

ALABAMA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

WATER WORKS AND SEWER BOARD
OF THE TOWN OF ARDMORE
NPDES PERMIT NO. AL0023329

ORDER NO. 90-016-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 Water Works and Sewer Board of the Town of Ardmore (hereinafter, "the Permittee") operates a waste treatment facility known as Ardmore Wastewater Treatment Plant which discharges pollutants from a point source into Piney Creek, a water of the State.

2. On September 15, 1989 the Department issued NPDES Permit Number AL0023329 to the Permittee which states that, "the

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Permittee shall not operate any wastewater treatment plant unless the competency of the operator to operate such plant has been duly certified by the Director pursuant to the Alabama Water Pollution Control Act, and meets requirements specified in ADEM Administrative Code, Rule 335-10-1."

3. The Permittee has signed an agreement with a certified Grade IV wastewater treatment operator who will oversee treatment plant operations on a as needed basis. Said agreement expires on December 29, 1989.

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 no later than December 30, 1989, the Permittee will employ or contract for the services of a properly certified Grade II, or higher, wastewater treatment operator, either part-time or full time, experienced in operating an activated sludge plant, to regularly monitor and supervise operations at the Ardmore wastewater treatment plant to ensure its safe, efficient, and proper operation.

B. That such a certified wastewater treatment operator be employed by the Permittee continuously thereafter until the expiration of NPDES Permit Number AL0023329.

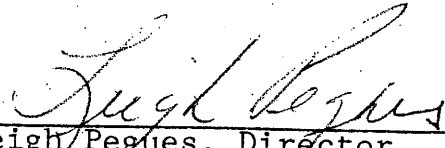
C. That the Permittee, not later than January 13, 1990, will provide the Department with a copy of said operator's wastewater certificate which shall be mailed to:

Alabama Department of Environmental Management
Water Division
Municipal Branch
1751 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36130

D. That the 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.

E. That the 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 against the Permittee for failure to meet the requirements cited herein.

ORDERED and ISSUED this 19th day of October, 1989.



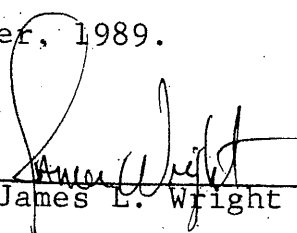
Leigh Pegues, Director
Alabama Department of
Environmental Management
1751 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36130
(205) 271-7700

CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Order No. 90-016-WP upon the Water Works and Sewer Board of the Town of Ardmore by sending the same postage paid, through the U.S. Mail, as Certified Mail No. 873 074 764, with instructions to forward and return receipt requested to:

Mr. Billy W. Shannon, Chairman
Water Works and Sewer
Board of the Town of Ardmore
Post Office Box 26
Ardmore, AL 35739

Done this 19th day of October, 1989.


James L. Wright