

LANCE R. LEFLEUR
DIRECTOR



Alabama Department of Environmental Management
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ROBERT J. BENTLEY
GOVERNOR

FEB -5 2014

**CERTIFIED MAIL 91 7199 9991 7032 3109 9910
RETURN RECEIPT REQUESTED**

Mr. John McDonald, President
Integra Water Lee County, LLC
Conway Acres Trailer Park
Post Office Box 10127
Birmingham, Alabama 35202

RE: Consent Order No. 14-038-CWP
NPDES Permit AL0064955
Conway Acres Trailer Park
Auburn, Alabama
Lee County (081)

Dear Mr. McDonald:

Please find the enclosed ADEM Consent Order No. 14-038-CWP which requires you to take certain actions at the Conway Acres Trailer Park in Auburn, AL in regard to alleged violations of the Alabama Water Pollution Control Act. This Consent Order has been issued with the consent of Integra Water Lee County, LLC/Conway Acres Trailer Park.

Sincerely,

Glenda L. Dean

Glenda L. Dean, Chief
Water Division

GLD/kbj

File: ECO /14-038-CWP

Enclosure

cc: Tom Johnston/ADEM, Office of General Counsel
Schuyler Espy/ADEM, Office of General Counsel
Daphne Smart/ADEM, Industrial Municipal Branch/Water Division
Emily Anderson/ ADEM, Industrial Municipal Branch/Water Division
Shanda Torbert/ADEM, Industrial Municipal Branch/Water Division

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S. W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)



Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
4171 Commanders Drive
Mobile, AL 36615-1421
(251) 432-6533
(251) 432-6598 (FAX)

**ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

IN THE MATTER OF:)

Integra Water Lee County, LLC)
Conway Acres Trailer Park)
Auburn, Lee County, Alabama)

NPDES PERMIT NO. AL0064955)

Consent Order No. 14-038-CWP

PREAMBLE

This Special Order by Consent is made and entered into by the Alabama Department of Environmental Management (hereinafter "the Department") and Integra Water Lee County, LLC (hereinafter the "Permittee") pursuant to the provisions of the Alabama Environmental Management Act, Ala. Code §§ 22-22A-1 to 22-22A-16 (2006 Rplc. Vol.), the Alabama Water Pollution Control Act (hereinafter "AWPCA"), Ala. Code §§ 22-22-1 to 22-22-14 (2006 Rplc. Vol.), and the regulations promulgated pursuant thereto, and § 402 of the Federal Water Pollution Control Act, 33 U.S.C. § 1342.

STIPULATIONS

1. The Department is a duly constituted department of the State of Alabama pursuant to Ala. Code §§ 22-22A-1 to 22-22A-16 (2006 Rplc. Vol.).
2. 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, Ala. Code §§ 22-22-1 through 22-22-14 (2006 Rplc. Vol.).
3. The Permittee operates a wastewater treatment plant (hereinafter "WWTP"), known as the Conway Acres Trailer Park lagoon, located at 2038 Lee County Road 137, in Auburn, Lee County, Alabama.

4. The Department transferred National Pollutant Discharge Elimination System (hereinafter "NPDES") Permit Number AL0064955 (hereinafter the "Permit") to the Permittee on May 11, 2010. The Permit establishes limitations on the discharge of pollutants from such point source, designated therein as outfall number 0011, into an unnamed tributary to Choctafaula Creek, a water of the State. The Permit requires that the Permittee monitor its discharges and submit periodic Discharge Monitoring Reports (hereinafter "DMRs") to the Department describing the results of the monitoring. The Permit also requires that the Permittee properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of the permit.

5. Permit Condition I.A of the Permit requires that discharges be limited and monitored as specified in the permit. The DMRs submitted to the Department by the Permittee indicate that the Permittee has discharged pollutants from such point source into the aforementioned unnamed tributary to Choctafaula Creek in violation of the limitations established in Permit Condition I.A. of the Permit. The months the violations occurred along with the parameters violated are listed in Attachment 1.

