

October 13, 2010

Certified Mail

Return Receipt Requested

Hon. Carolyn Bailey-Jones, Chairwoman
The Water and Sewer Board of the Town of Leighton
P. O. Box 817
Leighton, Alabama 35646

Re: **Notice of Intent to File Suit under the Clean Water Act
NPDES Permit No. AL0071901**

Dear Ms. Bailey-Jones:

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 may file suit against the Water and Sewer Board of the Town of Leighton for discharges from the Wastewater Treatment Facility located on Sixth Street into the Tennessee River in violation of the Clean Water Act as described herein.

A. History of Previous Violations and Enforcement Actions

The last known Notices of Violation issued by the Alabama Department of Environmental Management to The Water and Sewer Board of the Town of Leighton were on March 9, 2001, August 12, 2003, and September 21, 2007. A Warning Letter was also issued to The Water and Sewer Board of the Town of Leighton on July 16, 2007. These informal enforcement actions have not resulted in compliance with NPDES Permit No. AL0071901.

B. Discharges In Excess of Permit Limitations

NPDES Permit No. AL0071901 establishes limitations on the discharge of specified pollutants from The Water and Sewer Board of the Town of Leighton Wastewater Treatment Facility, located at 12570 Sixth Street into the Tennessee River. The Board discharged pollutants in excess of the limitations as indicated below:

Pollutant Parameter	Discharge Limit	Discharge Violation	Violation Date(s)	Days in Violation
Biochemical Oxygen Demand	≤ 30 mg/L Monthly Average	39.58 mg/L	Oct. 2008	31
	≤ 45 mg/L Weekly Average	86 mg/L	Oct. 2008	7
	≥ 85 % Removal Monthly Average	16.6%	Feb 2009	28
		59.2%	Nov 2008	30
		48.72%	Oct 2008	31
		73.23%	Sep 2008	30
		70%	Aug 2008	31
		77%	Jun 2008	30
		74%	May 2008	30
Pollutant Parameter	Discharge Limit	Discharge Violation	Violation Date(s)	Days in Violation
Carbonaceous Biochemical Oxygen Demand	≤ 37.5 mg/L Weekly Average	45.6 mg/L	Sep 2009	7
		48 mg/L	Jun 2009	7
	≥ 85% Removal Monthly Average	72.5%	Jul 2010	31
		51.4%	Jun 2010	30
		19.9%	May 2010	31
		35.4%	Apr 2010	30
		42.2%	Mar 2010	31
		49.16%	Jan 2010	31
		81.8%	Dec 2009	31
		47.55%	Nov 2009	30
		43.39%	Oct 2009	31
		59.1%	Sep 2009	30
		66.31%	Aug 2009	31
		54.4%	Jul 2009	31
		57.7%	Jun 2009	30
19.7%	May 2009	31		

Pollutant Parameter	Discharge Limit	Discharge Violation	Violation Date(s)	Days in Violation
Fecal Coliform	≤ 2000 colonies/100 ml Monthly Geometric Mean	TNTC	Jul 2010	31
		TNTC	Jun 2010	30
		TNTC	May 2010	31
		TNTC	Apr 2010	30
		TNTC	Mar 2010	31
		TNTC	Jan 2010	31
		TNTC	Dec 2009	31
		TNTC	Nov 2009	30
		TNTC	Oct 2009	31
		146640 colonies/ 100 ml	Sep 2009	30
		39436 colonies/100 ml	Aug 2009	31
		113782 colonies/100 ml	Jul 2009	31
		4000 colonies/100 ml	Jun 2009	30
		3525 colonies/100 ml	May 2009	31
	≤ 4000 colonies/100 ml Daily Maximum	TNTC	Jul 2010	1
		TNTC	Jun 2010	1
		TNTC	May 2010	1
		TNTC	Apr 2010	1
		TNTC	Mar 2010	1
		TNTC	Jan 2010	1
		TNTC	Dec 2009	1
		TNTC	Nov 2009	1
		432000 colonies/100 ml	Sep 2009	1
80900 colonies/100 ml		Aug 2009	1	
468000 colonies/100 ml	Jul 2009	1		
Pollutant Parameter	Discharge Limit	Discharge Violation	Violation Date(s)	Days in Violation
Total Suspended Solids	≤ 30 mg/L Monthly Average	60 mg/L	Jun 2009	30
		41.25 mg/L	Nov 2008	30

