

June 24, 2008

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Renee Parker, Administrator  
St. Clair Pines Health Center, Inc.  
P.O. Box 136  
Cooks Springs, Alabama 35052

**Re: Notice of Intent to File Suit under the Clean Water Act for Violations of NPDES  
Permit No. AL0057096**

Dear Ms. Parker:

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 St. Clair Pines Health Center, Inc. for discharges of pollutants from the St. Clair Pines Health Center, Inc.'s facility located at 7300 Old Highway 78 East, Pell City, into Cane Creek in violation of the limitations and conditions of NPDES Permit No. AL0057096 as reported in Discharge Monitoring Reports and other documents submitted by St. Clair Pines Health Center, Inc. to the Alabama Department of Environmental Management from June 2003 to June 2008, including but not limited to, the following:

<b>VIOLATIONS OF NPDES PERMIT NO. AL0057096</b>				
<b>Pollutant Parameter</b>	<b>Discharge Limit</b>	<b>Discharge Violation</b>	<b>Violation Date(s)</b>	<b>Days in Violation</b>
Biochemical Oxygen Demand, Carbonaceous	≤ 25.0 mg/L Monthly Average	37.7 mg/L	Feb 2008	29
		38.3 mg/L	Jan 2008	31
		26.9 mg/L	May 2007	31
	≤ 37.5 mg/L Weekly Average	37.7 mg/L	Feb 2008	7
		38.8 mg/L	Jan 2008	7
<b>Pollutant Parameter</b>	<b>Discharge Limit</b>	<b>Discharge Violation</b>	<b>Violation Date(s)</b>	<b>Days in Violation</b>
Nitrogen, Ammonia Total (as N)	≤ 9.0 mg/L Monthly Average (May-Oct)	48.0 mg/L	Sep 2007	30
		26.0 mg/L	Aug 2006	31
		29.0 mg/L	Oct 2005	31
		42.0 mg/L	Sep 2005	30
		124 mg/L	Jun 2005	30

	≤ 20.0 mg/L Monthly Average (Nov-Apr)	48.8 mg/L	Mar 2007	31
		30.0 mg/L	Apr 2006	30
		96.0 mg/L	Jan 2005	31
	≤ 1.12 lbs/day Monthly Average (May-Oct)	4.45 lbs/day	Jun 2005	30
	≤ 2.50 lbs/day Monthly Average (Nov-Apr)	5.76 lbs/day	Jan 2005	31
	≤ 13.5 mg/L Weekly Average (May-Oct)	48.0 mg/L	Sep 2007	7
		26.0 mg/L	Aug 2006	7
		29.0 mg/L	Oct 2005	7
		42.0 mg/L	Sep 2005	7
		124 mg/L	Jun 2005	7
	≤ 30.0 mg/L Weekly Average (Nov-Apr)	48.8 mg/L	Mar 2007	7
		96.0 mg/L	Jan 2005	7
	≤ 3.75 lbs/day Weekly Average (Nov-Apr)	5.76 lbs/day	Jan 2005	7
	≤ 1.68 lbs/day Weekly Average (May-Oct)	4.45 lbs/day	Jun 2005	7
<b>Pollutant Parameter</b>	<b>Discharge Limit</b>	<b>Discharge Violation</b>	<b>Violation Date(s)</b>	<b>Days in Violation</b>
Suspended Solids, Total	≤ 90 mg/L Monthly Average	162 mg/L	Sep 2007	30
		450 mg/L	Aug 2007	31
		190 mg/L	May 2007	31
		210 mg/L	Mar 2007	31
		568 mg/L	Aug 2006	31
		182 mg/L	Jul 2006	31
		925 mg/L	Apr 2006	30
		106 mg/L	Jan 2006	31
		232 mg/L	Dec 2005	31



		4.5 mg/L	May 2005	1
		3.4 mg/L	Apr 2005	1
		5.6 mg/L	Jan 2005	1
<b>TOTAL VIOLATIONS</b>				1292

Civil penalties of up to \$32,500 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 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: 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

D. Lee Guyton, Jr., Registered Agent  
St. Clair Pines Health Center, Inc.  
3725 County Highway 39  
Oneonta, Alabama 35121