

**ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

<u>IN THE MATTER OF:</u>	)	
	)	
Baldwin County Sewer Service, LLC	)	
Fort Morgan Treatment Plant	)	
d/b/a Baldwin County Sewer Services	)	
Gulf Shores, Baldwin County, Alabama	)	
	)	Consent Order No. XX-XXX-CUIC
<u>UIC Permit No. ALSI9902013</u>	)	

PREAMBLE

This Special Order by Consent ("Consent Order") is made and entered into by the Alabama Department of Environmental Management ("the Department") and Baldwin County Sewer Service, LLC d/b/a "Baldwin County Sewer Services" ("the Permittee" or "BCSS") 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 known as the Fort Morgan Treatment Plant located at 16763 AL Hwy 80, Gulf Shores, Baldwin 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 drinking water regulations in accordance with the Safe Drinking Water Act, as amended, 42 U.S.C. §§ 300f to 300j. In addition, the Department is authorized to administer and enforce the provisions of the AWPCA.

DEPARTMENT'S CONTENTIONS

4. The Department reissued Underground Injection Control ("UIC") Permit Number ALSI9902013 ("the Permit") to the Permittee on November 16, 2018 effective January 2, 2019,

establishing limitations on the discharge of pollutants from the subsurface injection system. 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 III.A.4. states, “The permittee shall not exceed the limits established in Appendix A of this permit.” For the dates listed in Table 1 of Attachment A, the Permittee submitted DMRs to the Department indicating that the Permittee discharged treated sanitary effluent into the percolation pond system with 5-day Biological Oxygen Demand (“BOD”) levels that were above the permitted limit of 7.5 mg/l.

6. Permit Condition III.A.2. states, “[t]he daily volume of injected wastewater shall not exceed the design flow of 1.20 million gallons per day, in accordance with the plans and specifications submitted with the permit application.” This permit condition prescribing a daily max for flow was included in the Permittee’s first UIC Permit as well as the 2019 Permit. The Permittee’s misunderstanding of its obligations under the Permit do not absolve it from liability for compliance with the Permit. For the dates listed in Table 2 of Attachment A, the Permittee submitted DMRs to the Department indicating the daily volume of injected wastewater exceeded the design flow of 1.20 million gallons per day.

7. Permit Condition II.A.7. states, “[f]or each calendar month, the average daily flow of treated effluent discharged into the percolation pond system shall not exceed 1.20 million gallons per day.” For the months listed in Table 3 of Attachment A, the Permittee submitted DMRs to the Department indicating the average daily flow of treated effluent discharged into the percolation pond system exceeded 1.20 million gallons per day.

8. The Department issued a Notice of Violation (“NOV”) to the Permittee on October 19, 2022, for both the average daily flow and the daily volume of injected wastewater exceeding

the limits of 1.20 million gallons per day. The NOV required the Permittee to submit to the Department a written report with the steps to be taken to correct the violations. The Department received a response to the NOV on November 23, 2022. After reviewing the response, the Department requested additional information pertaining to capital investments, one-time non-depreciable expenditures and avoided annual recurring costs resulting from delayed compliance. A subsequent NOV response was received on January 31, 2023, that included the requested information.

9. Permit Condition III.E.2. states that, “[t]he permittee shall adopt the following best management practices: Properly operate and maintain in good working order all treatment or control facilities or systems (and related appurtenances) installed or used by the permittee to achieve compliance with the terms and conditions of this permit.” Additionally, 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”), which are listed in Attachment B Table 1.

10. Permit Condition IV.B.4.d) states that, “[t]he permittee shall report to the Department, the county health department, and any other affected entity such as public water systems, within 24-hours of becoming aware of any sanitary sewer overflow [...]” For the dates listed in Table 2 of Attachment B, the Permittee failed to report the SSO occurrences to the Department or the public within the 24-hour time period.

11. Pursuant to Ala. Code § 22-22A-5(18)c., as amended, in determining the amount of any penalty, the Department shall 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 that delayed compliance may have conferred 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, the Department has considered the following:

A. SERIOUSNESS OF THE VIOLATIONS AND BASE PENALTY: Violations of ADEM Admin. Code div. 335-6, the Permit, and the AWPCA were noted. In arriving at the civil penalty, the Department considered the general nature of each violation, 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: The Permittee could have easily avoided some of the violations cited herein by properly reporting SSOs. The Department acknowledges that BCSS has taken steps to improve reporting; however, in consideration of the standard of care manifested by the Permittee, the Department has enhanced the penalty.

