



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Drinking Water Enforcement: Alabama Department of Environmental Management and Abbeville Water Works & Sewer Board Enter into Consent Order to Address Alleged Violations

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The Alabama Department of Environmental Management (“ADEM”) and Abbeville Water Works & Sewer Board (“Abbeville”) entered into a May 9th Consent Order (“CO”) to address alleged violations of the Alabama Safe Drinking Water Act.

Abbeville is stated to operate a “public water system” (as defined in Ala. Code § 22-23-31) in Henry County, Alabama.

The system was issued a Water Supply Permit (“Permit”) by ADM on August 25th, 2015. The Permit authorizes the operation of Abbeville’s “public water system”.

The CO provides that certain provisions of the ADEM Administrative Code require that Abbeville monitor for lead and copper. In addition, additional regulatory provisions require that Abbeville sample for:

- Volatile organic chemicals (“VOCs”)
- Disinfection by-products

Abbeville is also required to provide each of its customer with the results of any lead and copper monitoring conducted at their tap and educational materials on lead and copper.

The CO alleges that Abbeville failed to perform required monitoring for:

- Lead and copper – June through September 2014
- VOCs for well No. 3 – July through September 2014
- First week of September, 2014 – stage 2 disinfection byproducts
- Lead and copper – June through September 2015

A Notice of Violation was stated to have been sent to Abbeville addressing the alleged violations.

Abbeville completed the required monitoring with the exception of lead and copper for June – September 2015. None of the sampling results were above the lead or copper action levels. It is also alleged that Abbeville failed to provide each customer with a copy of their lead and copper monitoring results and educational materials as required by the relevant ADEM Administrative Code provision.

Abbeville neither admits nor denies the violation alleged by ADEM.

The CO assess a penalty of \$6,700. In addition, Abbeville agrees to conduct lead and copper monitoring as required by the relevant ADEM Administrative Code provisions during the month of June 2016 and comply immediately with other referenced ADEM Administrative Code provisions and continue to do so as long as it operates a public water system.

[A copy of the CO can be downloaded here.](#)