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OCT 30 2023

**IND/MUN BRANCH
WATER DIVISION**

**ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

IN THE MATTER OF:)
)
City of Northport)
Northport WWTP)
Northport, Tuscaloosa County, Alabama)
)
NPDES PERMIT NO. AL0064394)

Consent Order No. XX-XXX-CWP

PREAMBLE

This Special Order by Consent is made and entered into by the Alabama Department of Environmental Management ("the Department") and the City of Northport ("the Permittee") pursuant to the provisions of the Alabama Environmental Management Act, Ala. Code §§ 22-22A-1 to 22-22A-17, as amended, the Alabama Water Pollution Control Act ("AWPCA"), Ala. Code §§ 22-22-1 to 22-22-14, as amended, and the regulations promulgated pursuant thereto.

STIPULATIONS

1. The Permittee operates a wastewater treatment plant ("WWTP") known as the Northport WWTP, located at 3950 3rd Street South, in Northport, Tuscaloosa County, Alabama.
2. The Department is a duly constituted department of the State of Alabama pursuant to Ala. Code §§ 22-22A-1 to 22-22A-17, as amended.
3. Pursuant to Ala. Code § 22-22A-4(n), as amended, the Department is the state agency responsible for the promulgation and enforcement of water pollution control regulations in accordance with the Federal Water Pollution Control Act, 33 U.S.C. §§ 1251 to 1388. In addition, the Department is authorized to administer and enforce the provisions of the AWPCA.

DEPARTMENT'S CONTENTIONS

4. The Department reissued National Pollutant Discharge Elimination System ("NPDES") Permit No. AL0064394 ("the Permit") to the Permittee on November 23, 2020, effective December 1, 2020, establishing limitations on the discharge of pollutants from a point source, designated therein as outfall number 001, to Mill Creek, a water of the state. The Permit also establishes

limitations on the discharge of pollutants from stormwater outfalls, designated therein as outfall number 002, to Black Warrior River (Warrior Lake) as well as outfall numbers 003 and 004, to Mill Creek, waters of the state. The Permit requires that the Permittee monitor its discharges and submit periodic Discharge Monitoring Reports ("DMRs") to the Department describing the results of the monitoring. In addition, the Permit requires that the Permittee properly operate and maintain all facilities and systems of treatment and control which are installed or used by the Permittee to achieve compliance with the conditions of the Permit.

5. Permit Condition I.A. requires that discharges be limited and monitored as specified in the Permit. For the monitoring periods listed in Attachment I, the Permittee submitted DMRs to the Department indicating that the Permittee has discharged pollutants from Outfall 001 into Mill Creek, a water of the State, in violation of its Permit limitations for E. Coli, Total Ammonia as Nitrogen, and Total Recoverable Copper.

6. As indicated in Attachment I, the Permittee reported an E. Coli result as 2420 col/100mL. Permit Condition I.B.1 states that sample collection and measurement actions shall be representative of the volume and nature of the monitored discharge. If the value of E. Coli is >2420, the facility should report *T or dilute the sample to achieve a reportable number. The Permittee violated Permit Condition I.B.1 by failing to properly dilute the samples to obtain E. Coli results that are representative of the volume and nature of the monitored discharge.

7. Ala. Code § 22-22-9(i)(3), as amended, requires that a permit be obtained prior to discharging any new or increased pollution into any water of the State. The Permittee reported unpermitted discharges in the form of Sanitary Sewer Overflows ("SSOs") to the Department as listed in Attachment II.

8. The Department issued a Warning Letter ("WL") to the Permittee on January 6, 2023, for Permit numeric limitation noncompliances, including Total Ammonia as Nitrogen, Total Recoverable Copper, and E. Coli; failure to dilute E. coli samples appropriately to achieve a reportable/representative value and report E. coli values >2420 col/100mL as *T; SSOs; and not complying with permit requirements for immediate notification of SSOs. The WL required the Permittee to submit to the Department a written report describing the steps that had been or

would be taken to correct noncompliances with the Permit. The Permittee submitted the written report on February 3, 2023 indicating upgrades are being made at the facility which should be completed by spring 2024.

