

fact, testing for fecal coliform in the backyard of 555 King Street showed levels 47 times higher than what EPA considers safe. See 40 C.F.R. § 503.32.

Part II(A)(10) of Rochelle’s permit requires that the City “take all reasonable steps to minimize or prevent any discharge or sludge disposal which might adversely affect human health or the environment.” NPDES Permit No. GA0024244 at Part II(A)(10). The City has violated this provision every three to four months, depending on rain, for the last five years (and decades before) by allowing residents on the north side of town to be repeatedly exposed to raw sewage in their yards, in city streets and in ditches around town, including at the structures, ditch and residential locations discussed *supra*. Recent violations resulted from the discharges occurring daily from March 1, 2013 through March 6, 2013; intermittently from March 7, 2013 through March 25, 2013; and daily from March 26, 2013 until at least March 27, 2013.

In addition, the City has violated this provision by failing to take reasonable measures to upgrade its Sanitary Sewer Collection System on the north side of town to prevent exposure to raw sewage. These discharges endanger Mill Creek and waters downstream with excess pollutants and fecal material. Exposure to raw sewage has not ceased and the City is allowing these adverse affects to continue.

**PERSONS RESPONSIBLE FOR THE SPILL**

The City of Rochelle owns, operates and/or maintains the ditch and structures in its Sanitary Sewer Collection System, including those identified above, and is the NPDES permit holder for the Northwest Sewage Pond

**PERSONS GIVING NOTICE**

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