C. ECONOMIC BENEFIT WHICH DELAYED COMPLIANCE MAY HAVE CONFERRED: The Department is unaware of an economic benefit conferred on the Permittee as a result of noncompliance.

D. EFFORTS TO MINIMIZE OR MITIGATE THE EFFECTS OF THE VIOLATIONS UPON THE ENVIRONMENT: The Department is aware of efforts by the Permittee to minimize or mitigate the effects of SSO violations upon the environment; however, the penalty was not reduced as a result of these actions.

E. HISTORY OF PREVIOUS VIOLATIONS: The Permittee has a history of previous violations. In consideration of this history, 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 C.

12. The Department neither admits nor denies the Permittee's contentions, which are set forth below. The Department disputes the Permittee's characterization of its permitting and compliance history, but has agreed to the terms of this Consent Order in an effort to resolve the alleged 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.

PERMITTEE'S CONTENTIONS

13. The Permittee neither admits nor denies the Department's contentions set forth in this Consent Order. The Permittee disputes the Department's allegations and alleged violations but has agreed to the terms of this Consent Order in an effort to resolve the alleged violations cited herein and focus efforts on the permit modification and treatment plant improvements as proposed by BCSS. The Permittee consents to abide by the terms of this Consent Order.

14. The Fort Morgan Plant (the "Plant") historically operated under an NPDES permit until the 2014 permit renewal, when, at the Department's request, BCSS applied for an Underground Injection Control permit. BCSS does not recall the specifics as to why the Department requested this change, though it was not based on any operational change at the Plant. Under the Plant's NPDES permit, BCSS was required to monitor and report the monthly average and daily maximum flow, but the NPDES Permit did not include a flow limitation. Under the Plant's prior NPDES permits and the 2014 UIC Permit, the treated effluent was discharged

into the onsite percolation ponds. (These same ponds are utilized under the 2019 UIC Permit, under which BCSS is presently operating.)

15. During the 2014 permit cycle – again, the first UIC permit for the Plant – the Department initially proposed the following daily flow limit in the draft permit: “the daily flow of treated effluent discharged into the percolation pond system shall not exceed 1.2 million gallons per day.” In reviewing the draft permit, BCSS (through its consulting engineers, CDG) requested that the new flow measurement in Part II.A.7 of the Permit be amended to “for a calendar month, the average daily flow of treated effluent discharged into the percolation pond system shall not exceed 1.2 million gallons per day.” The Department acknowledged this request and included the amended language in the final initial UIC Permit. Further, under Part III.A.3. of the UIC Permit, BCSS must “monitor the fluid to be injected as specified in Appendix A.” Appendix A in that initial UIC Permit, which outlines the Permit’s discharge limitations, included a limitation for flow of 1.20 “Million gallons per day average daily per calendar month”. Thus, while BCSS was required to monitor and report daily flows, BCSS understood the Plant’s flow limitation as being 1.20 million gallons per day, averaged for a calendar month.

16. Annual beach tourism has been growing for decades in Baldwin County, particularly between the months of June and September. Since at least 2019, the average influx of tourists to the Baldwin County beaches has been over six million people for these months each year. According to *Gulf Coast News*, a local Baldwin County publication, Baldwin County received 8.4 million visitors in 2023 alone, 6.5 million of which visited Baldwin County Beaches in Gulf Shores, Orange Beach and Fort Morgan, an area of Baldwin County where the normal resident population is less than 26,000. This is a unique situation for this Plant, and it has inevitably caused spikes in wastewater / effluent volume and a high variability in daily flows for BCSS during those months. BCSS is also in an unusual regulatory position because we are not aware of any other wastewater provider in the area directly impacted by the tourist season which has a permit limiting the amount of treated effluent that can be discharged.

