

**ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

IN THE MATTER OF

**JACK ALEXANDER, D/B/A
GOOD HOPE MOBILE HOMES ESTATES**

GOOD HOPE, ALABAMA

ORDER NO. 00-162-WP

FINDINGS

Pursuant to the provisions of the Alabama Environmental Management Act, Code of Alabama (1975), §§ 22-22A-1 through 22-22A-16, as amended, the Alabama Water Pollution Control Act, Code of Alabama (1975), §§ 22-22-1 through 22-22-14, as amended, the ADEM Administrative Code of Regulations ("ADEM Admin. Code R.") promulgated pursuant thereto, and the National Pollutant Discharge Elimination System administered by the Alabama Department of Environmental Management (hereinafter "the Department") and approved by the Administrator of the U.S. Environmental Protection Agency pursuant to the Federal Water Pollution Control Act § 402, 33 U.S.C. § 1342, the Department makes the following FINDINGS:

1. Jack Alexander, doing business as Good Hope Mobile Homes Estates, operates and maintains a sanitary sewer system which includes two pump stations which pump wastewater to the City of Good Hope's sewer system for

ISSUED 7-14-00	SERVED 7-24-00
-------------------	-------------------

treatment at the Good Hope wastewater treatment plant. For the purpose of this Order, the pump stations are referred to as pump stations 1 and 2, with pump number 1 being closest to Super Saver Road.

2. On September 10 and September 24, 1997, the Department confirmed raw sewage discharges at Good Hope Mobile Home Estates. On October 14, 1997, the Department issued a notice of violation for those overflows.

3. On February 18, 1999, the Cullman County Health Department issued a notice of violation to Jack Alexander for sewage overflows.

4. On April 18, 2000, Donna Dunn with the Cullman County Health Department reported sewage overflows from the Good Hope Mobile Homes Estates had begun on Friday, April 14, 2000. Digital pictures of the overflows were received by the Department on the same day.

5. On April 18, 2000, a representative from the Department verified that the overflows were occurring.

6. On April 25, 2000, Donna Dunn reported to the Department that the #1 pump station continued to overflow. The Department was able to reach the wife of the operator, Mrs. Connie Alexander, who stated that Mr. Alexander was on his way to repair the problem.

7. Jack Alexander has discharged raw sewage from the Good Hope Mobile Homes Estates sewer lines to waters of the State without a permit, and these discharges represent a failure on the part of Mr. Alexander to maintain the sewer system in good working order. These unpermitted discharges are in

violation of the Alabama Water Pollution Control Act, specifically Code of Alabama (1975), § 22-22-9(i), as amended.

ORDER

Based upon the foregoing FINDINGS and pursuant to Code of Alabama (1975), §§ 22-22A-5(10), 22-22A-5(12), 22-22A-5(18), 22-22-9(i), and 22-22-9(k), and the National Pollutant Discharge Elimination system administered by the Department and approved by the Administrator of the U.S. Environmental Protection Agency pursuant to the Federal Water Pollution Control Act §402, 33 U.S.C. § 1342, it is hereby Ordered:

A. That, not later than 30 days after receipt of this Order, Jack Alexander shall pay to the Department a civil penalty in the amount of Four Thousand Two Hundred Dollars (\$4,200) for the violations stated herein.

B. That, not later than August 11, 2000, Jack Alexander shall prepare and submit to the Department a Compliance Plan which evaluates the overflows at Good Hope Mobile Home Estates and makes recommendations on how to eliminate the overflows and achieve compliance with the Alabama Water Pollution Control Act. The Compliance Plan shall:

1. Identify, to the extent possible, the causes of the said overflow discharges;
2. Describe the corrective actions required to eliminate the discharges, including estimated costs; and

3. Provide an expeditious schedule subject to the Department's concurrence.

Upon the concurrence of the Department with the proposed schedule, including the dates for implementation of corrective actions necessary to achieve compliance with the Alabama Water Pollution control Act, said schedule shall become a part of this Order.

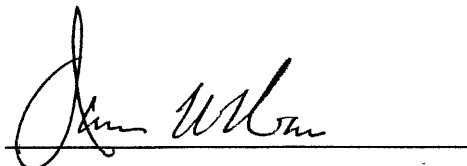
C. That a professional engineer licensed to practice in the State of Alabama, in accordance with ADEM Admin. Code Chap. 335-6-3, shall prepare and seal the compliance referred to in paragraph B above.

D. That, immediately upon receipt of this Order and continuing until such time as all corrective actions required by the approved schedule have been taken, Jack Alexander shall take all reasonably feasible interim measures or steps to minimize overflow violations and to mitigate the health and environmental effects of such violations upon human health and safety and the environment.

E. That failure to comply with any and all provisions of this Order may constitute cause for the assessment of additional civil penalties and/or the commencement of appropriate legal action for civil or criminal sanctions.

F. That the issuance of this Order does not preclude the Department or others from seeking appropriate sanctions for the violations stated herein.

ORDERED and ISSUED this 14th day of July, 2000.

A handwritten signature in dark ink, appearing to read "Jack Alexander", is written over a horizontal line.

James W. Warr, Director
Alabama Department of
Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700

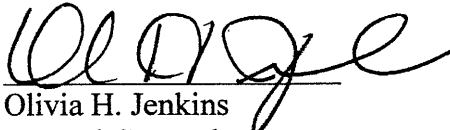
CERTIFICATE OF SERVICE

I, Olivia H. Jenkins, hereby certify that I have served Administrative Order No. 00-162-WP upon Jack Alexander by sending the same, postage paid, through the United States Mail, as Certified Mail, with instructions to forward and return receipt requested to:

CERTIFIED MAIL NO. 7099 3400 0002 5730 2124

Jack Alexander
Good Hope Mobile Home Estate
333 Stewart Road
Cullman, AL 35055

DONE this 24th day of July, 2000


Olivia H. Jenkins
General Counsel