9. The Permittee consents to abide by the terms of this Consent Order and to pay any civil penalty assessed herein.

10. The Department has agreed to the terms of this Consent Order in an effort to resolve the violations cited herein without the unwarranted expenditure of State resources in further prosecuting the alleged violations. The Department has determined that the terms contemplated in this Consent Order are in the best interests of the citizens of Alabama.

Pursuant to Ala. Code § 22-22A-5(18)c., as amended, in determining the amount of any penalty, the Department must give consideration to the seriousness of the violation, including any irreparable harm to the environment and any threat to the health or safety of the public; the standard of care manifested by such person; the economic benefit which delayed compliance may confer upon such person; the nature, extent, and degree of success of such person's efforts to minimize or mitigate the effects of such violation upon the environment; such person's history of previous violations; and the ability of such person to pay such penalty. Any civil penalty assessed pursuant to this authority shall not exceed \$25,000.00 for each violation, provided however, that the total penalty assessed in an order issued by the Department shall not exceed \$250,000.00. Each day that such violation continues shall constitute a separate violation. In arriving at this civil penalty (summarized in Attachment III), the Department has considered the following:

A. **SERIOUSNESS OF THE VIOLATIONS AND BASE PENALTY:** Based on the information available to the Department, violations of the Permit, ADEM Admin. Code chap. 335-6-6, and the AWPCA were noted. The Department considered the general nature of each violation, the magnitude and duration of each non-compliant discharge, the characteristics of each pollutant discharged, the condition of the receiving waters, the violations' effects, if any, on the receiving waters, and any available evidence of irreparable harm to the environment or threat to the public.

B. **THE STANDARD OF CARE:** In consideration of the standard of care manifested by the Permittee, the Department believes the civil penalty sought in this matter is sufficient and has not enhanced the penalty based on this factor.

C. **ECONOMIC BENEFIT WHICH DELAYED COMPLIANCE MAY HAVE CONFERRED:** The Department has considered that delayed compliance may have conferred an economic benefit upon the Permittee but is unable to estimate the economic benefit associated with the violations cited above, as the costs for compliance are not available.

D. **EFFORTS TO MINIMIZE OR MITIGATE THE EFFECTS OF THE VIOLATIONS UPON THE ENVIRONMENT:** The Permittee reported either cleaning or disinfecting the area for all reported SSOs.

E. **HISTORY OF PREVIOUS VIOLATIONS:** The Permittee has a history of previous violations. In consideration of such history of previous violations, the Department has enhanced the penalty.

F. **THE ABILITY TO PAY:** The Permittee has not alleged an inability to pay the civil penalty.

G. This Special Order by Consent is a negotiated settlement and, therefore, the Department has compromised the amount of the penalty the Department believes is warranted in this matter in the spirit of cooperation and desire to resolve this matter amicably, without incurring the unwarranted expense of litigation.

H. The civil penalty is summarized in Attachment III.

PERMITTEE'S CONTENTIONS

A. The Permittee acknowledges the recurring self-reported discharge violations, primarily of Total Ammonia as Nitrogen levels during 9 of the last 24 months of activity. The Permittee continues to work diligently to lower these levels of potentially harmful nutrients in the Permittee's effluent discharges, as well as limit the number and duration of SSOs throughout the Permittee's sanitary sewer collection system.

B. The Permittee completed a construction project improving the covered drying beds at the Permittee's wastewater treatment plant in December 2022. The project was designed, in part, to lower the levels of Total Ammonia as Nitrogen in effluent discharges.

C. The Permittee is underway on a multi-million-dollar project to improve solids handling at the Permittee's wastewater treatment plant, which will lower levels of Total Ammonia as Nitrogen in effluent. The Permittee began contracting for these improvements in July 2021 and the project is expected to be complete in fall 2024.

