

ALABAMA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

THE UTILITIES BOARD OF THE
CITY OF ROANOKE
NPDES PERMIT NO. AL0024716

ORDER NO. 85-079-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) and 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 Utilities Board of the City of Roanoke (hereinafter, "the Permittee") operates a waste treatment facility known as Fincher Lagoon which discharges pollutants from a point source into Gladney Mill Branch, a water of the State.

2. The Permittee has a valid NPDES Permit Number AL0024716 which establishes limitations on the discharge of pollutants from such point source, designated therein as outfall number 001, into Gladney Mill Branch. 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 April 1984 through March 1985 indicate that the Permittee has discharged pollutants from such point source into Gladney Mill Branch in violation of the limitations established in NPDES Permit Number AL0024716.

4. The Permittee cannot comply with the limitations on the discharge of pollutants from such point source established in NPDES Permit Number AL0024716 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 Fincher Lagoon into Gladney Mill Branch 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)	14(30)	20(45)	30 mg/l	45 mg/l
Suspended Solids	20(45)	31(68)	45 mg/l	67.5 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 AL0024716 and all other limitations, terms and conditions of NPDES Permit Number AL0024716 to the extent not inconsistent with this Order.

C. That the Permittee shall prepare, and submit to the Department no later than August 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 AL0024716.

D. That the Permittee shall prepare, and submit to the Department no later than November 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 AL0024716.

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 AL0024716 and issue a notice to proceed with construction to the contractor no later than January 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 AL0024716 no later than July 1, 1988.

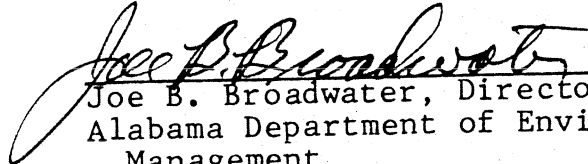
G. That the Permittee shall comply with all discharge limitations contained in NPDES Permit Number AL0024716 no later than July 1, 1988.

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 25th day of July 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. 85-079-WP upon the City of Roanoke by sending the same, postage paid, through the United States Mail, as Certified Mail No. 093779756, with instructions to forward and return receipt requested to:

Mr. K. C. Mitchell
The Utilities Board of the
City of Roanoke
City Hall
Roanoke, Alabama 36274

Done this 25th day of July 1985.



David A. Ludder