

ALABAMA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

THE CITY OF RAINSVILLE  
NPDES PERMIT NO. AL0042765

ORDER NO. 92-085-WP

FINDINGS OF FACTS

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 (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 FACTS:

1. The City of Rainsville (hereinafter, "the Permittee") operates a waste treatment facility known as the Rainsville Sewage Treatment Plant which discharges pollutants from a point source into Piney Creek, a water of the State.

2. On January 17, 1986 the Department issued NPDES Permit Number AL0042765 to the Permittee which established limitations on the discharge of pollutants from such point source, designated therein as outfall number 001, into Piney Creek.



Said permit also requires that the Permittee maintain in good working order all systems used by the Permittee to achieve compliance with the terms and conditions of the permit. The permit was reissued to the Permittee on February 15, 1991.

3. The Permittee operates and maintains the sanitary sewer system which serves the Rainsville Sewage Treatment Plant.

4. On April 15, 1991, the Department issued Administrative Order No. 91-090-WP to the Permittee for bypassing untreated wastewater from the sewer system during heavy rains on several days during 1989 through 1991 which represented a failure of the Permittee to maintain its sewer system in good working order.

5. Said Order required that the Permittee submit to the Department a Sewer System Evaluation Survey Report which evaluates the condition of the sewer line serving the Rainsville Sewage Treatment Plant, makes recommendations to correct infiltration/inflow (I/I) problems, and establishes a proposed schedule for reducing the bypassing of untreated wastewater to the streams and drainage ways in the Rainsville area. The Permittee has complied with the Order and has begun making the necessary repairs.

#### ORDER

Based upon the foregoing FINDINGS OF FACTS 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 the Permittee shall complete smoke testing of its sewer lines no later than December 31, 1992.

B. That the Permittee shall repair obvious major sewer line breaks and manholes along Piney Creek no later than October 30, 1992.

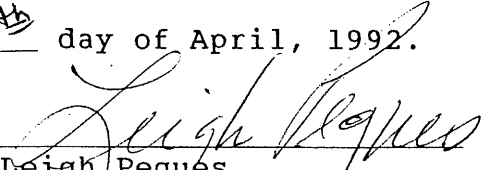
C. That the Permittee shall repair all manholes and sewer lines that were found during smoke testing to be subject to I/I no later than September 30, 1993.

D. That the Permittee shall prepare and submit to the Department during the months of January and July of each year through July 1993, 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 A, B and C 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 action 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 Cong. W.L. Dickinson Drive  
Montgomery, Alabama 36130

E. 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 13<sup>th</sup> day of April, 1992.

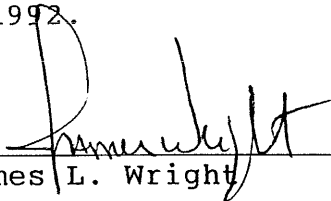
  
Leigh Pegues  
Alabama Department of  
Environmental Management  
1751 Cong. W.L. Dickinson Drive  
Montgomery, AL 36130  
(205) 271-7700

CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Order No. 92-085-WP upon the City of Rainsville by sending the same, postage paid, through the U. S. Mail, as Certified Mail No. P 825 089 492, with instructions to forward and return receipt requested to:

Honorable Roy Sanderson  
Mayor, City of Rainsville  
Post Office Box 309  
Rainsville, AL 35986

DONE this 13<sup>th</sup> day of April, 1992.

  
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James L. Wright