

ALABAMA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF
CAHABA PRESSURE TREATED
FOREST PRODUCTS, INC.
BRIERFIELD, ALABAMA

ORDER NO. 89-069-WP

FINDINGS OF FACT

Pursuant to the provisions of the Alabama Environmental Management Act, Code of Alabama 1975, §§ 22-22A-1 through 22-22A-16 (1984 and 1988 Cum. Supp.) the Alabama Water Pollution Control Act, Code of Alabama 1975, §§ 22-22-1 through 22-22-14 (1984 and 1988 Cum. Supp.), the Alabama Department of Environmental Management (hereinafter, "the Department") makes the following FINDINGS OF FACT:

1. On November 17, 1988 the Department issued Administrative Order No. 89-020-WP to Cahaba Pressure Treated Forest Products, Inc. (hereinafter "CPTFP") requiring certain actions to be taken by CPTFP to prevent the unpermitted discharge of pollutants to waters of the state at its wood treating facility located in Briarfield, Alabama.

2. Paragraph B of Administrative Order No. 89-020-WP required CPTFP to have fully implemented its pollution abatement plan previously submitted to the Department no later than March 17, 1989.

ISSUED 4/4/89	SERVED 4/7/89
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3. On March 3, 1989 CPTFP requested that the Department extend the March 17, 1989 compliance date to April 30, 1989. As grounds for this request, CPTFP stated that unanticipated heavy rains had delayed implementation of the plan.

4. On March 16, 1989 the Department received a written certification from the project engineer that eighty percent of the berming work had been completed, one silt dam had been partially finished, vegetation had been planted and certain erosion control measures had been established. Remaining work to be done included excavating and placing rip-rap flume systems, additional work on one silt dam and construction of another, berming and terracing.

5. The remaining work could not be done by the March 17 deadline due to unusually heavy rains which were beyond the control of CPTFP. Extension of the March 17 deadline to April 30, 1989 is reasonable under the circumstances.

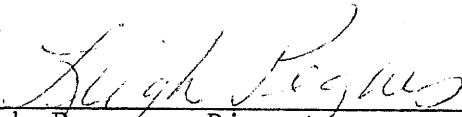
ORDER

Based upon the foregoing FINDINGS OF FACT and pursuant to Code of Alabama 1975, §§ 22-22A-5(10), 22,22A-5(18), 22-22-9(c), 22-22-9(i) and 22-22-9(k) (1988 Cum. Supp.) it is hereby ORDERED:

A. That paragraph B of Administrative Order No. 89-020-WP is hereby deleted in its entirety and the following shall be substituted in its place:

B. That not later than February 15, 1989 CPTFP shall submit to the Department a detailed written plan for the prevention of the contamination of soils at the CPTFP facility with wood preserving chemicals and for the reasonable minimization of the siltation of drainage courses and streams by erosion of soils at the CPTFP property and that no later than April 30, 1989 CPTFP shall fully implement this plan. Such plan shall be prepared by a professional engineer registered in the State of Alabama and shall be prepared in accordance with ADEM Admin. Code Chap. 6-3.

ORDERED and ISSUED this 4th day of April, 1989.



Leigh Pegues, Director
Alabama Department of
Environmental Management
1751 Cong. W. L. Dickinson Dr.
Montgomery, Alabama 36130
(205) 271-7700

CERTIFICATE OF SERVICE

I, Olivia H. Jenkins, hereby certify that I have served Order No. 89-069-WP upon Cahaba Pressure Treated Forest Products, Inc. by sending the same, postage paid, through the U.S. Mail, as Certified Mail No. P-873 074 472, with instructions to forward and return receipt requested to:

Thomas H. Brown, P.C.
Post Office Box 59329
Birmingham, Alabama 35259

Done this 4th day of April, 1989.



Olivia H. Jenkins