



The United Sludge-Free Alliance Recommended Reading

From EPA

Southeast Facilities Ordered to Comply with Clean Water Act; Penalties Total More Than \$230,000

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(ATLANTA – Oct. 20, 2009) The U.S. Environmental Protection Agency (EPA) issued Consent Agreements and Final Orders (CA/FOs) against 17 entities throughout the Southeast from July 1, through September 30, 2009, for violations of the Clean Water Act (CWA). As part of the settlements, the responsible parties in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina and Tennessee agreed to come into compliance and pay \$231,200 in civil penalties.

"By taking these enforcement actions, we are sending a strong message about the importance of protecting rivers, lakes and streams across the Southeast," said Stan Meiburg, EPA Region 4 Acting Regional Administrator. "To protect our region's waters, these regulated entities must comply with the Clean Water Act and promptly take the steps needed to resolve the violations noted in our inspections."

Five entities were cited for alleged stormwater-related violations of the CWA. Polluted stormwater runoff is a leading cause of impairment to the nearly 40 percent of surveyed U.S. water bodies which do not meet water quality standards. Over land or via storm sewer systems, polluted runoff is discharged, often untreated, directly into local water bodies. The settlements and associated penalties include:

Savannah Pointe Properties, LLC, for violations at its Savannah Pointe II subdivision in Chelsea, Ala. (civil penalty of \$20,000)

Neopolis Development Group, LLC, for violations at its Flowood Town Center in Flowood, Miss. (civil penalty of \$30,000)

Lake Harbour Crossing Investments, LLC, for violations at its Harbour Pointe subdivision in Richland, Miss. (civil penalty of \$10,000)

Lake Glad Commercial, LLC, for violations at its Highland Trails Commercial Center in Creedmoor, N.C. (civil penalty of \$5,000)

Wendell Falls Development, LLC, for violations at three of its Wendell Falls subdivision in Wendell, N.C. (civil penalties totaling \$21,000)

Nine entities were cited for failing to comply with federal requirements for land disposal of biosolids. Biosolids are primarily organic, accumulated solids separated from wastewater that have undergone treatment and can be beneficially used as an alternative fertilizer. Excessive

application of biosolids, however, can result in nitrate contamination of surface or ground water. Improperly managed biosolids can expose people and animals to unsafe levels of pathogens, such as bacteria and viruses, which exist in the biosolids. Settlements were reached with the following penalties for the associated penalties:

- Sheffield Utilities, in Sheffield, Ala. (civil penalty of \$900)
- Cooper City, Fl. (civil penalty of \$3,200)
- City of Miramar, Fl. (civil penalty of \$3,000)
- City of Pembroke Pines, Fl. (civil penalty of \$3,300)
- City of Perry, Fl. (civil penalty of \$1,600)
- St. Lucie County Board of Commissioners, in Fort Pierce, Fl. (civil penalty of \$3,000)
- City of Cartersville, Ga. (civil penalty of \$900)
- City of Sandersville, Ga. (civil penalty of \$900)
- Town of Rutherfordton, N.C. (civil penalty of \$900)

Six entities were cited for discharging dredged and/or fill material into wetland habitats. Wetlands are important, yet diminishing resources that serve as habitats for critical fish and wildlife and also help control floods, recharge groundwater, capture pollutants and cycle nutrients. The settlements and associated penalties include:

Conservancy Partnership, LLC, for impacts to 16.8 acres of forested wetlands and a tidal salt marsh adjacent to the Steinhatchee River in Taylor County, Fl. (civil penalty of \$65,000)

Village of Holiday Lake, for impacts to 0.018 acres of the Butterford Canal in Charlottee County, Fl. (civil penalty of \$12,500)

James C. Bickett, for impacts to 2.6 acres of forested wetlands in Scuffletown, Ky. (civil penalty of \$40,000)

Thomas Kennedy, for impacts to 0.39 acres of tidal wetlands adjacent to the Back Bay in Biloxi, Miss. (civil penalty of \$5,000)

Rhea County and East Tennessee Grading, for impacts to approximately 6,500 linear feet of the Roaring Creek, a tributary to the Tennessee River, near Graysville, Tenn. (civil penalties of \$2,500 each)

Congress enacted the Clean Water Act (CWA) in 1972 to protect the nation's rivers, lakes and stream, as well as some of the more fragile and vital wetland habitats. The entities cited violated the CWA by either failing to meet the requirements of their National Pollutant Discharge Elimination System (NPDES) permits, and subsequently causing point source discharges; failing to comply with biosolids requirements; or by filling or dredging wetlands. Pollutants of concern include nutrients, sediment, oil and grease, chemicals and metals. When left uncontrolled, water pollution can deplete needed oxygen and/or otherwise result in the destruction of aquatic habitats, as well as the fish and wildlife that depend on them. Water pollution can also contaminate food, drinking water supplies and recreational waterways, and thereby pose a threat to public health.

<http://yosemite.epa.gov/opa/admpress.nsf/0/f59163266e0c36b385257655004db825?OpenDocument>