UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219

09 JUL 2018

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Article No.: 7014 1200 0000 6122 0475

Mr. Mike Lankford
Water Works & Sewer Board
P. O. Box 800
Gadsden, Alabama 35901

Re: Water Works & Sewer Board of the City of Gadsden, NPDES No. ALL053201
2017 Biosolids Annual Report

Dear Mr. Lankford:

Letter of Warning

The U.S. Environmental Protection Agency is in receipt of the referenced 2017 biosolids annual report, and has reviewed its information to evaluate the City's compliance with the requirements of Section 405 of the Clean Water Act, 33 U.S.C. § 1345, and the regulations promulgated thereunder at 40 Code of Federal Regulations (CFR) Part 503.

Based on the information contained in the 2017 annual report and the additional information you submitted, the Utility has failed to comply with the 40 CFR Part 503 requirements. Specifically, the EPA has identified the following deficiency:

1. *40 CFR Part 503.8(b)(4)* – Requires the use of the appropriate analytical method with sufficient sensitivity for the determination of inorganic pollutants.

    a. The City failed to analyze biosolids samples in May 2017 for Molybdenum with sufficient sensitivity to be able to determine compliance with the pollutant limits found in 40 CFR Part 503.13. The City reported metals concentrations for Molybdenum below the reporting limit for May 2017, but the laboratory reporting limit was above the pollutant limit.

The City must take all appropriate actions to come into compliance with the requirements of the CWA and the EPA's implementing regulations. Although no further follow-up action is contemplated by the EPA at this time, please note that the agency reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered.

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This Letter of Warning is being sent through the EPA's Biosolids Center located in EPA's Region 7 office in Lenexa, Kansas. If you have any questions regarding this matter, please contact Jodi Bruno at 913-551-7810.

Sincerely,

Diane L. Huffman
Chief
Water Enforcement Branch

cc: Dan O'Lone, EPA Region 4
Becky Garnett, EPA Region 4