		82 mg/L	Oct 2008	31	
		31.5 mg/L	Sep 2008	30	
		38 mg/L	Aug 2008	31	
	≤ 45 mg/L Weekly Average	47 mg/L	Sep 2009	7	
		120 mg/L	Jun 2009	7	
		52 mg/L	May 2009	7	
		47 mg/L	Dec 2008	7	
		72 mg/L	Nov 2008	7	
		140 mg/L	Oct 2008	7	
		100 mg/L	Jul 2008	7	
		52 mg/L	Feb 2008	7	
		46 mg/L	Jul 2007	7	
		≤ 100 lbs/day Monthly Average	106.87 lbs/day	Jun 2009	30
		≤ 150 lbs/day Weekly Average	217.47 lbs/day	Jun 2009	7
	152 lbs/day		Jul 2007	7	
	≥ 85% Removal Monthly Average	64.2%	Jul 2010	31	
		51.1%	Jun 2010	30	
		27.7%	May 2010	31	
		43.2%	Apr 2010	30	
		9.6%	Mar 2010	31	
		45.06%	Feb 2010	28	
		5.7%	Jan 2010	31	
		54.9%	Dec 2009	31	
		49%	Nov 2009	30	
		48.65%	Oct 2009	31	
		71.9%	Sep 2009	30	
		54.99%	Aug 2009	31	
		77.9%	Jul 2009	31	
TOTAL VIOLATIONS				1786	

Civil penalties of *not less than \$100 per violation per day* nor more than \$25,000 per violation per day may be sought by the State or Alabama Department of Environmental Management in State court. Civil penalties of up to \$37,500 per violation per day may be sought by Conservation Alabama Foundation in federal court after the expiration of 60 days. Suit by Conservation Alabama Foundation 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 or may have undertaken which you contend have permanently abated these violations before suit is filed.

Sincerely,

David A. Ludder
Attorney for Conservation Alabama Foundation

cc:

Hon. Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Hon. Gwendolyn Keyes Fleming, Regional Administrator
U.S. Environmental Protection Agency-Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303-3104

Hon. Lance LeFleur, Director
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130-1463

Hon. Joyce White Vance
U.S. Attorney
U.S. Attorney's Office
1801 4th Ave North
Birmingham, AL 35203-2101

Conservation Alabama Foundation
P.O. Box 130656
Birmingham, AL 35213-0656
Tel. (205) 533-6178



AlaFile E-Notice

20-CV-2010-900232.00

To: ROBERT D. TAMBLING
rtambling@ago.state.al.us

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF COLBERT COUNTY, ALABAMA

STATE OF ALABAMA, TROY KING, ATTORNEY GENERAL ET AL v. THE TOWN OF LEIGHTON
20-CV-2010-900232.00

The following complaint was FILED on 12/7/2010 11:55:16 AM

Notice Date: 12/7/2010 11:55:16 AM

NANCY L. HEARN
CIRCUIT COURT CLERK
COLBERT COUNTY, ALABAMA
P.O. BOX 740370
TUSCUMBIA, AL 35674

256-386-8513
nancy.hearn@alacourt.gov

**COVER SHEET
CIRCUIT COURT - CIVIL CASE**

(Not For Domestic Relations Cases)

Case Number:
20-CV-201

Date of Filing:
12/07/2010



ELECTRONICALLY FILED
12/7/2010 11:55 AM
CV-2010-900232.00
CIRCUIT COURT OF
COLBERT COUNTY, ALABAMA
NANCY L. HEARN, CLERK

GENERAL INFORMATION

IN THE CIRCUIT OF COLBERT COUNTY, ALABAMA

STATE OF ALABAMA, TROY KING, ATTORNEY GENERAL ET AL v. THE TOWN OF LEIGHTON

First Plaintiff: Business Individual
 Government Other

First Defendant: Business Individual
 Government Other

NATURE OF SUIT:

TORTS: PERSONAL INJURY

- WDEA - Wrongful Death
- TONG - Negligence: General
- TOMV - Negligence: Motor Vehicle
- TOWA - Wantonnes
- TOPL - Product Liability/AEMLD
- TOMM - Malpractice-Medical
- TOLM - Malpractice-Legal
- TOOM - Malpractice-Other
- TBFM - Fraud/Bad Faith/Misrepresentation
- TOXX - Other: VIOLATION OF THE ALAB,

OTHER CIVIL FILINGS (cont'd)