17. As reflected throughout BCSS's Permit records, the permitting history for the Fort Morgan Treatment Plant has been complicated. Nonetheless, this permitting history shows that BCSS has made significant efforts to preemptively and permanently address the flow exceedances noted herein:

- a. BCSS's 2014 and 2019 UIC Permits have multiple provisions related to flow – Part II.A.7, Part III.A.2., and Appendix A – which create ambiguity and have led to confusion for BCSS regarding its regulatory obligations under the Permits. However, under Part III.A.3. of *both* versions of the UIC Permit, BCSS is required to “monitor the fluid to be injected as specified in Appendix A.”
- b. In Appendix A of the prior (original) UIC Permit, flow was denoted as *1.2 million gallons per day, average daily per calendar month*. During the term of that Permit, BCSS had been documenting and submitting data to ADEM indicating the Fort Morgan Plant was receiving daily flows in excess of 1.2 million gallons during tourist season. However, as BCSS understood the monitoring requirements specified in Appendix A, the flows were being averaged over the course of the month, so BCSS was not violating the Permit. This methodology appropriately accommodated the extreme variability of daily flows for BCSS due to the influx of visitors (i.e., temporary users).
- c. BCSS's understanding regarding flow changed when the Plant's current UIC Permit became effective on January 2, 2019, including in Appendix A a new flow metric of *1.2 million gallons per day*, instead of a metric based on average daily flows per calendar month. BCSS recognized that its compliance status with regard to flow was significantly impacted without the monthly averaging during the annual tourist season, and it would be unable to meet the new Appendix A limit during those months.

- d. At that time and in conjunction with the tourist season of 2019, BCSS began internally communicating about the potential need for a Permit modification and related Plant expansion. BCSS then paused expansion plans over the course of the 2020 tourist season in order to evaluate impacts of the COVID epidemic and associated beach closings; however, BCSS resumed plans as it determined there would be no lasting impacts on tourism.
- e. In May 2021, BCSS's third party consultant (CDG Engineers, now known as Three Notch Group) began work on a UIC Permit modification package for an increase in flow, while BCSS began preliminary work onsite.
- f. In December 2021, BCSS submitted an application to the Department for modification of the Permit, requesting an increase of the permitted flow.
- g. In January 2022, a draft modified permit was placed on public notice.
- h. In May 2022, a public hearing was held for the draft permit modification.
- i. On August 5, 2022, the Department denied the Permit modification. BCSS had inadvertently omitted information from the permit application that would have bearing on permitted operations, thus rendering the application inaccurate. During the comment period, new information became known to BCSS (and the Department) that physical changes to facility processes were not reflected in the application. This drastic action in denying the Permit modification came unexpectedly to BCSS, given that the Department and BCSS communicated in May 2022 regarding BCSS's sludge pond and Plant treatment capacity, but the Department had not otherwise indicated it was considering a denial of the needed permit modification. With this Permit modification denial, BCSS was then back to square one with regard to the requested increased flow limits for its treated effluent.

- j. At BCSS's request, in August 2022, BCSS and the Department had two conference calls to discuss the Permit modification denial and preparation for a subsequent Permit modification application. Following these calls, BCSS continued working with CDG / Three Notch Group on a new Permit modification application and continued coordinating with the Department and others regarding necessary permitting. During these calls, BCSS explained that another permit application would be filed as soon as possible when final designs were completed.
- k. On October 19, 2022, ADEM issued an NOV to BCSS, referencing only flow exceedances for treated effluent. BCSS was again caught off guard by the Department's action, particularly since BCSS and ADEM had conference calls a few weeks prior to discuss next steps as a result of the Permit modification denial, with an understanding about BCSS's urgent need and the process for completing and filing another Permit modification application. At the time, BCSS was in the midst of preparing the application and was making related expenditures, so BCSS had to shift those efforts to respond to the NOV.
- l. BCSS's response and supplement to the October 19, 2022 NOV, submitted November 19, 2022 and January 26, 2023, respectively, explained again in detail the impacts of tourist season on the Plant's daily flows and that the solution for the seasonal fluctuations would be a Permit modification, which BCSS had been working with the Department to obtain for some time. The plan submitted to the Department in response to the NOV has yet to be fully implemented, as it is contingent on the processing of BCSS's pending application for renewal and modification of the UIC Permit.
- m. On June 13, 2023, ADEM inspected the Fort Morgan Plant. The ADEM Inspection Report noted that the inspector and BCSS "discussed the need for

a modification and/or a reissuance application in the near future.” The Inspection Report checklist did not identify any other concerns with the Plant.

