



Alabama Department of Environmental Management
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SEP 22 2015

Joe Funderburg, Mayor
City of Pell City
1680 Golf Course Road
Pell City, AL 35128

RE: Warning Letter
NPDES Permit No. AL0045993
Dye Creek WWTP
St Clair County, Alabama

Dear Mayor Funderburg:

The Department has completed a comprehensive evaluation of Dye Creek WWTP in an effort to determine its compliance with applicable rules and provisions of the National Pollutant Discharge Elimination System (NPDES), ADEM Admin Code r. 335-6-6, and NPDES Permit No. AL0045993. This evaluation is based on all available inspection and sampling data, discharge monitoring reports (DMRs), and other self-reported compliance information for the period between June 2013 and June 2015. The Department noted the following deficiencies:

Permit condition 1.A requires that discharges be limited and monitored as specified in the Permit. The DMRs for the monitoring periods listed below indicate that discharges from Outfall 0011 did not comply with permit limitations for Total Phosphorus (TP), Total Kjeldahl Nitrogen (TKN), and E. Coli.

Monitoring Period	Outfall	Parameter	Limit	Reported	Limit Type	Unit
*April 2014	0011	TP	1.0	1.10	Monthly Average	mg/l
*July 2014	0011	TP	1.0	1.42	Monthly Average	mg/l
*February 2015	0011	TKN	1188	1994	Monthly Average	lbs/day
*February 2015	0011	TKN	1782	27268	Weekly Average	lbs/day
*February 2015	0011	TKN	30.0	250	Monthly Average	mg/L
*February 2015	0011	TKN	45.0	695	Weekly Average	mg/L
*February 2015	0011	E. coli	126	138	Monthly Average	col/100mL
*March 2015	0011	TKN	1782	10641	Weekly Average	lbs/day
*March 2015	0011	TKN	30.0	122	Monthly Average	mg/L
*March 2015	0011	TKN	45.0	367	Weekly Average	mg/L
*March 2015	0011	E. coli	126	149	Monthly Average	col/100mL
*March 2015	0011	E. coli	235	691	Daily Maximum	col/100mL
*April 2015	0011	TP	1.0	1.12	Monthly Average	mg/L
*April 2015	0011	E. coli	235	636	Daily Maximum	col/100mL

Along with the April 2015 Noncompliance Notification Form, the Permittee submitted a letter dated May 28, 2015 to address the above February through April 2015 noncompliances. The Permittee stated that it found some deficiencies in its testing that resulted in the TKN noncompliances. Therefore, the permittee has hired an independent company to assist in quality control of the testing methods. The Permittee also speculates that an infestation of ceriodaphnia (water fleas) in one of their clarifiers resulted in the increase of TSS in the effluent, which contributed to the E. Coli and TP noncompliances. The Permittee stated that the ceriodaphnia is being managed and that they believe it is mostly eliminated. The Permittee also stated that there is



currently an ongoing construction project at the plant that includes a new chlorine contact basin scheduled to be operational towards the end of 2015.

Ala. Code §22-22-9(i)(3) (2006 Rplc. Vol.) requires that a permit be obtained prior to discharging any new or increased pollution into any water of the State. The following chart lists the unpermitted discharge in the form of Sanitary Sewer Overflows (SSOs) from June 2013 to June 2015.

Date/Time	Location	Volume (gallons)
1/18/2013	Force main across from 8-21	10,000
1/30/2013	Back of treatment plant contact chamber	10,000
1/30/2013	MH # 10-69	1,000
2/26/2013	MH # 10-69	1,000
5/14/2013	Ease of Manhole # 8-21	1,000
5/18/2013	Manhole at effluent of plant	190,000
5/18/2013	MH # 11-2	1,000
5/18/2013	MH # 11-1	1,000
5/18/2013	MH # 10-106	900
5/18/2013	MH # 8-2	1,200
5/18/2013	MH # 10-179	1,000
5/18/2013	MH # 10-180	1,000
5/18/2013	MH # 10-67	12,000
12/8/2013	1680 Golf Course Road	>1,000
1/14/2014	Metro Lift Station Highway 21 South	500
3/16/2014	1680 Golf Course Road	6,000
04/07/2014	MH # 10-69	1,000
04/07/2014	1680 Golf Course Road	2,000,000
12/28/2014	MH # 10-69	500
12/28/2014	1680 Golf Course Road	500,000
1/4/2015	1680 Golf Course Road	500,000

No later than 30 days from the date of this letter, please submit to the Department a report describing the steps that have been taken or will be taken to correct the SSOs. The Attorney General and the Department entered the Order on Settlement Agreement No. CV-2007-9000082 with the City of Pell City on October 26, 2010. The associated Complaint cited numerous SSOs, along with other noncompliances. Note that the Department expects the Permittee to implement an ongoing assessment and rehabilitation program for its collection system. The Department will continue to monitor the compliance status of the facility to determine appropriate further actions.

Please be advised that the Department now offers electronic DMR submission through our Electronic Environmental DMR Reporting System Program (E2 Program). The E2 Program allows the Permittee the convenience of submitting electronic DMRs (eDMRs) and allows the Department the ability to electronically validate the data and acknowledge receipt. In addition, the E2 Program saves both the Permittee and the Department from expenses and wastes related to paper-based DMRs. Details of the E2 Program are available on the Department's website at <http://www.adem.state.al.us/>.

If you have questions regarding this matter, please contact Dustin Stokes at (334) 271-7808.

Sincerely,



Emily Anderson, Chief
Municipal Section
Industrial/Municipal Branch
Water Division

EDA/das

cc: Dustin Stokes, ADEM