6. The Department issued a Notice of Violation (hereinafter "NOV") to the Permittee on December 14, 2011 for effluent violations. On January 6, 2012 the Department received the Permittee's NOV response dated January 5, 2012. The response provided explanations and details of corrective actions being completed to return to compliance, such as better operation and maintenance. The Permittee indicated that it had initiated purchasing and installing additional aerators, controls, and piping/valve maintenance between the lagoons. The Permittee also indicated it increased the depth of the lagoon and restored the disinfection system to perform properly. The Permittee also stated it had plans to utilize an additional fifteen horsepower aerator in the future to treat total nitrogen ammonia and carbonaceous biochemical oxygen demand when necessary.

7. The Permittee submitted an email to the Department on June 21, 2012, addressing

the corrective actions it was taking to come into compliance with the Permit. The Permittee stated it would be running a series of tests at different influent and effluent locations throughout the system and conducting weekly testing for ammonia, nitrate, alkalinity/pH, CBOD₅, Soluble CBOD₅, TSS, and flow. The data would be used to determine what level of nitrification was occurring throughout the system to determine necessary changes in equipment or the process to reduce ammonia levels.

8. The Permittee submitted an email to the Department on September 20, 2012, addressing the corrective actions it was taking to come into compliance with the Permit. The Permittee stated that it would be receiving an Engineering Report on the existing trickling filter, which would include corrective actions needed for the trickling filter to be functional and the level of nitrogen that could be removed. The Permittee indicated that once the required work was performed and proper operation ensued, the ammonia problem should be resolved. The estimated date for the filter to be in service was prior to the end of September 2012.

9. The Permittee submitted an email to the Department on October 1, 2012, stating that the trickling filter was in service and that it anticipated reductions in ammonia.

10. The Permittee consents to abide by the terms of this Consent Order and pay the civil penalty assessed herein.

11. The Department has agreed to the terms of this Consent Order in an effort to resolve the 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.

CONTENTIONS

Pursuant to Ala. Code § 22-22A-5(18)(c) (2006 Rplc. Vol.), in determining the amount of any penalty, the Department must 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 (summarized in Attachment 2), the Department has considered the following:

A. SERIOUSNESS OF THE VIOLATION AND BASE PENALTY: Based on the information available to the Department, violations of the Permit, ADEM Admin. Code r. 335-6, and the AWPCA were noted. Considering the general nature of each violation, the magnitude and duration of each non-compliant discharge, the characteristics of each pollutant discharged, their effects, if any, on impaired waters, and any available evidence of irreparable harm to the environment or threat to public, the Department determined the base penalty to be \$33,200.00

B. THE STANDARD OF CARE: In consideration of the standard of care provided by the Permittee, the Department believes the civil penalty sought in this matter is sufficient.

C. ECONOMIC BENEFIT WHICH DELAYED COMPLIANCE MAY HAVE CONFERRED: Based on the information provided to the Department, the Department has estimated an economic benefit of approximately \$5,300.00 associated with the violations cited above.

D. EFFORTS TO MINIMIZE OR MITIGATE THE EFFECTS OF THE VIOLATION UPON THE ENVIRONMENT: Other than the corrective actions noted above, the Department is unaware of any efforts by the Permittee to minimize or mitigate the effects of the violations upon the environment.

E. HISTORY OF PREVIOUS VIOLATIONS: Violations of a similar nature and degree have been reported in the period prior to the two year period addressed by this Consent Order. In consideration of this history of previous violations the Department enhanced the penalty by an additional \$7,200.00.

F. THE ABILITY TO PAY: The Permittee completed the EPA's ABEL Model regarding their ability to pay a civil penalty. Per the ABEL Model results, the Department has determined that the Permittee has an inability to pay the civil penalty. In consideration of the Permittee's inability to pay, the Department has decreased the penalty by \$45,700.00.