- n. On June 30, 2023, BCSS submitted the new application for renewal and modification of the UIC Permit to the Department, requesting a permitted flow rate increase to 1.8 MGD, to allow for use of existing Plant facilities with minor modifications. The timely submittal of the application administratively extended operation of the November 16, 2018 UIC Permit pending the Department’s review and processing of the application.
- o. For the monitoring periods of June, July, August and September 2023, BCSS submitted Noncompliance Notification Forms to the Department reporting the flow exceedances due to an “influx of tourists.” Each of the Forms identified “Future plans to expand the treatment facility” as the remedial action, again indicating BCSS’s plans to the Department.
- p. On October 11, 2023, BCSS and CDG / Three Notch met with ADEM in Montgomery to discuss the status of the pending UIC Permit application and associated timeline.
- q. In January 2024, the Department processed BCSS’s check for fees accompanying the June 30, 2023 application.
- r. On February 21, 2024, the Department inspected the Fort Morgan Plant and reviewed records for the facility. The Inspection Report checklist did not identify any concerns with the Plant.
- s. Soon after, BCSS received a proposed Consent Order from the Department referencing the flow exceedances, in spite of the fact that BCSS had been acting in good faith and communicating with the Department following the November 19, 2022 and January 26, 2023 NOV responses. Also, at that time, the UIC Permit application had been pending with the Department for approximately

ten months, the Department and BCSS had met to discuss the pending application, and the Department had processed BCSS's check for permit fees.

- t. BCSS's June 30, 2023 application for renewal and modification of the Permit remains pending. As the application is still pending, BCSS has continued working with Three Notch Group, and BCSS has also hired a new employee/consultant who is reviewing the Plant's operation and facilities for purposes of permitting. On August 13, 2025, BCSS submitted an amendment to the application for renewal and modification of the Permit.

18. As this timeline demonstrates, BCSS began planning improvements to address flows in 2019, has been pursuing the Permit modification to address flow since 2021, and fully intended to have a modified UIC Permit in place by early 2022, prior to the start of the peak seasonal flows of that year.

19. With the exception of the six Permit limit exceedances for 5-day BOD noted in Attachment A, Table 1, the daily flow exceedances, and monthly flow exceedances, BCSS has consistently met discharge limitations for the Effluent Characteristics monitored under the UIC Permit. To further elaborate, under the current Permit, BCSS is required to conduct weekly tests for four Effluent Characteristics. During the period noted herein, BCSS conducted 520 tests, with only six alleged exceedances for 5-day BOD. Additionally, the exceedances identified herein occurred sporadically as a result of third party actions, unforeseen circumstances, and Acts of God, and are not the result of any negligence or failure of BCSS, and BCSS is not aware of any impacts and/or irreparable harm to receiving waters or the environment as a result. To put it plainly, BCSS allegedly has been taking in too much dirty water and releasing too much clean water during annual tourist seasons, all while BCSS has been awaiting a UIC Permit renewal and modification.

20. With the potential exception of the SSOs related to the Brinks-Willis Lift Station, which are being addressed by the construction of a new lift station and other improvements

based on the recommendations of BCSS's consultant, there is no evidence of a systemic SSO issue. The majority of the SSOs identified in Table I of Attachment B are minor in nature and were not the result of negligence or failure by BCSS. BCSS has had in place a routine collection system assessment and maintenance program for many years and has recently reevaluated the program to ensure all appropriate measures are being taken. BCSS has replaced sewer lines in areas affected by settling soil and/or tree roots, relocated and replaced a pump/lift station previously subject to stormwater inundation in a low-lying area, and implemented the use of telemetry monitoring on pump/lift stations.

21. Regarding the alleged SSO reporting violations, BCSS personnel had some difficulty with the Department's electronic SSO reporting system and the Department's instructions for use related thereto, which BCSS personnel discussed with the Department. BCSS asserts that the instructions related to the reporting system are vague and ambiguous leading to reporting errors for users. BCSS has ensured it has procedures in place to properly and timely report SSOs in accordance with the Permit.

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 \$18,000 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 corrective actions, to achieve compliance with applicable rules, regulations, and Permit conditions for BOD effluent limits, SSOs, and SSO reporting. The Engineering Report shall include a Compliance Plan with a schedule for implementation of such necessary corrective actions. The Engineering Report shall also include a plan for continued maintenance and assessment of the collection system to minimize future SSOs. 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 the issuance of this Consent Order. If the Department determines through its review of the submitted Engineering Report that the submittal is not sufficient to achieve regulatory compliance, including the Compliance Plan, 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 or an alternate date as approved by the Department. The Permittee shall complete implementation of the recommendations provided in the Engineering Report no later than 180 days after issuance of the Consent Order or within any alternate schedule as accepted by the Department in the final Compliance Plan.