D. The Permittee's outfall limit for Total Ammonia as Nitrogen is one of the lowest in the State of Alabama due to the primary outfall location discharging into Mill Creek, rather than the nearby Black Warrior River. The Permittee has been working with the Department since early 2021 to relocate said outfall to the Black Warrior River to alleviate this constraint.

E. The Permittee purchased the necessary equipment to complete a rehabilitation of the headworks at the wastewater treatment facility in March 2023. The Project is expected to be completed by mid-2024.

F. Recognizing the critical importance of maintaining an appropriate rate structure to fund maintenance, operations and improvements to the water and sewer system, the Permittee commissioned a cost-of-service study in 2021 and implemented a multi-year user fee increase for water and sewer service in 2023 based on the results.

G. On July 11, 2023, the Department conducted a routine facility inspection of the Permittee's wastewater treatment plant. In the report, the Department noted no shortcomings in the Permittee's operation of the facility, other than those issues noted in this Consent Order.

ORDER

THEREFORE, the Permittee, along with the Department, desires to resolve and settle the compliance issues cited above. The Department has carefully considered the facts available to it and has considered the penalty factors enumerated in Ala. Code § 22-22A-5(18)c., as amended, as well as the need for timely and effective enforcement, and the Department believes that the penalty assessed below and the following conditions are appropriate to address the violations

alleged herein. Therefore, the Department and the Permittee (collectively "Parties") agree to enter into this CONSENT ORDER with the following terms and conditions:

A. The Permittee shall pay to the Department a civil penalty in the amount of \$14,500.00 in settlement of the violations alleged herein within forty-five days from issuance of this Consent Order. Failure to pay the civil penalty within forty-five days from issuance may result in the Department's filing a civil action in the Circuit Court of Montgomery County to recover the civil penalty.

B. All penalties due pursuant to this Consent Order shall be made payable to the Alabama Department of Environmental Management by certified or cashier's check and shall be remitted to:

Office of General Counsel
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130-1463

C. The Permittee shall prepare and submit to the Department an Engineering Report that addresses the need for changes in maintenance and operating procedures, the potential for infiltration and inflow, the need for modification of existing treatment and collection system works, and the need for new or additional treatment and collection system works as necessary to achieve compliance with applicable rules and regulations and Permit conditions. The Engineering Report shall include a Compliance Plan with a schedule for implementation of necessary corrective actions and cost of such necessary corrective actions, if known. The Engineering Report shall include a plan for continued maintenance and assessment of the collection system to minimize future inflow and infiltration. The Engineering Report shall be prepared by a professional engineer licensed to practice in the State of Alabama. The Engineering Report shall be submitted so that it is received by the Department no later than ninety days after issuance of this Consent Order. If the Department determines through its review of the submitted Engineering Report that the submittal is not sufficient, then the Permittee shall modify the Engineering Report. The Permittee shall submit modifications to the Engineering Report, if required, so that they are received by the Department no later than thirty days after Permittee's

receipt of the Department's comments. The Permittee shall complete implementation of the recommendations provided in the Engineering Report not later than 730 days after issuance of this Consent Order.

D. The Permittee shall prepare and submit detailed quarterly Progress Reports to the Department describing the Permittee's progress towards achieving compliance with the items presented in the Compliance Plan, including the cost of necessary corrective actions. The Permittee shall submit the Progress Reports so that they are received by the Department no later than one hundred eighty days after issuance of this Consent Order and continuing every ninety days thereafter that the Permittee's performance obligations under this Consent Order remain incomplete. In addition, no later than fourteen days following each due date herein, the Permittee shall submit to the Department a written notice of noncompliance, if applicable. Notices of noncompliance shall state the cause(s) of noncompliance, the corrective action taken, and shall describe the Permittee's ability to comply with any remaining requirements of this Consent Order.

E. The Permittee shall fully comply with the Permit limitations for Total Ammonia as Nitrogen, E. Coli, and Total Recoverable Copper within 730 days from issuance of this Consent Order. In the interim, the Permittee shall take all reasonable measures to minimize these pollutants to the maximum extent practicable.