G. OTHER FACTORS: 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 2.

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 six penalty factors enumerated in Ala. Code § 22-22A-5(18)c (2006 Rplc. Vol.), 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 agree to enter into this CONSENT ORDER with the following terms and conditions:

A. That, if not already enrolled in the Department's Electronic Environmental Discharge Monitoring Reports (hereinafter "eDMR") Reporting System Program (hereinafter "E2 Program"), the Permittee agrees to prepare and submit to the Department a complete application for enrollment for all of its permitted facilities, so that it is received by the Department not later than thirty days after the effective date of this Consent Order. If the Department determines through its review of the submitted application that the submittal is not sufficient for the Permittee to participate in the E2 Program, the Permittee must modify the application so that it is sufficient. The Permittee shall submit modifications to the application, if required, so that they are received by the Department no later than fourteen days after receipt of the Department's comments. Upon acceptance by the Department into the E2 Program, the

Permittee agrees to begin the electronic submittals of DMRs through the E2 Program no later than the 28th day of the month following the first complete monitoring period. The Permittee agrees to fully implement all aspects of the E2 Program including the cessation of federal paper DMR submittals, if applicable, no later than 180 days after acceptance into the E2 Program, unless an extension is granted in writing by the Department. The Permittee further agrees to abide by all terms, conditions, and limitations of the E2 Program immediately upon acceptance into the E2 Program.

B. That the Permittee shall prepare and submit to the Department, an Engineering Report that addresses the need for changes in maintenance and operating procedures, the need for modification of existing treatment works, and the need for new or additional treatment works or collection system works. The Engineering Report must include a schedule for implementation (i.e., a Compliance Plan) and cost of equipment and/or repairs needed to achieve compliance, if known. The Engineering Report must be prepared by a professional engineer licensed to practice in the State of Alabama. The Permittee agrees to submit the Engineering Report to the Department no later than ninety days after the effective date of this Consent Order. If the Department determines through its review of the submitted Engineering Report that the submittal is not sufficient, then the Permittee must modify the Engineering Report. The Department must receive modifications to the Engineering Report, if required, no later than thirty days after receipt of the Department's comments. The Permittee agrees to complete implementation of the recommendations provided in the Engineering Report not later than 365 days after the effective date of this Consent Order.

C. That the Permittee shall prepare and submit detailed Quarterly Progress Reports to the Department describing the Permittee's progress towards achieving compliance with the items presented in the Compliance Plan, including the cost of equipment and/or repairs needed to achieve compliance. The Department must receive the Progress Reports no later than ninety days after the effective date of this Consent Order and continuing every ninety days thereafter that the Permittee's performance obligations under this Consent Order remain

incomplete. In addition, the Permittee shall submit a written notice of noncompliance with each applicable imposed requirement, if applicable. The Permittee shall submit the notice to the Department no later than fourteen days following each applicable due date contained in this Consent Order. Notices of noncompliance shall state the cause of noncompliance and the corrective action taken and shall also describe the Permittee's ability to comply with any remaining requirements of this Consent Order.

D. That the Permittee shall fully comply with the Permit limitations for Total Ammonia Nitrogen, Total Suspended Solids, Carbonaceous Biochemical Oxygen Demand, Total Suspended Solids Percent Removal, and Carbonaceous Biochemical Oxygen Demand Percent Removal within 365 days from the effective date of this Consent Order.

E. That the Permittee shall comply will all other terms, conditions, and limitations of the Permit immediately upon the effective date of this Consent Order.

F. That the Permittee shall submit a certification to the Department, signed by a professional engineer licensed to practice in the State of Alabama, indicating whether or not the Permittee is in compliance with all requirements of this Consent Order. The Permittee shall submit the certification to the Department no later than 395 days after the effective date of this Consent Order.

G. That, after the effective date of this Consent Order, the Permittee shall pay stipulated penalties for each day it fails to meet any of the milestone dates or satisfy any of the requirements set forth in or established by Paragraphs A, B, C, and F contained herein. The stipulated civil penalties for failure to meet each milestone or any requirement date, except for *Force Majeure* acts as hereinafter defined, shall be as follows:

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

If the Permittee fails to meet any milestone or any assigned date ninety days after the required dates found in Paragraphs A, B, C, and F, the Department reserves the right to file a new action against the Defendant.

