



June 11, 2019

Certified Mail Number

7018 0360 0001 4409 6249

Sender's Record

Hon. Tim Coe, Chairman
Water, Sewer & Gas Board of the Town of Wedowee
P.O. Box 935
Wedowee, AL 36278

Re: Notice of Violation and Intent to File Suit under the Clean Water Act

Dear Chairman Coe:

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, the Environmental Defense Alliance may file suit against Water, Sewer & Gas Board of the Town of Wedowee for discharges of pollutants in violation of NPDES Permit No. AL0024171 issued by the Alabama Department of Environmental Management pursuant to Alabama's NPDES permit program approved by the U.S. Environmental Protection Agency under Clean Water Act § 402(b), 33 U.S.C. § 1342(b), and Administrative Order No. 17-042-CWP issued by the Alabama Department of Environmental Management with respect to NPDES Permit No. AL0024171 and conditions thereof.

I. Violations of NPDES Permit No. AL0024171

Pursuant to § 402 of the Clean Water Act, 33 U.S.C. § 1342, the Alabama Department of Environmental Management issued NPDES Permit No. AL0024171 authorizing Water, Sewer & Gas Board of the Town of Wedowee to discharge pollutants from the Wedowee Lagoon, located on Woodland Lane in Wedowee, Randolph County, Alabama, into Wedowee Creek at approximately Latitude 33.3151° North and Longitude -85.4821° West, subject to specific discharge limitations. The Board has discharged pollutants from Outfall 0021 into Wedowee Creek in violation of the discharge limitations of NPDES Permit No. AL0024171 as described in Table 1 attached hereto. Additional violations may have occurred, but have not been reported to the Alabama Department of Environmental Management.

II. Violations of Administrative Order No. 17-042-CWP

On December 9, 2016, the Alabama Department of Environmental Management issued Administrative Order No. 17-042-CWP to the Water, Sewer & Gas Board of the Town of Wedowee with respect to NPDES Permit No. AL0024171 and conditions thereof. The Board has violated the terms and conditions of Administrative Order No. 17-042-CWP as described in

Table 2 attached hereto. Additional violations may have occurred, but have not been reported to the Alabama Department of Environmental Management.

III. History of Previous Violations and Enforcement Actions

On April 25, 2007, the Alabama Department of Environmental Management issued a Warning Letter to the Water, Sewer & Gas Board of the Town of Wedowee alleging permit discharge limitation violations during February 2007.

On May 18, 2007, the Alabama Department of Environmental Management issued a Warning Letter to the Water, Sewer & Gas Board of the Town of Wedowee alleging permit discharge limitation violations during March 2007.

On May 30, 2007, the Alabama Department of Environmental Management issued a Warning Letter to the Water, Sewer & Gas Board of the Town of Wedowee alleging permit discharge limitation violations during March 2007.

On October 18, 2007, the Alabama Department of Environmental Management issued Administrative Order No. 08-011-CWP to the Water, Sewer & Gas Board of the Town of Wedowee alleging permit discharge limitation violations during September and October 2005, January through April 2006, July through September 2006, December 2006, and January through April 2007. A civil penalty of \$7,400 was assessed for past violations.

On October 26, 2011, the Alabama Department of Environmental Management issued a Notice of Violation to the Water, Sewer & Gas Board of the Town of Wedowee alleging permit discharge limitation violations during July through October 2009, December 2009, January 2010, May 2010, July through October 2010, and April through July 2011.

On December 9, 2016, the Alabama Department of Environmental Management issued Administrative Order No. 17-042-CWP to the Water, Sewer & Gas Board of the Town of Wedowee alleging permit discharge limitation violations during November through December 2014, January through December 2015, and January through September 2016. No civil penalty was assessed for past violations.

IV. Sanctions

The Clean Water Act authorizes the court to enforce a NPDES permit or condition thereof and a state order with respect to a NPDES permit or condition thereof. Clean Water Act § 505(a), 33 U.S.C. § 1365(a). The court may assess civil penalties up to \$53,484 per day per violation for violations that occurred after November 2, 2015. Clean Water Act §§ 505(a) and 309(d), 33 U.S.C. §§ 1365(a) and 1319(d); Federal Civil Penalties Inflation Adjustment Act of 1990, Pub. L. 101-410, Oct. 5, 1990, 104 Stat. 890, as amended by Pub. L. 104-134, title III, § 31001(s)(1), Apr. 26, 1996, 110 Stat. 1321-373; Federal Civil Penalties Inflation Adjustment