F. The Permittee shall comply with all other terms, conditions, and limitations of the Permit immediately upon issuance of this Consent Order.

G. The Permittee shall submit a certification to the Department, signed by a professional engineer licensed to practice in the State of Alabama, indicating whether the Permittee is in compliance with all requirements of this Consent Order. The Permittee shall submit such certification so that it is received by the Department no later than 760 days after issuance of this Consent Order.

H. After issuance of this Consent Order, the Permittee shall pay stipulated penalties for each day it fails to meet any of the milestone dates or satisfy any of the requirements set forth in or established by Paragraphs C, D, and G contained herein. The stipulated civil penalties for

failure to meet each milestone or any requirement date, except for *Force Majeure* acts as hereinafter defined, shall be as follows:

<u>Period of Noncompliance</u>	<u>Penalty per Day per Violation</u>
1st to 30th day	\$ 100.00
31st to 60th day	\$ 200.00
After 60 days	\$ 300.00

If the Permittee fails to meet any milestone or any assigned date ninety days after the required dates found in Paragraphs C, D, and G, the Department reserves the right to file a new action against the Permittee.

I. Cumulative stipulated penalties described in Paragraph H above shall under no circumstances exceed \$15,000.00. Once stipulated penalties of \$15,000.00 are due to the Department, or should violations continue to occur after the final compliance date specified in the accepted Compliance Plan, the Department reserves the right to issue additional orders or file suit against the Permittee in the Circuit Court of Montgomery County or other court of competent jurisdiction to enforce compliance with this Consent Order.

J. Payment of stipulated penalties are due for violations of milestone dates under this Consent Order not later than the 28th day of the month following the month a milestone date was not achieved. Notification to the Permittee by the Department of the assessment of any stipulated penalty is not required.

K. This Consent Order shall apply to and be binding upon both Parties, their directors, officers, and all persons or entities acting under or for them. Each signatory to this Consent Order certifies that he or she is fully authorized by the Party he or she represents to enter into the terms and conditions of this Consent Order, to execute the Consent Order on behalf of the Party represented, and to legally bind such Party.

L. Subject to the terms of these presents and subject to provisions otherwise provided by statute, this Consent Order is intended to operate as a full resolution of the violations which are cited in this Consent Order.

M. The Permittee is not relieved from any liability if it fails to comply with any provision of this Consent Order.

N. For purposes of this Consent Order only, the Department may properly bring an action to compel compliance with the terms and conditions contained herein in the Circuit Court of Montgomery County. In any action brought by the Department to compel compliance with the terms of this Agreement, the Permittee shall be limited to the defenses of *Force Majeure*, compliance with this Agreement and physical impossibility. A *Force Majeure* is defined as any event arising from causes that are not foreseeable and are beyond the reasonable control of the Permittee, including its contractors and consultants, which could not be overcome by due diligence (i.e., causes which could have been overcome or avoided by the exercise of due diligence will not be considered to have been beyond the reasonable control of the Permittee) and which delays or prevents performance by a date required by the Consent Order. Events such as unanticipated or increased costs of performance, changed economic circumstances, normal precipitation events, or failure to obtain federal, state, or local permits shall not constitute *Force Majeure*. Any request for a modification of a deadline shall be accompanied by the reasons (including documentation) for each extension and the proposed extension time. The Permittee shall submit this information so that it is received by the Department a minimum of ten working days prior to the original anticipated completion date. If the Department, after review of the extension request, finds the work was delayed because of conditions beyond the control and without the fault of the Permittee, the Department may extend the time as justified by the circumstances. The Department may also grant any other additional time extension as justified by the circumstances, but it is not obligated to do so.

O. The sole purpose of this Consent Order is to resolve and dispose of all allegations and contentions stated herein concerning the factual circumstances referenced herein. Should additional facts and circumstances be discovered in the future concerning the Northport WWTP which would constitute possible violations not addressed in this Consent Order, then such future violations may be addressed in other orders as may be issued by the Director, by litigation initiated by the Department, or by such other enforcement action as may be appropriate. The

Permittee shall not object to such future orders, litigation, or enforcement action based on the issuance of this Consent Order if such future orders, litigation, or other enforcement action addresses new matters not raised in this Consent Order.