- MSXX - Birth/Death Certificate Modification/Bond Forfeiture
Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- CVRT - Civil Rights
- COND - Condemnation/Eminent Domain/Right-of-Way
- CTMP-Contempt of Court
- CONT-Contract/Ejectment/Writ of Seizure
- TOCN - Conversion
- EQND- Equity Non-Damages Actions/Declaratory
Judgment/Injunction Election Contest/Quiet Title/Sale For
Division
- CVUD-Eviction Appeal/Unlawful Detainer
- FORJ-Foreign Judgment
- FORF-Fruits of Crime Forfeiture
- MSHC-Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
- PFAB-Protection From Abuse
- FELA-Railroad/Seaman (FELA)
- RPRO-Real Property
- WTEG-Will/Trust/Estate/Guardianship/Conservatorship
- COMP-Workers' Compensation
- CVXX-Miscellaneous Circuit Civil Case

TORTS: PERSONAL INJURY

- TOPE - Personal Property
- TORE - Real Property

OTHER CIVIL FILINGS

- ABAN - Abandoned Automobile
- ACCT - Account & Nonmortgage
- APAA - Administrative Agency Appeal
- ADPA - Administrative Procedure Act
- ANPS - Adults in Need of Protective Services

ORIGIN: F **INITIAL FILING**

A **APPEAL FROM
DISTRICT COURT**

O **OTHER**

R **REMANDED**

T **TRANSFERRED FROM
OTHER CIRCUIT COURT**

HAS JURY TRIAL BEEN DEMANDED? Yes No

RELIEF REQUESTED: **MONETARY AWARD REQUESTED** **NO MONETARY AWARD REQUESTED**

ATTORNEY CODE: TAM001

12/7/2010 11:54:12 AM

/s ROBERT D. TAMBLING

MEDIATION REQUESTED: Yes No Undecided



State of Alabama
 Unified Judicial System
 Form C-34 Rev 6/88

**SUMMONS
 -CIVIL-**

IN THE _____ CIRCUIT COURT OF _____ COLBERT COUNTY

Plaintiff STATE OF ALABAMA EX REL TROY KING, ATTORNEY GENERAL v. Defendant THE TOWN OF LEIGHTON WATER & SEWER BOARD

NOTICE TO MS. JOHNNIE FRANKS, 220 WEST TENNESSEE SUITE 22, FLORENCE AL 35630-5438

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF OR PLAINTIFF'S ATTORNEY MR. ROBERT D. TAMBLING WHOSE ADDRESS IS ASSISTANT ATTORNEY GENERAL, 500 DEXTER, AVENUE, MONTGOMERY, ALABAMA, 36130-0152.

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED by the Alabama Rules of Civil Procedure:

You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant.

Service by certified mail of this summons is initiated upon the written request of _____ pursuant to the Alabama Rules of Civil Procedure.

Date _____ Clerk/Register _____ By: _____

Certified Mail is hereby requested. _____
 Plaintiff's/Attorney's Signature

RETURN ON SERVICE:

Return receipt of certified mail received in this office on _____ (Date)

I certify that I personally delivered a copy of the Summons and Complaint to _____ County, Alabama on _____ (Date)

_____ Date

_____ Server's Signature

_____ Type of Process Server

_____ Address of Server

_____ Phone Number of Server

IN THE CIRCUIT COURT OF COLBERT COUNTY, ALABAMA

STATE OF ALABAMA, ex rel. TROY KING,)	
and THE ALABAMA DEPARTMENT OF)	
ENVIRONMENTAL MANAGEMENT,)	
)	
Plaintiffs,)	
)	CV-2010-
v.)	
)	
THE WATER WORKS AND SEWER BOARD)	
of the TOWN OF LEIGHTON,)	
)	
Defendant.)	

COMPLAINT

The Parties

1. The Attorney General is authorized by Ala. Code § 22-22A-5(1), § 22-22-9(m), § 22-22A-5(12), and § 22-22A-5(18) (2006 Rplc. Vol.) to enforce the provisions of the Alabama Water Pollution Control Act (hereinafter "AWPCA"), which is found at Ala. Code §§ 22-22-1 through 22-22-14 (2006 Rplc. Vol.). Specifically, Ala. Code § 22-22A-5(18)(b) (2006 Rplc. Vol.) authorizes the Attorney General to bring a civil action for violation of permits issued under the AWPCA and for unpermitted discharges of pollutants in violation of said Act. In addition, Ala. Code § 22-22A-5(18)(c) (2006 Rplc. Vol.) authorizes the Attorney General to recover civil penalties for such permit violations and unpermitted discharges of pollutants, providing for a maximum of \$25,000.00 per violation. The Attorney General is authorized by Ala. Code § 36-15-12 (2006 Rplc. Vol.) to institute and prosecute, in the name of the State, all civil actions and other proceedings necessary to protect the rights and interests of the State.