Improvements Act of 2015, Pub. L. 105-362, title XIII, § 1301(a), Nov. 10, 1998, 112 Stat. 3293; Pub. L. 114-74, title VII, § 701(b), Nov. 2, 2015, 129 Stat. 599; 40 C.F.R. § 19.4. Each day a violation continues is a separate violation. Violations of monthly average limits and weekly average limits are counted as violations for each day of the month and each day of the week, respectively. *See Atlantic States Legal Found. Inc. v. Tyson Foods, Inc.*, 897 F.2d 1128 (11th Cir. 1990). In addition, the Clean Water Act authorizes the award of costs of litigation (including reasonable attorney and expert witness fees) to any prevailing or substantially prevailing party, whenever the court determines that such an award is appropriate. Clean Water Act § 505(d), 33 U.S.C. § 1365(d).

Suit may be avoided if these violations have been permanently abated before the expiration of sixty (60) days following the date of this notice. "Service" is defined as the postmark date of this notice. 40 C.F.R. § 135.2(c). Please advise the undersigned of any measures which you may undertake which you contend have permanently abated these violations before suit is filed and please direct all communications to him.

Sincerely,



David A. Ludder
Attorney for
Environmental Defense Alliance

cc:

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

Hon. Mary S. Walker, 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

TABLE 1
DISCHARGE LIMITATION VIOLATIONS
NPDES Permit No. AL0024171: WEDOWEE LAGOON, WEDOWEE, AL 36278
Date Range: 06/01/2014 to 06/30/2019

Month Ending	Outfall	Parameter Description	Limit Type	Discharge Limit	Discharge Measurement	Violation-Days
4/30/2019	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 25.0 lbs/day	49.69 lbs/day	30
4/30/2019	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	26.6 mg/L	30
4/30/2019	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 37.5 lbs/day	67.66 lbs/day	7
4/30/2019	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	26.6 mg/L	7
2/28/2019	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	26.5 mg/L	7
2/28/2019	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 37.5 lbs/day	67.41 lbs/day	7
2/28/2019	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	26.5 mg/L	28
2/28/2019	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 25.0 lbs/day	58.79 lbs/day	28
11/30/2018	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	12.2 mg/L	30
10/31/2018	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	16.7 mg/L	31
9/30/2018	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	13 mg/L	30
8/31/2018	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 37.5 lbs/day	50.62 lbs/day	7
8/31/2018	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	19.9 mg/L	7
8/31/2018	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 25.0 lbs/day	34.85 lbs/day	31
8/31/2018	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	19.9 mg/L	31
7/31/2018	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	17.7 mg/L	31
3/31/2018	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	15.7 mg/L	31
2/28/2018	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	13.5 mg/L	28
8/31/2017	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	32.6 mg/L	7
8/31/2017	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 25.0 lbs/day	27.7 lbs/day	31
8/31/2017	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	32.6 mg/L	31
6/30/2017	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 37.5 lbs/day	37.9 lbs/day	7
6/30/2017	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 25.0 lbs/day	32.5 lbs/day	30
6/30/2017	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	14.9 mg/L	30
9/30/2016	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	25.4 mg/L	7
9/30/2016	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	25.4 mg/L	30

7/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	19.2 mg/L	7
7/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	19.2 mg/L	31
5/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	26.4 mg/L	7
5/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	26.4 mg/L	30
4/30/2016	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	16.8 mg/L	30
3/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	24 mg/L	7
3/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 25.0 lbs/day	50.2 lbs/day	31
3/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 37.5 lbs/day	64.3 lbs/day	7
3/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	24 mg/L	31
1/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	22.3 mg/L	7
1/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	22.3 mg/L	31
1/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 25.0 lbs/day	41 lbs/day	31
1/31/2016	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 37.5 lbs/day	48 lbs/day	7
12/31/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	16.9 mg/L	31
12/31/2015	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 37.5 lbs/day	45.2 lbs/day	31
11/30/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	15.3 mg/L	30
9/30/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	23 mg/L	30
9/30/2015	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	23 mg/L	7
8/31/2015	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	27.4 mg/L	7
8/31/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	27.4 mg/L	31
7/31/2015	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	23.5 mg/L	7
7/31/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	23.5 mg/L	31
4/30/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 25.0 lbs/day	29.3 lbs/day	30
4/30/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	12.5 mg/L	30
3/31/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	16.3 mg/L	31
2/28/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	31.3 mg/L	28
2/28/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 25.0 lbs/day	39.7 lbs/day	28
2/28/2015	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	31.3 mg/L	7
2/28/2015	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 37.5 lbs/day	39.7 lbs/day	7
1/31/2015	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	20.4 mg/L	31
1/31/2015	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	20.4 mg/L	7
12/31/2014	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	16.6 mg/L	31
11/30/2014	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	23.3 mg/L	7
11/30/2014	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	23.3 mg/L	30

