

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF)

THE GUYTON COMPANY, INC., d/b/a)
ST. CLAIR HEALTH CARE CENTER)
NPDES PERMIT NO. AL0057096)

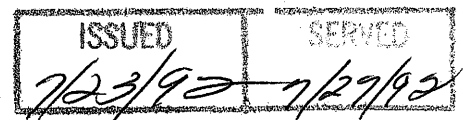
ORDER NO. 92-151-WP

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 Guyton Company, Inc., d/b/a St. Clair Health Care Center (hereinafter, "the Permittee") operates a waste treatment facility known as the St. Clair Health Care Center Wastewater Treatment Plant which discharges pollutants from a point source into an unnamed tributary to Kelly Creek, a water of the State.

2. The Permittee has a valid NPDES Permit Number AL0057096 which establishes limitations on the discharge of pollutants



from such point source, designated therein as outfall number 001, into an unnamed tributary to Kelly Creek. 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 March 1991, August 1991 through December 1991, and February 1992 through April 1992, indicate that the Permittee has discharged pollutants from such point source into an unnamed tributary to Kelly Creek in violation of the limitations established in NPDES Permit Number AL0057096.

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. That commencing immediately after receiving notice of this Order, the Permittee shall not discharge pollutants from the above-mentioned point source outfall number 001 at the St. Clair Health Care Center Wastewater Treatment Plant into an unnamed tributary to Kelly Creek in excess of the following discharge limitations:

DISCHARGE LIMITATIONS

<u>POLLUTANT PARAMETER</u>	<u>MONTHLY AVERAGE (lbs/day)</u>	<u>WEEKLY AVERAGE (lbs/day)</u>	<u>OTHER UNITS MONTHLY AVERAGE</u>	<u>(SPECIFY) WEEKLY AVERAGE</u>
Biochemical Oxygen Demand (5-Day)	11.25	16.89	90 mg/l	135 mg/l
Total Suspended Solids (TSS)	22.52	33.78	180 mg/l	270 mg/l

B. That, commencing immediately after receiving notice of this Order, the Permittee shall comply with all monitoring and reporting provisions of NPDES Permit Number AL0057096 and all other limitations, terms and conditions of NPDES Permit Number AL0057096 to the extent not inconsistent with this Order.

C. That the Permittee shall prepare, and submit to the Department no later than 45 days from receipt of this Order, an engineering report or corrective action report which investigates the need for changes in maintenance and operation procedures, and the need for any modification of existing treatment works or any new or additional treatment works necessary for the Permittee to achieve compliance with the discharge limitations in NPDES Permit Number AL0057096.

D. That based upon the report referred to in paragraph C above, the Permittee shall submit to the Department no later than 75 days from receipt of this Order, a detailed compliance plan which outlines the measures necessary to achieve compliance with NPDES Permit Number AL0057096. The compliance plan shall:

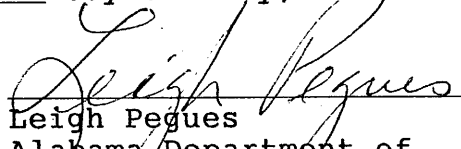
1. Identify the causes of noncompliance;
2. Describe the corrective measures required to achieve compliance, including their estimated costs and the proposed method of financing; and
3. Provide an expeditious schedule for implementation of the measures required to achieve compliance.

E. A registered professional engineer shall prepare those portions of the compliance plan referred to in paragraph D above which relates to the identification of the causes of noncompliance and the corrective measures required to achieve compliance and shall affix his seal and/or signature to such portions of the plan.

F. That failure to comply with 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 or others against the Permittee.

G. That issuance of this Order does not preclude the Department or others from seeking civil penalties, criminal fines, or other appropriate sanctions or relief against the Permittee for violations of its NPDES Permit Number AL0057096.

ORDERED and ISSUED this 23rd day of July, 1992.

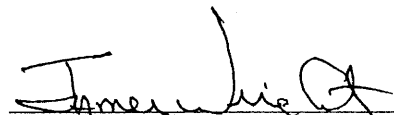

Leigh Pegues
Alabama Department of
Environmental Management
1751 Cong. W.L. Dickinson Drive
Montgomery, AL 36130
(205) 271-7700

CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Administrative Order No. 92-151-WP upon The Guyton Company, Inc., d/b/a St. Clair Health Care Center by sending the same postage paid, through the U.S. Mail, as Certified Mail No. P 825 089 299, with instructions to forward and return receipt requested to:

Mr. D. Lee Guyton, Jr., President
The Guyton Company, Inc.
d/b/a St. Clair Health Care Center
Post Office Box 136
Cook Springs, AL 35052

DONE this 23rd day of July, 1992.


James L. Wright