

**STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION**

IN RE: City of Valdosta)
Post Office Box 1125)
Valdosta, Georgia 31603) ORDER NO. EPD-WP-9424
Lowndes County)
Respondent.)

CONSENT ORDER

Authority

WHEREAS, the City of Valdosta (the "Respondent") owns, operates, and is the named permittee for the Mud Creek Wastewater Pollution Control Plant ("WPCP") located at 1638 New Statenville Rd Valdosta, Lowndes County, Georgia and the Withlacoochee WPCP located at 3108 Wetherington Lane Valdosta, Lowndes County, Georgia; and

WHEREAS, the Director (the "Director") of the Environmental Protection Division of the Georgia Department of Natural Resources ("EPD") administers and enforces the Georgia Water Quality Control Act, O.C.G.A. § 12-5-20 et seq. (the "Water Quality Act"); and

WHEREAS, EPD administers and enforces the Water Quality Control Rules, GA. COMP. R. and REGS. 391-3-6 (the "Water Quality Rules"), which were promulgated and are in effect pursuant to the Water Quality Act; and

WHEREAS, O.C.G.A. § 12-5-30(a) of the Water Quality Act and 391-3-6-.06(3)(a) of the Water Quality Rules makes it unlawful to discharge pollutants into waters of the State except in accordance with a permit issued by the Director pursuant to the Water Quality Acts and Rules; and

WHEREAS, O.C.G.A. § 12-5-23 of the Water Quality Act, authorizes the Director to issue permits stipulating in each permit the conditions or limitations under which such permit was issued and authorizes the Director to issue orders as may be necessary to enforce compliance with provisions of the Water Quality Act and Rules; and

WHEREAS, Section 391-3-6-.03(5)(c) of the Water Quality Rules requires that all waters be free from material related to municipal, industrial or other discharges which produce turbidity, color, odor or other objectionable conditions which interfere with legitimate water uses; and

WHEREAS, Section 391-3-6-.03(5)(e) of the Water Quality Rules requires that all waters be free from toxic, corrosive, acidic and caustic substances discharges from municipalities, industries or other sources, such as non-point sources, in amounts, concentrations or combinations which are harmful to humans, animals, or aquatic life; and

WHEREAS, Section 391-3-6-.05(2) of the Water Quality Rules and Part II.A.11 of the Permits define a spill as any discharge of raw sewage by a Publicly Owned Treatment Works ("POTW") to waters of the State and a major spill as any discharge of raw sewage that results in water quality violations in waters of the State; and

WHEREAS, Part I.D.1 of the Permit No. GA0020222 requires the Respondent to report a monthly