H. The cumulative stipulated penalties described in Paragraph G above shall under no circumstances exceed \$18,000.00. Once stipulated penalties of \$18,000.00 are due to the Department and violations continue to occur, or, should violations continue to occur after the final compliance date specified in the approved Compliance Plan, then the Department may 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.

I. That payment of stipulated penalties due for violations of milestone dates under this Consent Order shall be due not later than the 28th day of the month following the milestone date and each and every month thereafter until the milestone is completed or until the final compliance date of this Consent Order. The Department is not required to notify the Permittee of the assessment of any stipulated penalty.

J. That 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.

K. That, 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 cited in this Consent Order.

L. That the Permittee agrees that it is not relieved from any liability if it fails to comply with any provision of this Consent Order.

M. For purposes of this Consent Order only, that the Department may properly bring an action to compel compliance with the terms and conditions contained herein in the Circuit Court of Montgomery County. The Permittee also agrees that 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, 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 must be accompanied by the reasons (including documentation) for each extension and the proposed extension time. This information shall be submitted to 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.

N. That 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 WWTP 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, and the Permittee shall not object to such future orders, litigation or enforcement action based on the issuance of this Consent Order if future orders, litigation or other enforcement action address new matters not raised in this Consent Order.

O. That 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.

P. That this Consent Order shall not affect the Permittee's obligation to comply with any Federal, State, or local laws or regulations.

Q. That, 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. That any modifications of this Consent Order must be agreed to in writing signed by both parties.

S. That, 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.

INTEGRA WATER LEE COUNTY, LLC

By: *Integra Water LLC*
Manager
Its: *Manager*
Date: *1/31/14*

**ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

By: *Marilyn Elliott*
Its: *Deputy Director*
Date: *FEB -5 2014*

Attachment 1: Violations

Facility: Conway Acres Trailer Park (AL0064955)

Monitoring Period	Parameter Code	Parameter	Permit Value	Unit	Sample Value	Unit	Limit Basis (i.e. Average, Max., Min.)
March 2011	00610	Nitrogen, Ammonia Total (As N)	1.3	lbs/day	4.37	lbs/day	Monthly Average
March 2011	00610	Nitrogen, Ammonia Total (As N)	1.9	lbs/day	4.94	lbs/day	Weekly Average
March 2011	00610	Nitrogen, Ammonia Total (As N)	4.2	mg/l	8.3	mg/l	Monthly Average
March 2011	00610	Nitrogen, Ammonia Total (As N)	6.3	mg/l	8.6	mg/l	Weekly Average
March 2011	80091	CBOD ₅ Percent Removal	85	Percent	84	Percent	Monthly Average Min.
April 2011	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	1.9	lbs/day	Monthly Average
April 2011	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	3.4	lbs/day	Weekly Average
April 2011	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	7	mg/l	Monthly Average
April 2011	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	10.1	mg/l	Weekly Average
April 2011	80091	CBOD ₅ Percent Removal	85	Percent	71	Percent	Monthly Average Min.
April 2011	81011	TSS Percent Removal	65	Percent	55	Percent	Monthly Average Min.
May 2011	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	6.36	lbs/day	Monthly Average
May 2011	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	6.73	lbs/day	Weekly Average
May 2011	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	20.1	mg/l	Monthly Average
May 2011	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	21.8	mg/l	Weekly Average
May 2011	80082	BOD, Carbonaceous 5 Day 20 °C	4.01	lbs/day	6.68	lbs/day	Monthly Average
May 2011	80082	BOD, Carbonaceous 5 Day 20 °C	6.02	lbs/day	7.28	lbs/day	Weekly Average
May 2011	80082	BOD, Carbonaceous 5 Day 20 °C	13.0	mg/l	21.15	mg/l	Monthly Average
May 2011	80082	BOD, Carbonaceous 5 Day 20 °C	19.5	mg/l	23.6	mg/l	Weekly Average
May 2011	80091	CBOD ₅ Percent Removal	85.0	Percent	-12	Percent	Monthly Average Min.
June 2011	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	1.57	lbs/day	Monthly Average
June 2011	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	1.80	lbs/day	Weekly Average
June 2011	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	14.50	mg/l	Monthly Average
June 2011	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	16.60	mg/l	Weekly Average
July 2011	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	0.53	lbs/day	Monthly Average
July 2011	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	1.03	lbs/day	Weekly Average
July 2011	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	2.15	mg/l	Monthly Average
July 2011	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	4.20	mg/l	Weekly Average
July 2011	80091	CBOD ₅ Percent Removal	85	Percent	33	Percent	Monthly Average Min.
August 2011	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	7.0	lbs/day	Monthly Average
August 2011	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	7.22	lbs/day	Weekly Average
August 2011	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	18.95	mg/l	Monthly Average
August 2011	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	20.60	mg/l	Weekly Average
August 2011	50060	Chlorine, Total Residual	0.01	mg/l	3.25	mg/l	Maximum Daily
August 2011	80082	BOD, Carbonaceous 5 Day 20 °C	4.01	lbs/day	8.01	lbs/day	Monthly Average

