

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

TOWN OF SAMSON

NPDES PERMIT NO. AL0047643

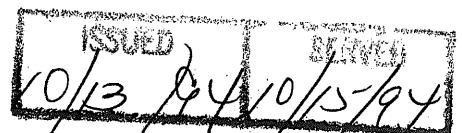
ORDER NO. 95-002-WP

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 Town of Samson (the Permittee) operates a waste treatment facility known as the Samson Lagoon which discharges pollutants from a point source into Samson Branch, a water of the State.

2. The Permittee has an NPDES Permit Number AL0047643 (the Permit) which establishes limitations on the discharge of pollutants from such point source, designated therein as outfall number 001, into Samson Branch. The 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 February through June 1994, indicate that the Permittee has discharged pollutants from such point source into Samson Branch in violation of the limitations established in NPDES Permit Number AL0047643.

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, the Permittee shall not discharge pollutants from the above-mentioned point source (outfall number 001) at the Samson Lagoon into Samson Branch 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)	146	219	35 mg/l	52.5 mg/l
Suspended Solids	500	751	120 mg/l	180 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 AL0047643 and all other limitations, terms and conditions of NPDES Permit Number AL0047643 to the extent not inconsistent with this Order.

C. That the Permittee shall prepare, and submit to the Department no later than 75 days after receipt of the Order, an engineering report or corrective action report which investigates the need for changes in maintenance and operation procedures, and the need for any modification of existing treatment works or any new or additional treatment works necessary for the Permittee to achieve compliance with the discharge limitations in NPDES Permit Number AL0047643.

D. That based upon the report referred to in paragraph C above, the Permittee shall submit to the Department no later than 90 days after receipt of the Order, a detailed compliance plan which outlines the measures necessary to achieve compliance with NPDES Permit Number AL0047643. The compliance plan shall:

1. Identify the causes of noncompliance;
2. Describe the corrective measures required to achieve compliance, including their estimated costs and the proposed method of financing; and
3. Provide an expeditious schedule for implementation of the measures required to achieve compliance.

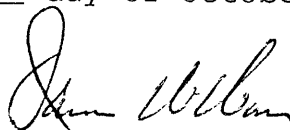
E. A registered professional engineer shall prepare those portions of the compliance plan referred to in paragraph D

above which relates to the identification of the causes of noncompliance and the corrective measures required to achieve compliance and shall affix his seal and/or signature to such portions of the plan.

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 AL0047643.

ORDERED and ISSUED this 13th day of October, 1994.



James W. Warr, 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 the foregoing proposed Administrative Order, Order No. 95-002-WP upon the Town of Samson 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 073 432 251

Honorable David King
Mayor, Town of Samson
104 East Main Street
Samson, AL 36477

DONE this 13th day of October, 1994.


James L. Wright