D. As a measure to address the effluent flow exceedances cited herein, the Permittee shall prepare and submit to the Department a complete UIC permit modification application, that addresses the changes necessary to achieve compliance with applicable rules regulations, and Permit conditions for the daily volume of injected wastewater and average daily flow for each calendar month. The Permittee shall submit additional information concerning the permit modification application, if required, so that they are received by the Department no later than thirty days after Permittee's receipt of the Department's comments or an alternate date as approved by the Department. The Permittee shall fully comply with modified flow limitations in any new UIC permit issued by the Department.

E. BCSS has provided the Department with information regarding some of its efforts in studying the feasibility of an alternate wastewater discharge option. Within ninety (90) days after the issuance of this Consent Order, the Permittee shall submit a report, prepared by a professional engineer licensed to practice in the State of Alabama, summarizing BCSS's past actions and planned actions to evaluate and determine, in BCSS's sole judgment, the feasibility (e.g., physical, economic, environmental, land use, third party approvals, or otherwise) of an alternative discharge option ("Feasibility Evaluation"). The Permittee shall submit semi-annual progress reports detailing the actions taken in accordance with the Feasibility Evaluation. BCSS shall submit a final progress report within sixty (60) days after BCSS has completed its evaluation and made a conclusive determination regarding the feasibility of an alternate wastewater discharge option.

F. After issuance of this Consent Order, the Permittee shall pay stipulated penalties for each day it fails to meet the deadlines established by Paragraph C, D and E. The stipulated civil penalties for failure to meet the deadlines established by Paragraph C, D and E, except for Force Majeure acts as hereinafter defined, shall be as follows:

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

If the Permittee fails to meet any deadline established in Paragraph C, D and E by ninety days, the Department reserves the right to file a new action against the Permittee.

G. Cumulative stipulated penalties described in Paragraph F 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.

H. 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.

I. 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.

J. 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.

K. The Permittee is not relieved from any liability if it fails to comply with any

provision of this Consent Order.

L. 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, or 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.

M. 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 Fort Morgan Treatment Plant 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.

N. 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.

O. This Consent Order shall not affect the Permittee's obligation to comply with any federal, state, or local laws or regulations.

P. Final approval and issuance of this Consent Order are subject to the requirement that the Department provide notice of proposed Orders to the public, and that the public has at least thirty days within which to comment on the proposed Consent Order.

Q. 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.

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

S. 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.

Baldwin County Sewer Service, LLC

ALABAMA DEPARTMENT OF

ENVIRONMENTAL MANAGEMENT

EXECUTED AND ISSUED:

By: *Greg McManis*

By: _____

Its: *CFD / Controller*

Its: _____

Date: *2-31-26*

Date: _____

**Attachment A
Permit Limit Violations**

**Baldwin County Sewer Services – Fort Morgan Treatment Plant
Gulf Shores, Baldwin County
ALSI9902013**

Table 1 – Permit Limit Violations (BOD)

Non Compliance Date	Parameter	Limit Value	Parameter Unit Of Measure	Sample Value	Sample Unit Of Measure
6/30/2022	BOD, 5-Day	7.5	mg/l	8.70	mg/l
5/18/2023	BOD, 5-Day	7.5	mg/l	8.0	mg/l
6/21/2023	BOD, 5-Day	7.5	mg/l	7.70	mg/l
6/28/2023	BOD, 5-Day	7.5	mg/l	8.40	mg/l
1/23/2024	BOD, 5-Day	7.5	mg/l	8.60	mg/l
11/13/2024	BOD, 5-Day	7.5	mg/l	7.80	mg/l

Table 2 – Permit Limit Violations (Daily Volume of Injected Wastewater)

Non Compliance Date	Parameter	Limit Value	Parameter Unit Of Measure	Sample Value	Sample Unit Of Measure
6/30/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.225	MGD
7/1/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.440	MGD
7/2/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.625	MGD
7/3/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.549	MGD
7/4/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.267	MGD
7/5/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.210	MGD
7/6/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.516	MGD
7/7/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.431	MGD
7/8/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.334	MGD
7/10/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.342	MGD
7/11/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.350	MGD
7/13/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.395	MGD
7/14/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.276	MGD

Table 2 Continued – Permit Limit Violations (Daily Volume of Injected Wastewater)