Monitoring Period	Parameter Code	Parameter	Permit Value	Unit	Sample Value	Unit	Limit Basis (i.e. Average, Max., Min.)
August 2011	80082	BOD, Carbonaceous 5 Day 20 °C	6.02	lbs/day	11.25	lbs/day	Weekly Average
August 2011	80082	BOD, Carbonaceous 5 Day 20 °C	13.0	mg/l	21.15	mg/l	Monthly Average
August 2011	80082	BOD, Carbonaceous 5 Day 20 °C	19.5	mg/l	28.7	mg/l	Weekly Average
August 2011	80091	CBOD ₅ Percent Removal	85.0	Percent	80	Percent	Monthly Average Min.
September 2011	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	7.52	lbs/day	Monthly Average
September 2011	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	9.76	lbs/day	Weekly Average
September 2011	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	21.8	mg/l	Monthly Average
September 2011	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	24.7	mg/l	Weekly Average
September 2011	74055	Coliform, Fecal General	200	col/100mL	2,823	col/100mL	Monthly Average
September 2011	74055	Coliform, Fecal General	2000	col/100mL	3,725	col/100mL	Maximum Daily
September 2011	80082	BOD, Carbonaceous 5 Day 20 °C	4.01	lbs/day	18.9	lbs/day	Monthly Average
September 2011	80082	BOD, Carbonaceous 5 Day 20 °C	6.02	lbs/day	19.8	lbs/day	Weekly Average
September 2011	80082	BOD, Carbonaceous 5 Day 20 °C	13.0	mg/l	58.3	mg/l	Monthly Average
September 2011	80082	BOD, Carbonaceous 5 Day 20 °C	19.5	mg/l	70.8	mg/l	Weekly Average
September 2011	80091	CBOD ₅ Percent Removal	85.0	Percent	65	Percent	Monthly Average Min.
September 2011	81011	TSS Percent Removal	65.0	Percent	42	Percent	Monthly Average Min.
October 2011	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	5.99	lbs/day	Monthly Average
October 2011	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	7.22	lbs/day	Weekly Average
October 2011	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	23.7	mg/l	Monthly Average
October 2011	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	26.4	mg/l	Weekly Average
October 2011	80082	BOD, Carbonaceous 5 Day 20 °C	4.01	lbs/day	12.15	lbs/day	Monthly Average
October 2011	80082	BOD, Carbonaceous 5 Day 20 °C	6.02	lbs/day	21.2	lbs/day	Weekly Average
October 2011	80082	BOD, Carbonaceous 5 Day 20 °C	13.0	mg/l	45.6	mg/l	Monthly Average
October 2011	80082	BOD, Carbonaceous 5 Day 20 °C	19.5	mg/l	77.5	mg/l	Weekly Average
October 2011	80091	CBOD ₅ Percent Removal	85.0	Percent	26	Percent	Monthly Average Min.
November 2011	00530	Solids, Total Suspended	27.7	lbs/day	31.9	lbs/day	Monthly Average
November 2011	00530	Solids, Total Suspended	41.6	lbs/day	61.5	lbs/day	Weekly Average
November 2011	00530	Solids, Total Suspended	90.0	mg/l	225.4	mg/l	Monthly Average
November 2011	00530	Solids, Total Suspended	135.0	mg/l	431.6	mg/l	Weekly Average
November 2011	00610	Nitrogen, Ammonia Total (As N)	1.3	lbs/day	2.20	lbs/day	Monthly Average
November 2011	00610	Nitrogen, Ammonia Total (As N)	1.9	lbs/day	2.2	lbs/day	Weekly Average
November 2011	00610	Nitrogen, Ammonia Total (As N)	4.2	mg/l	16.45	mg/l	Monthly Average
November 2011	00610	Nitrogen, Ammonia Total (As N)	6.3	mg/l	17.5	mg/l	Weekly Average
November 2011	81011	TSS Percent Removal	65.0	Percent	32.2	Percent	Monthly Average Min.
December 2011	00610	Nitrogen, Ammonia Total (As N)	1.3	lbs/day	4.55	lbs/day	Monthly Average
December 2011	00610	Nitrogen, Ammonia Total (As N)	1.9	lbs/day	6.63	lbs/day	Weekly Average
December 2011	00610	Nitrogen, Ammonia Total (As N)	4.2	mg/l	16.1	mg/l	Monthly Average
December 2011	00610	Nitrogen, Ammonia Total (As N)	6.3	mg/l	27.9	mg/l	Weekly Average
December 2011	80082	BOD, Carbonaceous 5 Day 20 °C	25.0	mg/l	33.6	mg/l	Monthly Average
December 2011	80082	BOD, Carbonaceous 5 Day 20 °C	37.5	mg/l	44.9	mg/l	Weekly Average