10/31/2014	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	19.4 mg/L	31
10/31/2014	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	19.4 mg/L	7
9/30/2014	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	13.2 mg/L	30
8/31/2014	0021	BOD, carbonaceous, 05 day, 20 C	WKLY AVG	≤ 18.0 mg/L	21.5 mg/L	7
8/31/2014	0021	BOD, carbonaceous, 05 day, 20 C	MO AVG	≤ 12.0 mg/L	21.5 mg/L	31
4/30/2019	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	12.72 lbs/day	30
4/30/2019	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	6.81 mg/L	7
4/30/2019	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	6.81 mg/L	30
2/28/2019	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	14.02 lbs/day	28
2/28/2019	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	6.32 mg/L	28
2/28/2019	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	16.08 lbs/day	7
12/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	8.87 mg/L	7
12/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	20.2 lbs/day	31
12/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	8.87 mg/L	31
12/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	22.56 lbs/day	7
11/30/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	39.43 lbs/day	7
11/30/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	31.67 lbs/day	30
11/30/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	15.5 mg/L	7
11/30/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	15.5 mg/L	30
10/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	16 mg/L	31
10/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	21.35 lbs/day	31
10/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	29.62 lbs/day	7
10/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	16 mg/L	7
9/30/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	7.85 mg/L	30
9/30/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	7.85 mg/L	7
8/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	9.05 mg/L	31
8/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	15.85 lbs/day	31
8/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	23.02 lbs/day	7
8/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	9.05 mg/L	7
7/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	14.8 mg/L	31
7/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	27.2 lbs/day	7
7/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	14.8 mg/L	7
7/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	20.5 lbs/day	31

6/30/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	14.5 lbs/day	30
6/30/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	10.9 mg/L	30
6/30/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	10.9 mg/L	7
6/30/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	19.4 lbs/day	7
4/30/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	10 mg/L	30
4/30/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	10 mg/L	7
3/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	9.3 mg/L	31
3/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	16.1 lbs/day	7
3/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	14 lbs/day	31
3/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	9.3 mg/L	7
2/28/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	37.1 lbs/day	7
2/28/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	17.6 mg/L	7
2/28/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	31.5 lbs/day	28
2/28/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	17.6 mg/L	28
1/31/2018	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	13.1 mg/L	7
1/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	11.4 lbs/day	31
1/31/2018	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	13.1 mg/L	31
12/31/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	22 lbs/day	7
12/31/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	17.2 lbs/day	31
12/31/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	15.6 mg/L	31
12/31/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	15.6 mg/L	7
11/30/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	13.2 mg/L	30
11/30/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	13.2 mg/L	7
10/31/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	10.6 mg/L	7
10/31/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	10.6 mg/L	31
9/30/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	22.6 lbs/day	7
9/30/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	11.8 mg/L	7
9/30/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	15.9 lbs/day	30
9/30/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	11.8 mg/L	30
8/31/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	8.5 mg/L	31
8/31/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	8.5 mg/L	7
6/30/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	24 lbs/day	30
6/30/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	28.2 lbs/day	7
6/30/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	11.1 mg/L	30

6/30/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	11.1 mg/L	7
5/31/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	13.2 mg/L	31
5/31/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	13.2 mg/L	7
5/31/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	33 lbs/day	7
5/31/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	20.6 lbs/day	31
4/30/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	16 kg/d	7
4/30/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	7.7 mg/L	7
4/30/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	7.7 mg/L	30
4/30/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	11.2 lbs/day	30
3/31/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	7.8 mg/L	7
3/31/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	7.8 mg/L	31
3/31/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	11.4 lbs/day	31
2/28/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	11.1 mg/L	30
2/28/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	11.1 mg/L	7
2/28/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	16.8 lbs/day	28
2/28/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	18.5 lbs/day	7
1/31/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	16.1 mg/L	7
1/31/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	27.5 lbs/day	31
1/31/2017	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	29.5 lbs/day	7
1/31/2017	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	16.1 mg/L	31
12/31/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	27.8 lbs/day	7
12/31/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	19.1 mg/L	7
12/31/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	13.9 lbs/day	31
12/31/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	19.1 mg/L	31
11/30/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	19.5 lbs/day	7
11/30/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	21.1 mg/L	7
11/30/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	21.1 mg/L	30
10/31/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	23 mg/L	7
10/31/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	23 mg/L	31
9/30/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	19.7 mg/L	30
9/30/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	19.7 mg/L	7
8/31/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	18.2 mg/L	30
8/31/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	18.2 mg/L	7
7/31/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	18.5 mg/L	7

