


JUL 08 2008

INTER

OFFICE

MEMO

Office of the Mayor

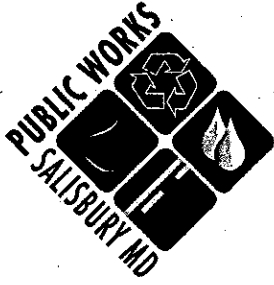
To: City Council
From: John R. Pick 
Subject: Penalty for Violations of Consent Order Discharge Limits
Date: June 26, 2008

Attached is a copy of a notice from the Maryland Department of the Environment (MDE) that the City is being fined \$10,200 for violations of the consent order discharge limits. As noted by Jim Caldwell in his accompanying memo, the bulk of these violations occurred during the period from late November 2007 to mid-February 2008. During this time, the plant experienced several major process upsets due to the fact that the plant head works had been taken off-line as a part of the construction process. It should be noted that these are violations of the consent order limits. They are not due to sanitary sewer over flows and so are not related to the sanitary sewer overflow incidents of last week.

If you have any questions, please let me know.

cc: Mayor Tilghman
Lore' Chambers
Jim Caldwell
Brenda Colegrove ✓

C:/publicworks/memocouncilpenalties



*A Team of Teams
Making a Difference!*

June 13, 2008

To: John Pick, City Administrator

Subject: Penalty for violations of consent order discharge limits at
Wastewater Treatment Plant

I am attaching a copy of a notice with an invoice from MDE. The invoice of \$10,200.00 in penalties stipulated in the Consent Order Discharge Limits at the Wastewater Treatment Plant and covers a period from June, 2006 through April 10, 2008.

The violations include sliver, suspended solids, BOD, pH, and residual chlorine. It is noted that the bulk of the violations (11) and fines (\$6,500) were due to BOD violations from late November, 2007 to mid February, 2008 when the plant head works were taken off line and the plant went through major process upsets.

For any additional questions you may have, I can be reached at (410) 548-3170 or by e-mail at jcaldwell@ci.salisbury.md.us.

Sincerely,

James S. Caldwell, P.E.
Director of Public Works

JAMES S. CALDWELL, P.E.
DIRECTOR

NEWELL W. MESSICK III, P.E.
DEPUTY DIRECTOR

Government Office Building
125 North Division Street
Salisbury, MD 21801-4940

Phone: (410) 548-3170

Fax: (410) 548-3107

www.ci.salisbury.md.us/publicworks/



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Shari T. Wilson
Secretary

Anthony G. Brown
Lieutenant Governor

Robert M. Summers, Ph.D.
Deputy Secretary

JUN - 4 2008

CERTIFIED MAIL

James Caldwell, Director
Salisbury Department of Public Works
125 N. Division Street
Salisbury, Maryland 21802-4940

RE: SP-08-0734

Dear Mr. Caldwell:

The Maryland Department of Environment (MDE) acknowledges receipt of the revised Discharge Monitoring Report (DMR) for June 2006 as requested. Based on the laboratory results provided for total recoverable silver analyses including the June 8, 2006 Atlantic Coast Laboratory sample, MDE has determined that Salisbury has exceeded the total recoverable silver daily loading rate and daily average concentration effluent limitations established by State Discharge Permit 04-DP-0696 for the month of June 2006. In addition, a review of the DMRs submitted for calendar year 2007 and Non Compliance Reports received for January 1 through April 10, 2008 revealed violations of the total recoverable silver, biochemical oxygen demand (BOD), pH, total residual chlorine (TRC) and total suspended solids (TSS) effluent limits. The effluent limit violations are summarized on the attached table.

In accordance with the provisions of Civil Consent Order and Judgment Number C05-0319 (Consent Judgment), Salisbury is liable for a stipulated penalty of \$500 for every total recoverable silver daily loading rate and daily average concentration effluent violation, \$500 for every violation of the BOD and TSS weekly average interim performance standard, \$1,000 for every violation of the TSS monthly average interim performance standard, \$100 for every violation of the pH effluent limit, and \$100 for each violation of the TRC effluent limit. Accordingly, MDE requests that the City of Salisbury pay the amount of \$10,200 to resolve the effluent violations that occurred during the time period of June 2006 and March 2008. Enclosed please find an invoice for payment of \$10,200 to the Maryland Clean Water Fund, c/o MDE, P.O. Box 2057, Baltimore, Maryland 21203. Please attach the enclosed remittance copy of the invoice with your check.

Mr Caldwell
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The Department appreciates your attention to this matter. If you have any questions, please do not hesitate to contact Mr. David H. Lyons, Deputy Director, Compliance Program at (410) 537-3510.