Monitoring Period	Parameter Code	Parameter	Permit Value	Unit	Sample Value	Unit	Limit Basis (i.e. Average, Max., Min.)
January 2012	00610	Nitrogen, Ammonia Total (As N)	1.3	lbs/day	4.8	lbs/day	Monthly Average
January 2012	00610	Nitrogen, Ammonia Total (As N)	1.9	lbs/day	6.2	lbs/day	Weekly Average
January 2012	00610	Nitrogen, Ammonia Total (As N)	4.2	mg/l	13.7	mg/l	Monthly Average
January 2012	00610	Nitrogen, Ammonia Total (As N)	6.3	mg/l	16.9	mg/l	Weekly Average
January 2012	80082	BOD, Carbonaceous 5 Day 20 °C	7.7	lbs/day	15.2	lbs/day	Monthly Average
January 2012	80082	BOD, Carbonaceous 5 Day 20 °C	11.5	lbs/day	15.2	lbs/day	Weekly Average
January 2012	80082	BOD, Carbonaceous 5 Day 20 °C	25.0	mg/l	41.2	mg/l	Monthly Average
January 2012	80082	BOD, Carbonaceous 5 Day 20 °C	37.5	mg/l	41.2	mg/l	Weekly Average
January 2012	80091	CBOD ₅ Percent Removal	85.0	Percent	77.4	Percent	Monthly Average Min.
February 2012	00610	Nitrogen, Ammonia Total (As N)	1.3	lbs/day	3.0	lbs/day	Monthly Average
February 2012	00610	Nitrogen, Ammonia Total (As N)	1.9	lbs/day	5.1	lbs/day	Weekly Average
February 2012	00610	Nitrogen, Ammonia Total (As N)	4.2	mg/l	11.0	mg/l	Monthly Average
February 2012	00610	Nitrogen, Ammonia Total (As N)	6.3	mg/l	14.3	mg/l	Weekly Average
February 2012	74055	Coliform, Fecal General	2000	col/100mL	2,829	col/100mL	Maximum Daily
February 2012	80082	BOD, Carbonaceous 5 Day 20 °C	7.7	lbs/day	11.8	lbs/day	Monthly Average
February 2012	80082	BOD, Carbonaceous 5 Day 20 °C	11.5	lbs/day	27.1	lbs/day	Weekly Average
February 2012	80082	BOD, Carbonaceous 5 Day 20 °C	25.0	mg/l	44.6	mg/l	Monthly Average
February 2012	80082	BOD, Carbonaceous 5 Day 20 °C	37.5	mg/l	83.6	mg/l	Weekly Average
February 2012	80091	CBOD ₅ Percent Removal	85.0	Percent	84	Percent	Monthly Average Min.
March 2012	00610	Nitrogen, Ammonia Total (As N)	1.3	lbs/day	2.5	lbs/day	Monthly Average
March 2012	00610	Nitrogen, Ammonia Total (As N)	1.9	lbs/day	3.11	lbs/day	Weekly Average
March 2012	00610	Nitrogen, Ammonia Total (As N)	4.2	mg/l	8.33	mg/l	Monthly Average
March 2012	00610	Nitrogen, Ammonia Total (As N)	6.3	mg/l	8.6	mg/l	Weekly Average
March 2012	80082	BOD, Carbonaceous 5 Day 20 °C	7.7	lbs/day	10.35	lbs/day	Monthly Average
March 2012	80082	BOD, Carbonaceous 5 Day 20 °C	11.5	lbs/day	15.04	lbs/day	Weekly Average
March 2012	80082	BOD, Carbonaceous 5 Day 20 °C	25.0	mg/l	30.3	mg/l	Monthly Average
March 2012	80082	BOD, Carbonaceous 5 Day 20 °C	37.5	mg/l	38.7	mg/l	Weekly Average
April 2012	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	3.7	lbs/day	Monthly Average
April 2012	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	3.7	lbs/day	Weekly Average
April 2012	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	22.2	mg/l	Monthly Average
April 2012	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	22.2	mg/l	Weekly Average
April 2012	80082	BOD, Carbonaceous 5 Day 20 °C	4.01	lbs/day	7.07	lbs/day	Monthly Average
April 2012	80082	BOD, Carbonaceous 5 Day 20 °C	6.02	lbs/day	9.09	lbs/day	Weekly Average
April 2012	80082	BOD, Carbonaceous 5 Day 20 °C	13.0	mg/l	29.15	mg/l	Monthly Average
April 2012	80082	BOD, Carbonaceous 5 Day 20 °C	19.5	mg/l	30.20	mg/l	Weekly Average
April 2012	80091	CBOD ₅ Percent Removal	85.0	Percent	38	Percent	Monthly Average Min.
May 2012	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	2.41	lbs/day	Monthly Average
May 2012	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	3.52	lbs/day	Weekly Average
May 2012	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	10.58	mg/l	Monthly Average
May 2012	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	14.00	mg/l	Weekly Average

