with construction to the contractor no later than May 1, 1987.

F. 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 AL0023191 no later than July 1, 1988.

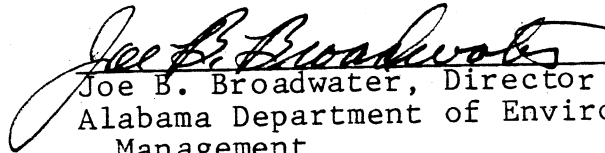
G. That the Permittee shall comply with all discharge limitations contained in NPDES Permit Number AL0023191 no later than July 1, 1988.

H. That the Permittee shall prepare and submit to the Department during the months of January and July of each year through January 1988, 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 E, F and G 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 Federal Drive  
Montgomery, Alabama 36130

I. 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 31st day of May 1985.

  
Joe B. Broadwater, Director  
Alabama Department of Environmental  
Management  
1751 Federal Drive  
Montgomery, Alabama 36130  
(205) 271-7700

CERTIFICATE OF SERVICE

I hereby certify that I have served Order No. 85-063-WP upon the Water Works and Sewer Board of the City of Prichard by sending the same, postage paid, through the United States Mail, as Certified Mail No. 9714820, with instructions to forward and return receipt requested to:

Mr. Kenneth S. Huggins, Superintendent  
Water Works and Sewer Board of  
The City of Prichard  
P.O. Box 10455  
Prichard, Alabama 36610

Done this 31st day of May 1985.

  
David A. Ludder

Final Order 85-063-WP 5/31/85

PS Form 3811, July 1983

**SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

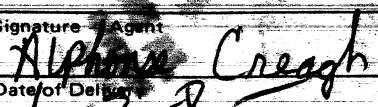
1. ☒ Show to whom, date and address of delivery.  
2. ☐ Restricted Delivery.

3. Article Addressed to: **Kenneth S. Huggins**  
**Water Works & Sewer Board of**  
**the City of Prichard**  
**P.O. Box 10455**  
**Prichard, AL 36610**

4. Type of Service: Article Number  
☐ Registered ☐ Insured 9714820  
☒ Certified ☐ COD  
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature — Addressee  
X

6. Signature — Agent  
X 

7. Date of Delivery  
6-3-85

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

P15 9714820

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

SENT TO		Kenneth S. Huggins,	
STREET AND NO.		Supt. Water Works Bd.	
P.O. Box 10455		P.O., STATE AND ZIP CODE	
Prichard, AL 36610		Prichard, AL 36610	
POSTAGE		\$	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	c
		SPECIAL DELIVERY	c
	RETURN RECEIPT SERVICE	RESTRICTED DELIVERY	c
		SHOW TO WHOM AND DATE DELIVERED	c
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	c
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	c
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976