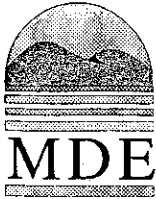
Sincerely,

A handwritten signature in cursive script that reads "David Lyons for TCB". The signature is written in dark ink and is positioned above the typed name of the signatory.

Thomas C. Boone, Director
Compliance Program

TCB:jrg

Enclosure



MARYLAND DEPARTMENT OF THE ENVIRONMENT

P. O. Box 2057 • Baltimore MD 21203-2057
410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Anthony G. Brown
Lieutenant Governor

Shari T. Wilson
Secretary

INVOICE Robert M. Summers, Ph.D.
Deputy Secretary

SALISBURY DEPARTMENT OF PUBLIC WORKS
MR. JAMES CALDWELL, DIRECTOR
125 NORTH DIVISION STREET
SALISBURY MD 21802-4940

CUSTOMER NO.: OSP080734 400

INVOICE NO	INVOICE DATE	DUE DATE	INVOICE AMOUNT
AC019297	06/03/08	07/01/08	\$10,200.00

DESCRIPTION/COMMENTS: STIPULATED PENALTY FOR EFFLUENT VIOLATIONS FROM JUNE 2006 THROUGH MARCH 2008. IN ACCORDANCE WITH CONSENT JUDGMENT CJ-05-0319.

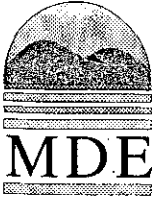
REFERENCE: SP-08-0734 (SURFACE)

PCA: 13710 AGY/OBJ: 7545 SFX: 408 AGY/GL: 0544

TO RECEIVE PROPER CREDIT, PLEASE PRINT THE INVOICE NUMBER ON YOUR CHECK AND INCLUDE REMITTANCE COPY OF THE INVOICE WITH YOUR PAYMENT.

MAKE CHECK PAYABLE TO: MDE, CLEAN WATER FUND
P.O. BOX 2057
BALTIMORE, MD. 21203-2057

FOR QUESTIONS CALL: CAROL COATES, CHIEF, ENFORCEMENT DIVISION
COMPLIANCE PROGRAM (410) 537-3510



MARYLAND DEPARTMENT OF THE ENVIRONMENT

P. O. Box 2057 • Baltimore MD 21203-2057

410-537-3000 • 1-800-633-6101

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Deputy Secretary

REMITTANCE COPY

SALISBURY DEPARTMENT OF PUBLIC WORKS
MR. JAMES CALDWELL, DIRECTOR
125 NORTH DIVISION STREET
SALISBURY MD 21802-4940

CUSTOMER NO.: 0SP080734 400

CUR DOC NO./SFX	AMOUNT
AC019297 408	\$10,200.00
TOTAL INVOICE	\$10,200.00
DUE DATE :	07/01/08

-----PLEASE RETURN THIS REMITTANCE COPY WITH YOUR PAYMENT-----

Salisbury WWTP Effluent Limit Violations

Silver data for June 2006 silver violation:

Battelle Labs	1.1 ug/l
Atlantic Coast Lab	8.5 ug/l
Atlantic Coast retest	<u>6.0 ug/l</u>
	15.6 ug/l

Average = 5.2 ug/l

Silver Violations				
Date of violation	5/1 – 10/31	Daily Loading 0.11 lbs/d		Daily Avg. Conc. = 2.1 ug/l
6/30/06		0.26 lbs/d		5.2 ug/l
6/30/07		0.09 lbs/d		2.2 ug/l
		0.12 lbs/d		2.7 ug/l
2/28/07	11/1 – 4/30	0.13 lbs/d		2.5 ug/l
		.21 lbs		4.1 ug/l

TSS Violations				
Date of Violation			Mo. Avg. Conc. Interim Performance Standard = 45	Wkly. Avg. Conc. Interim Performance Standard = 68 mg/l
3/31/07			48 mg/l	

BOD Violations				
Date of Violation	Mo. Avg. Loading Interim Performance Standard = 2550 lbs.	Wkly. Avg. Loading Interim Performance Standard = 3900 lbs.	Mo. Avg Conc. Interim Performance Standard = 45 mg/l	Wkly. Avg. Conc. Interim Performance Standard = 68 mg/l
11/31/07			51 mg/l	71 mg/l
12/7/07				112 mg/l
12/14/07				115 mg/l
12/31/07			55 mg/l	
1/7/08				112 mg/l

1/14/08				115 mg/l
1/21/08				105 mg/l
1/28/08				81 mg/l
2/7/08				85 mg/l
2/14/08				114 mg/l

PH Violations				
Date of Violation	Minimum = 6.5 SU		Maximum = 8.5 SU	
12/31/07	6.4 SU			

TOTAL RESIDUAL CHLORINE VIOLATIONS				
Date of Violation	Daily Maximum = 0.1 mg/l			
3/29/08	5.2 mg/l			