Monitoring Period	Parameter Code	Parameter	Permit Value	Unit	Sample Value	Unit	Limit Basis (i.e. Average, Max., Min.)
May 2012	80082	BOD, Carbonaceous 5 Day 20 °C	4.01	lbs/day	9.44	lbs/day	Monthly Average
May 2012	80082	BOD, Carbonaceous 5 Day 20 °C	6.02	lbs/day	13.63	lbs/day	Weekly Average
May 2012	80082	BOD, Carbonaceous 5 Day 20 °C	13.0	mg/l	34.58	mg/l	Monthly Average
May 2012	80082	BOD, Carbonaceous 5 Day 20 °C	19.5	mg/l	43.00	mg/l	Weekly Average
May 2012	80091	CBOD ₅ Percent Removal	85.0	Percent	70	Percent	Monthly Average Min.
June 2012	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	0.58	lbs/day	Monthly Average
June 2012	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	0.66	lbs/day	Weekly Average
June 2012	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	10.4	mg/l	Monthly Average
June 2012	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	10.6	mg/l	Weekly Average
July 2012	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	0.85	lbs/day	Monthly Average
July 2012	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	1.44	lbs/day	Weekly Average
July 2012	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	8.22	mg/l	Monthly Average
July 2012	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	9.59	mg/l	Weekly Average
August 2012	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	1.29	lbs/day	Monthly Average
August 2012	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	1.74	lbs/day	Weekly Average
August 2012	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	5.93	mg/l	Monthly Average
August 2012	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	6.20	mg/l	Weekly Average
September 2012	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	1.96	lbs/day	Monthly Average
September 2012	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	2.06	lbs/day	Weekly Average
September 2012	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	7.04	mg/l	Monthly Average
September 2012	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	7.19	mg/l	Weekly Average
October 2012	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	1.18	lbs/day	Monthly Average
October 2012	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	1.83	lbs/day	Weekly Average
October 2012	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	4.28	mg/l	Monthly Average
October 2012	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	6.27	mg/l	Weekly Average
November 2012	00610	Nitrogen, Ammonia Total (As N)	1.3	lbs/day	1.32	lbs/day	Monthly Average
November 2012	00610	Nitrogen, Ammonia Total (As N)	1.9	lbs/day	1.99	lbs/day	Weekly Average
November 2012	00610	Nitrogen, Ammonia Total (As N)	4.2	mg/l	4.70	mg/l	Monthly Average
November 2012	00610	Nitrogen, Ammonia Total (As N)	6.3	mg/l	6.44	mg/l	Weekly Average
December 2012	00610	Nitrogen, Ammonia Total (As N)	4.2	mg/l	5.45	mg/l	Monthly Average
December 2012	80091	CBOD ₅ Percent Removal	85.0	Percent	80.3	Percent	Monthly Average Min.
January 2013	00610	Nitrogen, Ammonia Total (As N)	1.3	lbs/day	1.65	lbs/day	Monthly Average
January 2013	00610	Nitrogen, Ammonia Total (As N)	4.2	mg/l	5.21	mg/l	Monthly Average
April 2013	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	0.71	lbs/day	Monthly Average
April 2013	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	1.42	lbs/day	Weekly Average
April 2013	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	2.36	mg/l	Monthly Average
April 2013	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	4.72	mg/l	Weekly Average
May 2013	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	1.62	lbs/day	Monthly Average
May 2013	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	2.15	lbs/day	Weekly Average
May 2013	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	6.5	mg/l	Monthly Average