Non Compliance Date	Parameter	Limit Value	Parameter Unit Of Measure	Sample Value	Sample Unit Of Measure
7/15/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.461	MGD
7/16/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.302	MGD
7/17/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.311	MGD
7/21/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.263	MGD
7/22/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.240	MGD
7/23/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.420	MGD
7/24/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.372	MGD
7/25/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.281	MGD
7/27/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.210	MGD
7/28/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.340	MGD
7/30/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.210	MGD
7/31/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.266	MGD
8/1/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.301	MGD
8/2/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.223	MGD
8/24/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.284	MGD
8/25/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.489	MGD
8/26/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.349	MGD
9/3/2022	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.229	MGD
6/16/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.517	MGD
6/17/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.566	MGD
6/18/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.210	MGD
6/19/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.679	MGD
6/20/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.616	MGD
6/21/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.300	MGD
6/22/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.381	MGD
6/23/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.494	MGD
6/24/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.273	MGD
6/25/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.361	MGD
6/28/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.301	MGD
6/29/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.332	MGD
7/1/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.413	MGD
7/2/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.259	MGD
7/3/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.400	MGD
7/4/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.341	MGD
7/5/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.441	MGD
7/6/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.305	MGD

Table 2 Continued – Permit Limit Violations (Daily Volume of Injected Wastewater)

Non Compliance Date	Parameter	Limit Value	Parameter Unit Of Measure	Sample Value	Sample Unit Of Measure
7/7/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.446	MGD
7/8/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.258	MGD
7/10/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.428	MGD
7/11/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.214	MGD
7/12/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.310	MGD
7/13/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.205	MGD
7/14/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.325	MGD
7/15/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.351	MGD
7/17/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.220	MGD
7/18/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.201	MGD
7/21/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.322	MGD
7/22/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.323	MGD
7/23/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.326	MGD
7/24/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.203	MGD
7/25/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.202	MGD
7/27/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.218	MGD
7/28/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.300	MGD
7/30/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.214	MGD
7/31/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.362	MGD
8/4/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.209	MGD
8/6/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.262	MGD
9/2/2023	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.291	MGD
6/1/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.290	MGD
6/2/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.290	MGD
6/3/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.271	MGD
6/8/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.222	MGD
6/21/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.213	MGD
6/26/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.245	MGD
6/27/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.317	MGD
6/28/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.301	MGD
6/29/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.367	MGD
6/30/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.281	MGD
7/1/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.274	MGD
7/2/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.324	MGD
7/3/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.239	MGD
7/4/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.660	MGD
7/5/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.613	MGD
7/6/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.412	MGD
7/8/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.343	MGD

Non Compliance Date	Parameter	Limit Value	Parameter Unit Of Measure	Sample Value	Sample Unit Of Measure
7/9/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.325	MGD
7/10/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.386	MGD
7/11/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.278	MGD
7/12/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.256	MGD
7/13/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.270	MGD
7/14/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.336	MGD
7/15/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.305	MGD
7/17/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.245	MGD
7/18/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.258	MGD
7/19/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.408	MGD
7/20/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.399	MGD
7/21/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.397	MGD
7/22/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.369	MGD
7/23/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.225	MGD
7/24/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.277	MGD
7/25/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.249	MGD
7/26/2024	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.256	MGD
7/1/2025	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.374	MGD
7/2/2025	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.273	MGD
7/4/2025	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.234	MGD
7/5/2025	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.265	MGD
7/24/2025	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.303	MGD
7/25/2025	Flow, In Conduit or Thru Treatment Plant	1.20	MGD	1.266	MGD

Non Compliance Date	Parameter	Limit Value	Parameter Unit Of Measure	Averaged Value	Averaged Unit Of Measure
7/2022	Average Daily Flow	1.20	MGD	1.293	MGD
6/2023	Average Daily Flow	1.20	MGD	1.238	MGD
7/2023	Average Daily Flow	1.20	MGD	1.228	MGD
7/2024	Average Daily Flow	1.20	MGD	1.267	MGD