7/31/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	18.5 mg/L	31
6/30/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	7.9 mg/L	7
6/30/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	7.9 mg/L	30
5/31/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	8 mg/L	31
5/31/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	8 mg/L	7
2/29/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	23.8 lbs/day	7
2/29/2016	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	9.5 mg/L	7
2/29/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	18.2 lbs/day	29
2/29/2016	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	9.5 mg/L	29
12/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	13.9 lbs/day	31
12/31/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	27.8 lbs/day	7
12/31/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	10.4 mg/L	7
12/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	10.4 mg/L	31
10/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	6.9 mg/L	31
9/30/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	9.4 mg/L	30
9/30/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	9.4 mg/L	7
8/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	8.7 mg/L	31
8/31/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	8.7 mg/L	7
7/31/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	18.3 mg/L	7
7/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	18.3 mg/L	31
7/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	11.9 lbs/day	31
6/30/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	11.7 mg/L	7
6/30/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	11.7 mg/L	30
5/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	8.02 mg/L	31
5/31/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	21.5 lbs/day	7
5/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	19.1 lbs/day	31
5/31/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	8.02 mg/L	7
4/30/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	20.8 lbs/day	7
4/30/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	8.87 mg/L	7
4/30/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	20.8 lbs/day	30
4/30/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	8.87 mg/L	30
3/31/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	10 mg/L	7
3/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	10 mg/L	31
3/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	10.6 lbs/day	31

2/28/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	17.7 lbs/day	7
2/28/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	14 mg/L	28
2/28/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	14 mg/L	7
2/28/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	17.7 lbs/day	28
1/31/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	17.8 lbs/day	7
1/31/2015	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	15.8 mg/L	7
1/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	17.8 lbs/day	31
1/31/2015	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	15.8 mg/L	31
12/31/2014	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	23.1 mg/L	31
12/31/2014	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	21.6 lbs/day	7
12/31/2014	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	21.6 lbs/day	31
12/31/2014	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	23.1 mg/L	7
11/30/2014	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	18 lbs/day	30
11/30/2014	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	18 lbs/day	7
11/30/2014	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	19.3 mg/L	7
11/30/2014	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	19.3 mg/L	30
10/31/2014	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	15.9 mg/L	7
10/31/2014	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 15.6 lbs/day	20 lbs/day	7
10/31/2014	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	15.9 mg/L	31
10/31/2014	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	20 lbs/day	31
9/30/2014	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	14.8 mg/L	7
9/30/2014	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	14.8 mg/L	30
9/30/2014	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	14.8 lbs/day	30
8/31/2014	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 10.4 lbs/day	13.7 lbs/day	31
8/31/2014	0021	Nitrogen, ammonia total (as N)	MO AVG	≤ 5.0 mg/L	13 mg/L	31
8/31/2014	0021	Nitrogen, ammonia total (as N)	WKLY AVG	≤ 7.5 mg/L	13 mg/L	7

TOTAL 3142

TABLE 2
Violations of Administrative Order No. 17-042-CWP

Paragraph A: “The Permittee shall complete implementation of the recommendations provided in the Engineering Report no later than 910 days after issuance of this Consent Order.”

Implementation Deadline	Days Late	Violation-Days
June 7, 2019	4	4
TOTAL		4

Paragraph B: “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 one hundred eighty days thereafter that the Permittee’s performance obligations under this Consent Order remain incomplete.”

Progress Report Due	Progress Report Received	Days Late	Violation-Days
June 7, 2017	July 24, 2017	47	47
December 4, 2017	December 4, 2017	0	0
June 2, 2018	June 21, 2018	19	19
November 29, 2018	January 10, 2019	42	42
May 28, 2019	May 28, 20119	0	0
TOTAL			108