P. This Consent Order shall be considered final and effective immediately upon signature of all Parties. This Consent Order shall not be appealable, and the Permittee does hereby waive any hearing on the terms and conditions of same.

Q. This Consent Order shall not affect the Permittee's obligation to comply with any Federal, State, or local laws or regulations.

R. Final approval and entry into this Consent Order are subject to the requirements that the Department provide notice of proposed orders to the public, and that the public have at least thirty days within which to comment on the proposed Consent Order.

S. Should any provision of this Consent Order be declared by a court of competent jurisdiction or the Environmental Management Commission to be inconsistent with Federal or State law and therefore unenforceable, the remaining provisions hereof shall remain in full force and effect.

T. Any modification of this Consent Order shall be agreed to in writing and signed by both Parties.

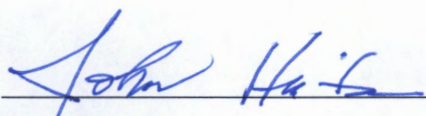
U. Except as otherwise set forth herein, this Consent Order is not and shall not be interpreted to be a permit or modification of an existing permit under Federal, State, or local law, and shall not be construed to waive or relieve the Permittee of its obligations to comply in the future with any permit.

Executed in duplicate, with each part being an original.

CITY OF NORTHPORT

**ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

EXECUTED AND ISSUED:

By: 