**Attachment B
 Sanitary Sewer Overflows**

**Baldwin County Sewer Services – Fort Morgan Treatment Plant
 Gulf Shores, Baldwin County
 ALSI9902013**

Table 1 – Sanitary Sewer Overflows (SSO)				
SSO Began Date	SSO Volume (Gal)	SSO Location	SSO Address	SSO City
5/26/2022	1,000	Lift Station between County Rd. 12 & 10	8605 State Highway 59	Foley
6/15/2022	25,000< gallons ≤50,000	South side of Fort Morgan Rd.	Fort Morgan Rd	Fort Morgan
6/30/2022	1,000	East side of Hwy 59, between County Rd 12 and Brinks Willis Rd	Hwy 59	Foley
8/17/2022	1,000< gallons ≤10,000	West of Bon Secour Hwy./south of Charme Rd.	6419 Bon Secour Hwy	Bon Secour
8/24/2022	1,000< gallons ≤10,000	East side of highway 59 between CR 12 and Brinks Willis Rd	hwy 59	Foley
8/25/2022	1,000< gallons ≤10,000	east of 59 between CR 12 and Brinks Willis	hwy 59	Foley
9/22/2022	1,000< gallons ≤10,000	south side of road	Fort Morgan Rd	Gasque
9/23/2022	3,000	south side of road	10650 Fort Morgan Rd	Cedar Grove
10/14/2022	1,000	south side of road	23100 Carnoustie Dr	Foley
10/17/2022	1,000< gallons ≤10,000	North West corner of CR 12 and Hardy	CR 12	Foley
10/30/2022	1,000	North side of street	17998 Lewis St	Foley
12/30/2022	1,000< gallons ≤10,000	east side of hwy 59, north of brinks rd	hwy 59	Foley
4/27/2023	1,000< gallons ≤10,000	East side of Hwy 59 between CR 12 & Brinks Willis Rd	hwy 59	Foley
6/4/2023	1,000< gallons ≤10,000	South of Fort Morgan Rd & East of Pontoon Ln	Fort Morgan Rd	Fort Morgan
6/19/2023	1,000< gallons ≤10,000	east side of road, north of CR 12	CR 55	Foley
6/19/2023	1,000< gallons ≤10,000	East side of road, north of Brinks Willis Rd	S McKenzie St.	Foley
7/11/2023	1,000< gallons ≤10,000	south side of Fort Morgan Rd near Pleasure Point Rd	Fort Morgan Rd	Cedar Grove
8/22/2023	1,000< gallons ≤10,000	east side of road, on hwy 59 between Brinks Willis Rd & Keller Rd	hwy 59	Foley

Table 1 Continued – Sanitary Sewer Overflows (SSO)				
SSO Began Date	SSO Volume (Gal)	SSO Location	SSO Address	SSO City
9/2/2023	1,000< gallons ≤10,000	east side of 59, south of cr 12 and north of Brinks Willis Rd	hwy 59	Foley
9/2/2023	1,000< gallons ≤10,000	north of cr 12 and east of cr 65	cr 12	Foley
10/17/2023	1,000< gallons ≤10,000	south side of Fort Morgan Rd, West of Jackson Ct.	Hwy 180	Cedar Grove
1/2/2024	1,000< gallons ≤10,000	west side of Bon Secour Hwy and south of Charme Rd	6419 Bon Secour Hwy	Bon Secour
2/20/2024	1,000< gallons ≤10,000	North side of Robley Ln and east side of Gulf Way	Robley Ln	Gulf Highlands
3/28/2024	1,000< gallons ≤10,000	SOUTH SIDE OF FORT MORGAN RD	Fort Morgan Rd	Cedar Grove
*3/28/2024	1,000< gallons ≤10,000	south of Fort Morgan Rd	Fort Morgan Rd	Gulf Shores
4/10/2024	1,000< gallons ≤10,000	east of 59 and north of Brinks Willis Rd	hwy 59	Foley
5/3/2024	3,000	west side of road	7072 lakeshore Dr	Gulf Shores
*5/20/2024	5,000	South of cr 4 west of hwy 59	Oster Bay Rd	Gulf Shores
6/18/2024	2,000	north side of cr 12 east of Beach Express	county rd 12	Foley
6/18/2024	3,000	southside of state highway180	15042 state highway 180	Gulf Shores
6/18/2024	1,000< gallons ≤10,000	southside of road	Fort Morgan Rd	Cedar Grove
*6/26/2024	4,000	Southside of Hwy 180 , east of Pleasure Point Rd.	Fort Morgan Rd	Cedar Grove
7/21/2024	2,000	north side of Pinwick near Lewis Smith Dr	Pickwick Dr	Foley
*7/23/2024	1,000	SOUTH SIDE OF DUNE DR	w. Dune Dr	Gulf Shores
8/27/2024	2,000	south of hwy 180 on east side of road	Veterans Dr	Gulf Shores
9/21/2024	500	east side of road	Carnoustie Dr	Foley
10/27/2024	1,000	south of Fort Morgan Rd near Sassy Bass Liquor	Fort Morgan Rd	Gulf Shores
11/19/2024	1,000	north side of road	17964 Lewis Smith Dr.	Foley
11/21/2024	1,000	south side of road	Fort Morgan Rd	Cedar Grove
2/26/2025	500	south side of road	Fort Morgan Rd	Cedar Grove
*3/4/2025	10,000	east of path	Fort Morgan Rd	Gulf Shores
4/7/2025	1,000< gallons ≤10,000	east side of road / north of Brinks Willis Rd	hwy 55	Foley
*4/30/2025	1,000	east side of road	5565 Bon Secour Hwy	Bon Secour
5/28/2025	1,000	south side of road	Fort Morgan Rd	Gulf Shores
*6/9/2025	1,000	south side of road	Fort Morgan Rd	Cedar Grove