2. The Alabama Department of Environmental Management (hereinafter "the Department" or "ADEM") is a duly constituted department of the State of Alabama pursuant to Ala. Code §§ 22-22A-1 through 22-22A-16 (2006 Rplc. Vol.). Pursuant to Ala. Code § 22-22A-

4(n) (2006 Rplc. Vol.), 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 1387. In addition, the Department is authorized to administer and enforce the provisions of the AWPCA.

3. The Water Works and Sewer Board of the Town of Leighton (hereinafter “the Permittee”) operates a wastewater treatment facility located at 12570 Sixth Street, Leighton, Alabama in Colbert County. The wastewater treatment facility discharges pollutants from a point source into Tennessee River, a water of the State.

Jurisdiction and Venue

4. The Court has jurisdiction and venue over this Complaint pursuant to Ala. Code § 22-22A-5(18)(b) and § 22-22A-5(19) (2006 Rplc. Vol.).

General Allegations

5. On March 1, 2009, pursuant to the National Pollutant Discharge Elimination System (hereinafter “NPDES”) Program administered by ADEM and approved by the Administrator of the U.S. Environmental Protection Agency under § 402 of the Federal Water Pollution Control Act, 33 U.S.C. § 1342, the Department issued NPDES Permit Number AL0071901 (hereinafter “the Permit”) to the Permittee. The Permit establishes limitations, terms, and conditions on the discharge of pollutants from a point source into the Tennessee River. The Permit requires that the Permittee monitor its discharges and submit periodic Discharge Monitoring Reports to the Department describing the results of the monitoring. The Permit also requires that the Permittee maintain in good working order all systems used by the Permittee to achieve compliance with the terms and conditions of the Permit.

6. Discharge Monitoring Reports submitted to the Department by the Permittee

indicate that the Permittee has discharged pollutants from such point source into the Tennessee River in violation of the limitations established in the Permit. The months the violations occurred along with the parameters violated are listed in Attachment 1, which is incorporated by reference as if fully set forth herein.

Count I

7. Plaintiffs repeat, replead and incorporate by reference paragraphs 1 through 6, above.

8. The above violations are due to be abated by injunction.

Count II

9. Plaintiffs repeat, replead and incorporate by reference paragraphs 1 through 8, above.

10. Pursuant to Ala. Code § 22-22A-5(18) (2006 Rplc. Vol.), a civil penalty is due to be assessed for the referenced violations.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court:

- A. Take jurisdiction over this matter.
- B. Adjudge and declare that the Permittee violated the limitations, terms, and conditions of the Permit.
- C. Order the Permittee to take action to ensure that similar violations of the AWPCA will not recur in the future.
- D. Assess a civil penalty against the Permittee and in favor of Plaintiffs pursuant to Ala. Code §§ 22-22A-5(18)(b) and (c) (2006 Rplc. Vol.) for each and every violation of the

Permit alleged in this Complaint.

- E. Tax the costs of this action against the Defendant.
- F. Order such other relief that the Court deems proper.

Respectfully submitted,

s/ Robert D. Tambling
Robert D. Tambling (TAM001)
Assistant Attorney General

ADDRESS OF COUNSEL:
Office of the Attorney General
500 Dexter Avenue
Montgomery, AL 36130
(334) 242-7445/Office
rtambling@ago.state.al.us

s/ Schuyler K. Espy
Schuyler K. Espy (KEA009)
Associate General Counsel
Alabama Department of
Environmental Management

ADDRESS OF COUNSEL:
P.O. Box 301463
Montgomery, AL 36130-1463
(334) 271-7855 (Office)
(334) 394-4332 (Telefax)
sespy@adem.state.al.us

Attachment

WATER WORKS AND SEWER BOARD OF THE TOWN OF LEIGHTON

NPDES PERMIT No. AL0071901

CARBONACEOUS BIOCHEMICAL OXYGEN DEMAND 5 DAY

Date of Violation	Discharge Violation	Discharge Limit	Days In Violation
September, 2009	45.6 mg/L	< 37.5 mg/L	Weekly Average
June, 2009	48.0 mg/L	< 37.5 mg/L	Weekly Average

CARBONACEOUS BIOCHEMICAL OXYGEN DEMAND 5 DAY

Date of Violation	Discharge Violation	Discharge Limit	Days In Violation
October, 2008	39.58 mg/L	< 30 mg/L	Monthly Average
	86.0 mg/L	< 45 mg/L	Weekly Average