Monitoring Period	Parameter Code	Parameter	Permit Value	Unit	Sample Value	Unit	Limit Basis (i.e. Average, Max., Min.)
May 2013	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	7.9	mg/l	Weekly Average
June 2013	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	0.464	lbs/day	Monthly Average
June 2013	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	0.731	lbs/day	Weekly Average
June 2013	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	2.89	mg/l	Monthly Average
June 2013	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	4.90	mg/l	Weekly Average
July 2013	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	2.43	lbs/day	Monthly Average
July 2013	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	4.34	lbs/day	Weekly Average
July 2013	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	5.64	mg/l	Monthly Average
July 2013	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	9.47	mg/l	Weekly Average
August 2013	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	1.07	lbs/day	Monthly Average
August 2013	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	2.00	lbs/day	Weekly Average
August 2013	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	5.31	mg/l	Monthly Average
August 2013	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	9.99	mg/l	Weekly Average
September 2013	00610	Nitrogen, Ammonia Total (As N)	0.37	lbs/day	0.78	lbs/day	Monthly Average
September 2013	00610	Nitrogen, Ammonia Total (As N)	0.55	lbs/day	1.30	lbs/day	Weekly Average
September 2013	00610	Nitrogen, Ammonia Total (As N)	1.20	mg/l	3.23	mg/l	Monthly Average
September 2013	00610	Nitrogen, Ammonia Total (As N)	1.80	mg/l	5.21	mg/l	Weekly Average

Conway Acres Trailer Park AL0064955
Attachment 2
Penalty Synopsis Worksheet

Violation	Number of Violations	Seriousness of Violation & Base Penalty*	Standard of Care*	History of Previous Violations*
Effluent Violations	144	\$33,200.00	\$0.00	\$7,200.00
Totals:	144	\$33,200.00	\$0.00	\$7,200.00
Economic Benefit*:				\$5,300.00
Mitigating Factors:				\$0.00
Ability to Pay*:				(\$45,700.00)
Other Factors*:				\$0.00
Final Penalty:				\$0.00

* Refer to the "Findings" of the Order for a description of each penalty factor