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## Wastewater Enforcement: Alabama Department of Environmental Management and Madison County Inorganic Chemical Plant Operator Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and ISP Chemicals, LLC, (“ISP”) entered into an April 18th Consent Order (“CO”) addressing alleged violation of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit.

The CAO provides that ISP operates an industrial inorganic chemical plant (“Plant”) in Madison County, Alabama.

ADEM is stated to have issued an NPDES permit to ISP in 2016. The permit is stated to establish limitations on discharges of pollutants from point sources, designated as Outfalls No. DSN001, DSN002, and DSN003. They discharge into an unnamed tributary to Huntsville Spring Branch.

The NPDES permit requires ISP to submit an application for permit renewal not later than 180 days prior to expiration of the existing permit. The application for permit renewal was stated to be due to ADEM by August 5, 2020. If such permit renewal was not received within the appointed time any discharge after expiration of the NPDES permit is stated to be an unpermitted discharge.

The CO provides that the NPDES permit expired on January 31st and all discharges from the Plant since that date have been unpermitted.

A civil penalty of \$12,500 is assessed.

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