

April 12, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Hon. George W. Roy, Mayor
City of Calera
10947 Highway 25
Calera, Alabama 35040

**Re: Notice of Intent to File Suit under the Clean Water Act for Violations of NPDES
Permit No. AL0074608**

Dear Mayor Roy:

Pursuant to the Clean Water Act § 505, 33 U.S.C. § 1365, and 40 C.F.R. Part 135, Subpart A, you are hereby notified that after the expiration of 60 days following service of this notice, Conservation Alabama Foundation, Inc. may file suit against the City of Calera for discharges of pollutants from the Northside Pollution Control Plant at County Road 70 and East County Road 42 into Camp Branch in violation of the limitations and conditions of NPDES Permit No. AL0074608 as reported in Discharge Monitoring Reports submitted by the City of Calera to the Alabama Department of Environmental Management from April 11, 2003 to April 11, 2008, including but not limited to, the following violations:

| Pollutant Parameter | Discharge Limit | Discharge Violation | Violation Date(s) | Days in Violation |
|--------------------------------|---|---------------------|-------------------|-------------------|
| Nitrogen, Ammonia Total (as N) | ≤2.0 mg/L Monthly Average (May-Nov) | 8.02 mg/L | Oct 2007 | 31 |
| | | 3.09 mg/L | Sep 2007 | 30 |
| | | 15.23 mg/L | Aug 2007 | 31 |
| | ≤3.0 mg/L Weekly Average (May-Nov) | 9.97 mg/L | Oct 2007 | 7 |
| | | 9.91 mg/L | Sep 2007 | 7 |
| | | 18.40 mg/L | Aug 2007 | 7 |
| Pollutant Parameter | Discharge Limit | Discharge Violation | Violation Date(s) | Days in Violation |
| Solids, Total Suspended | ≤45 mg/L Weekly Average | 189.00 mg/L | Oct 2007 | 7 |

| Pollutant Parameter | Discharge Limit | Discharge Violation | Violation Date(s) | Days in Violation |
|--|---|---------------------|-------------------|-------------------|
| Biochemical Oxygen Demand, Carbonaceous | ≤6.0 mg/L Monthly Average (May-Nov) | 8.38 mg/L | Nov 2007 | 30 |
| | | 7.20 mg/L | Sep 2007 | 30 |
| | | 9.76 mg/L | Aug 2006 | 31 |
| | ≤9.0 mg/L Weekly Average (May-Nov) | 11.26 mg/L | Nov 2007 | 7 |
| | | 10.71 mg/L | Sep 2006 | 7 |
| | | 18.54 mg/L | Aug 2006 | 7 |
| TOTAL VIOLATIONS | | | | 232 |

Civil penalties of up to \$32,500 (\$27,500 before March 16, 2004) per violation per day may be assessed by the court. Suit may be avoided if these violations have been permanently abated before the expiration of 60 days following service of this notice. Please advise the undersigned of any measures that you may undertake which you contend have permanently abated these violations before suit is filed.

Sincerely,

David A. Ludder
Attorney for Conservation Alabama Foundation, Inc.

cc: Stephen L. Johnson, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

J.I. Palmer, Jr., Regional Administrator
U.S. Environmental Protection Agency-Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303-3104

Onis "Trey" Glenn, Director
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130-1463