

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF)

ORDER NO. 95-047-WP

THE BIRMINGHAM WATER WORKS BOARD)

WESTERN FILTER PLANT)

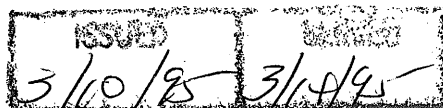
NPDES PERMIT NO. AL0052329)

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 (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 Birmingham Water Works Board (hereinafter, "the Permittee") operates a water treatment facility known as the Western Filter Plant which discharges pollutants from a point source into an unnamed tributary to Oppossum Creek, a water of the State.

2. On January 18, 1994, the Department issued Administrative Order Number 94-028-WP to the Permittee which ordered the Permittee to eliminate its point source discharge into an unnamed tributary to Oppossum Creek no later than December 31, 1997.



3. The Permittee intends to maintain the existing point source discharge and treat the discharge to meet the NPDES permit requirements in lieu of eliminating the point source discharge.

ORDER

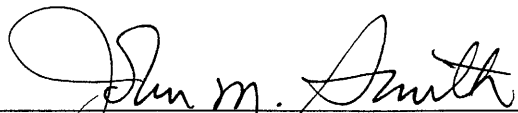
Based upon the foregoing FINDINGS OF FACT and pursuant to Code of Alabama 1975, §§ 22-22A-5(10), 22-22-9(c), 22-22-9(i) and 22-22-9(k) (1990 Rplc. Vol.) and the National Pollutant Discharge Elimination System administered by the Department and approved by the Administrator of the U.S. Environmental Protection Agency pursuant to the Federal Water Pollution Control Act § 402, 33 U.S.C. § 1342, it is hereby ORDERED:

A. Paragraph C of Administrative Order Number 94-028-WP is hereby rescinded and hereby replaced with the following:

That the Permittee shall complete construction of new additional treatment works or modifications of existing treatment works necessary for the Permittee to achieve compliance with the discharge limitations in NPDES Permit Number AL0052329 by December 31, 1997.

B. That all other provisions set out in Administrative Order Number 94-028-WP not specifically modified hereby shall remain in full force and effect.

ORDERED and ISSUED this 10th day of March, 1995.



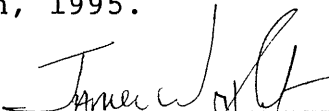
John M. Smith, Director
Alabama Department of
Environmental Management
1751 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36130
(205) 271-7700

CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Order Numbers 95-046-WP and 95-047-WP upon the Birmingham Water Works Board by sending the same postage paid, through the U.S. Mail, as Certified Mail No. Z 015 990 937, with instructions to forward and return receipt requested to:

Gene R. Hanson
Assistant General Manager
Distribution & Engineering
Birmingham Water Works & Sewer Board
P.O. Box 830110
Birmingham, AL 35283

DONE this 10th day of March, 1995.



James L. Wright