

## **UNIONTOWN WASTEWATER TREATMENT SYSTEM UPDATE AS OF MAY 2018**

Uniontown is an impoverished minority community with a population of approximately 2,500. For some time, Uniontown has had severe financial difficulties and has deferred maintenance and upgrades to its wastewater collection system, treatment plant, and spray field and has underfunded system operations. As a result, a number of noncompliance issues have occurred and caused the Alabama Department of Environmental Management (ADEM) to undertake necessary enforcement actions. Since ADEM has exhausted its legally available enforcement options against Uniontown the matter is now in the hands of the courts.

Unlike any other sector holding water permits, it is nearly impossible to shut down the operation of a sanitary wastewater treatment plant. To do so would result in sanitary system overflows, sewage backup into homes, and the discharge of untreated wastewater into water bodies, which certainly poses a greater risk to human health and the environment than discharging partially treated wastewater. That is why neither ADEM nor the court has shut down the Uniontown wastewater system.

It is the obligation of the permit holder to design, build, and operate its facility to meet the permit conditions set by ADEM or be subject to enforcement action. Although it is solely the responsibility of the permit holder to meet permit conditions, ADEM has been working for a number of years with local elected officials, design engineers, operating engineers, ADECA, USDA, EPA, Congresswoman Terri Sewell, and others to find a solution to Uniontown's wastewater problems so it can meet its permit requirements.

Substantial funds from a USDA grant and loan were expended on the treatment plant; however, the collection system was not materially refurbished and is in such a state of disrepair that storm water inflows completely overwhelm the treatment plant as well as the undersized spray field. The majority of the collection system has been surveyed using a video probe to determine what repairs are necessary. Uniontown was required by the Court to submit to ADEM an assessment of the alternatives it considered to achieve compliance with the Alabama Water Pollution Control Act and its Permit and to determine which remedial action(s) it would pursue. ADEM encouraged the City to engage the public in its decision-making process. ADEM attended community meetings in Uniontown on December 5, 2016 and February 23, 2017. These community meetings were planned by the City to inform the citizens of the issues with the sewer system and the options considered to return the system to compliance.

Uniontown has submitted an Engineering Report to the Department, which assesses the alternatives, considered, and has chosen to pursue the option of routing the wastewater from the existing treatment plant to a new wetlands treatment system with a discharge of treated wastewater to Freetown Creek. Uniontown has not yet submitted an application to the Department for a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of wastewater for the above noted chosen compliance option.

The biggest obstacle to implementing a full solution is obtaining funding for the remaining work on engineering, the collection system, and handling of the treated wastewater. ADEM has no funding available. The State has provided nominal funding through ADECA for some collection system

assessment work. Uniontown citizens pay among the highest sewer fees in the area and, due to their income levels, are unlikely to be able to withstand increased fees to provide needed funding. Congresswoman Sewell's Office is believed to be the most promising potential source of funding.

Although the process has been painfully slow, progress is continuing. Regular updates are provided to the Court and ADEM. Updates to the 4<sup>th</sup> Judicial Circuit Court took place on August 24, 2016, January 12, 2017, June 21, 2017, October 10, 2017, and April 12, 2018. The Department's case status reports provided to the Court are available in the Department's eFile system by selecting water as the media and entering the permit number AL0063657.

Most recently during February and March of 2018, Uniontown reported increased and more significant unpermitted discharges of wastewater from the sprayfield and additional overflows at the treatment lagoon. These chronic issues appear to be increasing in number, volume, frequency, and severity. ADEM has requested Uniontown give these matters immediate attention and take corrective measures to minimize and mitigate increased overflows and the risk of catastrophic failures of the system. Additionally, ADEM has requested that Uniontown is vigilant in ensuring that any notifiable sanitary sewer overflows are noticed to the public so that the public can avoid contact with affected areas as necessary.