By: _____

Its: Mayor

Its: _____

Date: 10/20/23

Date: _____

Monitoring Period	Parameter	Limit	Reported	Unit	Violation Type
August 2023	Nitrogen, Ammonia Total (As N)	1.0	3.49	mg/l	Monthly Average
August 2023	Nitrogen, Ammonia Total (As N)	41.7	54.9	lbs/day	Monthly Average
August 2023	Nitrogen, Ammonia Total (As N)	1.5	6.0	mg/l	Weekly Average
August 2023	Nitrogen, Ammonia Total (As N)	62.5	127.8	lbs/day	Weekly Average
July 2023	Nitrogen, Ammonia Total (As N)	1.0	1.97	mg/l	Monthly Average
July 2023	Nitrogen, Ammonia Total (As N)	41.7	53.5	lbs/day	Monthly Average
July 2023	Nitrogen, Ammonia Total (As N)	1.5	2.8	mg/l	Weekly Average
July 2023	Nitrogen, Ammonia Total (As N)	62.5	74.4	lbs/day	Weekly Average
June 2023	Nitrogen, Ammonia Total (As N)	1.0	2.53	mg/l	Monthly Average
June 2023	Nitrogen, Ammonia Total (As N)	41.7	56	lbs/day	Monthly Average
June 2023	Nitrogen, Ammonia Total (As N)	1.5	4.2	mg/l	Weekly Average
June 2023	Nitrogen, Ammonia Total (As N)	62.5	99	lbs/day	Weekly Average
May 2023	Nitrogen, Ammonia Total (As N)	1.0	3.51	mg/l	Monthly Average
May 2023	Nitrogen, Ammonia Total (As N)	41.7	97.5	lbs/day	Monthly Average
May 2023	Nitrogen, Ammonia Total (As N)	1.5	4.2	mg/l	Weekly Average
May 2023	Nitrogen, Ammonia Total (As N)	62.5	123.3	lbs/day	Weekly Average
April 2023	Nitrogen, Ammonia Total (As N)	3.0	4.1	mg/l	Monthly Average
April 2023	Nitrogen, Ammonia Total (As N)	187	191	lbs/day	Weekly Average
April 2023	Nitrogen, Ammonia Total (As N)	4.5	6.3	mg/l	Weekly Average
April 2023	Nitrogen, Ammonia Total (As N)	4.5	4.93	mg/l	Weekly Average
March 2023	Nitrogen, Ammonia Total (As N)	3.0	7.9	mg/l	Monthly Average
March 2023	Nitrogen, Ammonia Total (As N)	125	229	lbs/day	Monthly Average
March 2023	Nitrogen, Ammonia Total (As N)	187	192	lbs/day	Weekly Average
March 2023	Nitrogen, Ammonia Total (As N)	187	224	lbs/day	Weekly Average
March 2023	Nitrogen, Ammonia Total (As N)	187	316	lbs/day	Weekly Average
March 2023	Nitrogen, Ammonia Total (As N)	4.5	8.09	mg/l	Weekly Average
March 2023	Nitrogen, Ammonia Total (As N)	4.5	8.28	mg/l	Weekly Average
March 2023	Nitrogen, Ammonia Total (As N)	4.5	9.3	mg/l	Weekly Average
February 2023	Nitrogen, Ammonia Total (As N)	3.0	5.17	mg/l	Monthly Average
February 2023	Nitrogen, Ammonia Total (As N)	125	189	lbs/day	Monthly Average
February 2023	Nitrogen, Ammonia Total (As N)	187	256	lbs/day	Weekly Average
February 2023	Nitrogen, Ammonia Total (As N)	187	297	lbs/day	Weekly Average
February 2023	Nitrogen, Ammonia Total (As N)	4.5	7.6	mg/l	Weekly Average
February 2023	Nitrogen, Ammonia Total (As N)	4.5	8.4	mg/l	Weekly Average
November 2022	Nitrogen, Ammonia Total (As N)	1.0	2.1	mg/l	Monthly Average
November 2022	Nitrogen, Ammonia Total (As N)	41.7	52	lbs/day	Monthly Average
November 2022	Nitrogen, Ammonia Total (As N)	62.5	72	lbs/day	Weekly Average
November 2022	Nitrogen, Ammonia Total (As N)	1.5	1.8	mg/l	Weekly Average
November 2022	Nitrogen, Ammonia Total (As N)	1.5	2.2	mg/l	Weekly Average
November 2022	Nitrogen, Ammonia Total (As N)	1.5	2.9	mg/l	Weekly Average
October 2022	Nitrogen, Ammonia Total (As N)	1.0	1.57	mg/l	Monthly Average
October 2022	Nitrogen, Ammonia Total (As N)	1.5	2.2	mg/l	Weekly Average
October 2022	Nitrogen, Ammonia Total (As N)	1.5	2.5	mg/l	Weekly Average
October 2022	Nitrogen, Ammonia Total (As N)	62.5	63.8	lbs/day	Weekly Average
July 2022	E. Coli	298	2420	col/100mL	Maximum Daily
July 2022	Nitrogen, Ammonia Total (As N)	41.7	164	lbs/day	Monthly Average
July 2022	Nitrogen, Ammonia Total (As N)	1.0	7.21	mg/l	Monthly Average
July 2022	Nitrogen, Ammonia Total (As N)	1.5	10.6	mg/l	Weekly Average
July 2022	Nitrogen, Ammonia Total (As N)	62.5	275	lbs/day	Weekly Average
June 2022	Copper Total Recoverable	20.4	22	ug/l	Maximum Daily
June 2022	Copper Total Recoverable	15.0	22	ug/l	Monthly Average
June 2022	Nitrogen, Ammonia Total (As N)	1.0	1.41	mg/l	Monthly Average
June 2022	Nitrogen, Ammonia Total (As N)	1.5	1.6	mg/l	Weekly Average
June 2022	Nitrogen, Ammonia Total (As N)	1.5	2.3	mg/l	Weekly Average

