

ALABAMA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

THE UTILITIES BOARD OF
THE CITY OF CHICKASAW
NPDES PERMIT NO. AL0020885

ORDER NO. 89-031-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 1988 Cum. Supp.), and the Alabama Water Pollution Control Act, Code of Alabama 1975, §§ 22-22-1 through 22-22-14 (1984 and 1988 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 Utilities Board of the City of Chickasaw (hereinafter, "the Permittee") operates a waste treatment facility known as Chickasaw Wastewater Treatment Lagoon which discharges pollutants from a point source into Chickasaw Creek, a water of the State.

ISSUED 12/19/88	SERVED 12/20/88
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2. The Permittee was issued NPDES Permit Number AL0020885 on January 15, 1988 which requires that the Permittee monitor its discharge and submit monthly Discharge Monitoring Reports to the Department describing the results of its monitoring.

3. The Permittee has submitted quarterly Discharge Monitoring Reports instead of the required monthly Discharge Monitoring Reports for the months of February through September 1988.

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) (1988 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, the Permittee shall comply with all the monitoring and reporting provisions of NPDES Permit Number AL0020885 and all other limitations, terms and conditions of NPDES Permit Number AL0020885 and shall continue to comply with said monitoring provisions each and every day thereafter until the expiration of NPDES Permit Number AL0020885.

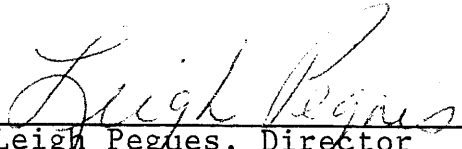
B. That, commencing immediately after receipt of notice of this Order, the Permittee shall commence summarizing the

discharge monitoring results for each month on a Discharge Monitoring Report (EPA Form 3320-1) and submit said Discharge Monitoring Reports to the Department no later than the 28th day of the following month of the month in which the monitoring took place. The Permittee shall continue this practice each and every month until the expiration of NPDES Permit Number AL0020885.

C. That failure to comply with any provision of 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 against the Permittee.

D. That issuance of this Order does not preclude the Department from pursuing its other remedies including the recovery of civil penalties, criminal fines, or other appropriate relief.

ORDERED and ISSUED this 19th day of December, 1988.




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

CERTIFICATE OF SERVICE

I, Olivia H. Jenkins, hereby certify that I have served Order No. 89-031-WP upon The Utilities Board of the City of Chickasaw by sending the same, postage paid, through the U.S. Mail, as Certified Mail No. P 966 410 273, with instructions to forward and return receipt requested to:

Mr. Leroy Averett, Chairman
The Utilities Board of the
City of Chickasaw
Post Office Box 11307
Chickasaw, Alabama 36611

Done this 19th day of December, 1988.



Olivia H. Jenkins