CARBONACEOUS BIOCHEMICAL OXYGEN DEMAND 85 PERCENT REMOVAL

Date of Violation	Discharge Violation	Discharge Limit	Type of Violation
August, 2010	39.80 % Removal	< 85 % Removal	Min. Monthly Average
July, 2010	72.50 % Removal	< 85 % Removal	Min. Monthly Average
June, 2010	51.40 % Removal	< 85 % Removal	Min. Monthly Average
May, 2010	19.90 % Removal	< 85 % Removal	Min. Monthly Average
April, 2010	35.40 % Removal	< 85 % Removal	Min. Monthly Average
March, 2010	42.20 % Removal	< 85 % Removal	Min. Monthly Average
January, 2010	49.16 % Removal	< 85 % Removal	Min. Monthly Average
December, 2009	81.80 % Removal	< 85 % Removal	Min. Monthly Average
November, 2009	47.55 % Removal	< 85 % Removal	Min. Monthly Average
October, 2009	43.39 % Removal	< 85 % Removal	Min. Monthly Average

September, 2009	59.10 % Removal	< 85 % Removal	Min. Monthly Average
August, 2009	66.31 % Removal	< 85 % Removal	Min. Monthly Average
July, 2009	54.40 % Removal	< 85 % Removal	Min. Monthly Average
June, 2009	57.70 % Removal	< 85 % Removal	Min. Monthly Average
May, 2009	19.70 % Removal	< 85 % Removal	Min. Monthly Average
April, 2009	4.0 % Removal	< 85 % Removal	Min. Monthly Average
March, 2009	03.30 % Removal	< 85 % Removal	Min. Monthly Average
February, 2009	16.60 % Removal	< 85 % Removal	Min. Monthly Average
January, 2009	38.50 % Removal	< 85 % Removal	Min. Monthly Average
December, 2009	81.8 % Removal	< 85 % Removal	Min. Monthly Average
November, 2008	59.30 % Removal	< 85 % Removal	Min. Monthly Average
October, 2008	48.72 % Removal	< 85 % Removal	Min. Monthly Average
September, 2008	73.23 % Removal	< 85 % Removal	Min. Monthly Average
August, 2008	70.00 % Removal	< 85 % Removal	Min. Monthly Average
June, 2008	77.00 % Removal	< 85 % Removal	Min. Monthly Average
May, 2008	74.00 % Removal	< 85 % Removal	Min. Monthly Average

TOTAL SUSPENDED SOLIDS

Date of Violation	Discharge Violation	Discharge Limit	Days In Violation
September, 2009	47.0 mg/L	< 45 mg/L	Weekly Average
June, 2009	60.0 mg/L	< 30 mg/L	Monthly Average
	120.0 mg/L	< 45 mg/L	Weekly Average
	217.47 lbs/day	< 150 lbs/day	Monthly Average
	106.87 lbs/day	< 100 lbs/day	Weekly Average
May, 2009	52.0 mg/L	< 45 mg/L	Weekly Average
December, 2008	47.0 mg/L	< 45 mg/L	Weekly Average
November, 2008	41.25 mg/L	< 30 mg/L	Monthly Average
	72.0 mg/L	< 45 mg/L	Weekly Average
October, 2008	82.0 mg/L	< 30 mg/L	Monthly Average
	140.0 mg/L	< 45 mg/L	Weekly Average

September, 2008	31.50 mg/L	< 30 mg/L	Monthly Average
August, 2008	38.0 mg/L	< 30 mg/L	Monthly Average
July, 2008	100.0 mg/L	< 45 mg/L	Weekly Average
February, 2008	52.0 mg/L	< 45 mg/L	Weekly Average
July, 2007	46.0 mg/L	< 45 mg/L	Weekly Average
	152.0 lbs/day	< 150 lbs/day	Weekly Average