Table 1 Continued – Sanitary Sewer Overflows (SSO)

SSO Began Date	SSO Volume (Gal)	SSO Location	SSO Address	SSO City
6/9/2025	3,000	south side of road	Fort Morgan Rd	Gulf Shores
*6/9/2025	1,000	north side of 180	Fort Morgan Rd	Cedar Grove
6/25/2025	1,000	south side of road	Hwy 180	Gulf Shores
7/1/2025	500	south side of road	Fort Morgan Rd	Cedar Grove
7/14/2025	500	north side of road	Hard Dr	Foley
*8/21/2025	500	east side of road	Blvd Martinique	Gulf Shores
8/23/2025	1,000	south side of road	Fort Morgan Rd	Gulf Shores
8/26/2025	5,000	south side of road	Fort Morgan Rd	Gulf Shores

*Due to Force Majeure.

Table 2 – SSO Reporting Violations

SSO Began Date	SSO Volume (Gal)	SSO Location	24-Hour Notice	Public Notice
6/30/2022	1,000< gallons ≤10,000	East side of Hwy 59, between County Rd 12 and Brinks Wills Rd	7/9/2022	7/8/2022
12/30/2022	1,000< gallons ≤10,000	east side of hwy 59, north of brinks rd	1/3/2023	12/30/2022
9/2/2023	1,000< gallons ≤10,000	east side of 59, south of cr 12 and north of Brinks Willis Rd	9/5/2023	9/2/2023
9/2/2023	1,000< gallons ≤10,000	north of cr 12 and east of cr 65	9/5/2023	9/2/2023
10/17/2023	1,000< gallons ≤10,000	south side of Fort Morgan Rd, West of Jackson Ct.	10/17/2023	None*
3/28/2024	1,000< gallons ≤10,000	south of Fort Morgan Rd	4/2/2024	3/28/2024
3/28/2024	1,000< gallons ≤10,000	south of Fort Morgan Rd	4/1/2024	3/28/2024
6/18/2024	2,000	north side of cr 12 east of Beach Express	7/10/2024	6/18/2024
6/18/2024	3,000	15042 state highway 180	7/10/2024	6/18/2024

*The SSO report indicated that signs were posted but the Permittee later confirmed that they were not.

**Attachment C
 Penalty Calculation**

**Baldwin County Sewer Services – Fort Morgan Treatment Plant
 Gulf Shores, Baldwin County
 ALSI9902013**

Violation*	Number of Violations*	(A)	(B)	(C)
		Seriousness of Violation*	Standard of Care*	History of Previous Violations*
Exceedance of permitted BOD limit	2	\$600	\$300	\$300
Exceedance of permitted average daily flow	1	\$350	\$0	\$200
SSOs	26	\$8,900	\$4,500	\$1,300
SSO Reporting	7	\$1,050	\$400	\$100
		\$10,900	\$5,200	\$1,900
		Total (A)	Total (B)	Total (C)
		Base Penalty Total [Total(A) + Total(B) + Total(C)]		
				\$18,000
		Mitigating Factors (-)		
				\$0
		Economic Benefit (+)		
				\$0
		Ability to Pay (-)		
				(\$0)
		Other Factors (+/-)		
				\$0
		INITIAL PENALTY		
				\$18,000
		Total Adjustments (+/-)		
				(\$0)

**Footnote: *See the
 "Department's Contentions"
 of the order for a detailed
 description of each violation
 and the penalty factors.**

FINAL PENALTY \$18,000