<u>Start</u>	<u>Stop</u>	<u>Duration</u>	<u>Location</u>	<u>Volume</u>	<u>24 Hour Public Notice/ADEM Notice/Health Department Notice/5 Day Report</u>
10/2/2023 12:30 P	10/2/2023 1:50 P	1Hrs 20Mins	4505 OLD HICKORY LANE VACANT LOT BEHIND RIGHT SIDE OF THIS ADDRESS	<=1,000 gallons	Yes/Yes/Yes/Yes
6/28/2023 11:00 A	6/28/2023 5:30 P	6Hrs 30Mins	3911 LEE AVE. Northport, AL 35476	1,000 < gallons <= 10,000	Yes/Yes/Yes/Yes
6/13/2023 12:45 P	6/13/2023 3:46 P	3Hrs 1Mins	Buckhead Subdivision	<=1,000 gallons	Yes/Yes/Yes/Yes
3/29/2023 11:30 A	3/29/2023 4:20 P	4Hrs 50Mins	From 605 59th street follow the creek ditch line 450 feet .	1,000 < gallons <= 10,000	Yes/Yes/Yes/Yes
1/25/2023 5:00 P	1/25/2023 6:45 P	1Hrs 45Mins	ABC storage building yard off Union Chapel road	<=1,000 gallons	Yes/Yes/Yes/Yes
1/9/2023 8:24 A	1/9/2023 10:30 A	2Hrs 6Mins	The manhole behind to right side the house in back of yard at 5214 NORTHWOOD LAKE Dr E	1,000 < gallons <= 10,000	Yes/Yes/Yes/Yes
1/4/2023 8:30 A	1/4/2023 10:00 A	1Hrs 30Mins	Manhole behind the house at 4186 4th ave. east	10,000 < gallons <= 25,000	Yes/Yes/Yes/Yes
10/17/2022 9:30 A	10/17/2022 11:00 A	1Hrs 30Mins	33.2388903/ -87.5837219	<=1,000 gallons	Yes/Yes/Yes/Yes
8/30/2022 2:00 P	8/30/2022 4:50 P	2Hrs 50Mins	Manhole behind 3112 26th avenue overflowing. reported by home owner.	1,000 < gallons <= 10,000	Yes/Yes/Yes/Yes
6/4/2022 7:30 P	6/4/2022 8:40 P	1Hrs 10Mins	ABC storage building yard off union chapel road	<=1,000 gallons	Yes/Yes/Yes/Yes
5/12/2022 1:00 P	5/12/2022 7:30 P	6Hrs 30Mins	Side of road	25,000 < gallons <= 50,000	Yes/Yes/Yes/Yes
5/12/2022 5:00 P	5/12/2022 8:30 P	3Hrs 30Mins	Behind 3911 Lee Avenue	1,000 < gallons <= 10,000	Yes/Yes/Yes/Yes
3/8/2022 7:55 A	3/8/2022 11:30 A	3Hrs 35Mins	At the intersection of US 82 and US 69	1,000 < gallons <= 10,000	Yes/Yes/Yes/Yes
2/11/2022 10:40 A	2/11/2022 11:30 A	0Hrs 50Mins	A B E MINI STORAGE INC	10,000 < gallons <= 25,000	Yes/Yes/Yes/Yes

Attachment III

**City of Northport
Northport WWTP
Northport, Tuscaloosa County, Alabama
NPDES Permit No. AL0064394**

Violation*	Number of Violations*	(A)	(B)	(C)
		Seriousness of Violation*	Standard of Care*	History of Previous Violations*
Effluent Violations	54	\$ 8,800.00	\$ -	\$ 2,700.00
SSOs	14	\$ 2,300.00	\$ -	\$ 700.00

\$11,100.00	\$0.00	\$3,400.00
Total (A)	Total (B)	Total (C)
Base Penalty Total [Total (A) + Total (B) + Total (C)]		\$14,500.00
Mitigating Factors (-)		
Economic Benefit (+)		
Ability to Pay (-)		
Other Factors (+/-)		
INITIAL PENALTY		\$14,500.00
Total Adjustments (+/-)		\$0.00
FINAL PENALTY		\$14,500.00

Additional Adjustments due to negotiations, receipt of additional information, or public comment

Mitigating Factors (-)	
Economic Benefit (+)	
Ability to Pay (-)	
Other Factors (+/-)	
Total Adjustments (+/-)	\$0.00



Footnotes

*See the "Stipulations" portion of the Order for a detailed description of each violation and the penalty factors