TOTAL SUSPENDED SOLIDS 85 PERCENT REMOVAL

Date of Violation	Discharge Violation	Discharge Limit	Days In Violation
August, 2010	75.30 % Removal	< 85 % Removal	Min. Monthly Average
July, 2010	64.20 % Removal	< 85 % Removal	Min. Monthly Average
June, 2010	51.80 % Removal	< 85 % Removal	Min. Monthly Average
May, 2010	27.70 % Removal	< 85 % Removal	Min. Monthly Average
April, 2010	4.0 % Removal	< 85 % Removal	Min. Monthly Average
March, 2010	9.60 % Removal	< 85 % Removal	Min. Monthly Average
February, 2010	45.06 % Removal	< 85 % Removal	Min. Monthly Average
January, 2010	5.70 % Removal	< 85 % Removal	Min. Monthly Average
December, 2009	54.90 % Removal	< 85 % Removal	Min. Monthly Average
November, 2009	49.0 % Removal	< 85 % Removal	Min. Monthly Average
October, 2009	48.65 % Removal	< 85 % Removal	Min. Monthly Average
September, 2009	71.90 % Removal	< 85 % Removal	Min. Monthly Average
August, 2009	54.99 % Removal	< 85 % Removal	Min. Monthly Average
July, 2009	77.90 % Removal	< 85 % Removal	Min. Monthly Average
June, 2009	00.00 % Removal	< 85 % Removal	Min. Monthly Average
May, 2009	00.00 % Removal	< 85 % Removal	Min. Monthly Average
April, 2009	04.00 % Removal	< 85 % Removal	Min. Monthly Average
March, 2009	00.00 % Removal	< 85 % Removal	Min. Monthly Average
February, 2009	41.60 % Removal	< 85 % Removal	Min. Monthly Average
January, 2009	11.30 % Removal	< 85 % Removal	Min. Monthly Average

December, 2008	00.0 % Removal	< 85 % Removal	Min. Monthly Average
November, 2008	75.45 % Removal	< 85 % Removal	Min. Monthly Average
October, 2008	82.43 % Removal	< 85 % Removal	Min. Monthly Average
September, 2008	71.82 % Removal	< 85 % Removal	Min. Monthly Average
August, 2008	84.00 % Removal	< 85 % Removal	Min. Monthly Average
June, 2008	71.00 % Removal	< 85 % Removal	Min. Monthly Average
May, 2008	82.00 % Removal	< 85 % Removal	Min. Monthly Average
May, 2007	84.20 % Removal	< 85 % Removal	Min. Monthly Average
January, 2006	83.00 % Removal	< 85 % Removal	Min. Monthly Average

FECAL COLIFORM - SUMMER

200 col/100 mL MONTHLY GEO MEAN and 4000 col/100 mL DAILY MAXIMUM

Date of Violation	Discharge Violation	Discharge Limit	Days In Violation
August, 2010	TNTC col/100 mL TNTC col/100 mL	≤200 col/100 MI ≤4000 col/100 mL	31 Days Daily Maximum
July, 2010	TNTC col/100 mL TNTC col/100 mL	≤200 col/100 mL ≤4000 col/100 mL	31 Days Daily Maximum
June, 2010	TNTC col/100 mL TNTC col/100 mL	≤200 col/100 mL ≤4000 col/100 mL	31 Days Daily Maximum
September, 2009	146640 col/100 mL 432000 col/100 mL	≤200 col/100 mL ≤4000 col/100 mL	31 Days Daily Maximum
August, 2009	39436 col/100 mL 80900 col/100 mL	≤200 col/100 mL ≤4000 col/100 mL	31 Days Daily Maximum
July, 2009	468000 col/100 mL 113782 col/100 mL	≤200 col/100 mL ≤4000 col/100 mL	31 Days Daily Maximum
June, 2009	4000 col/100 mL TNTC col/100 mL	≤200 col/100 mL ≤4000 col/100 mL	31 Days Daily Maximum

FECAL COLIFORM - WINTER

2000 col/100 mL MONTHLY GEO MEAN and 1000 col/100 mL DAILY MAXIMUM

May, 2010	TNTC col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum
April, 2010	TNTC col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum
March, 2010	TNTC col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum
January, 2010	TNTC col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum
December, 2009	TNTC col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum
November, 2009	TNTC col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum
October, 2009	TNTC col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum
May, 2009	3525 col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum
April, 2009	4060 col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum
March, 2009	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum

FECAL COLIFORM

2000 col/100 mL MONTHLY GEO MEAN and 4000 col/100 mL DAILY MAXIMUM

February, 2009	00.00 col/100 mL	≤4000 col/100 mL	Daily Maximum
January, 2009	TNTC col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤1000 col/100 mL	Daily Maximum
December, 2008	TNTC col/100 mL	≤2000 col/100 mL	31 Days
	TNTC col/100 mL	≤4000 col/100 mL	Monthly Average
October, 2008	TNTC col/100 mL	≤4000 col/100 mL	Daily Maximum
August, 2008	TNTC col/100 mL	≤4000 col/100 mL	Daily Maximum