

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

IN RE: Lowndes Co. -Alapaha Plantation S/D
GA1850274
327 North Ashely Street
3rd Floor
Valdosta, GA 31601
Bill Slaughter, Chairman

ORDER NO. EPD-WP-9091

CONSENT ORDER

Authority

WHEREAS, Lowndes County Board of Commissioners (hereinafter referred to as the "Respondent") owns, manages, operates and/or maintains the Lowndes Co. Alapaha Plantation S/D Water System, WSID Number GA1850274 (hereinafter referred to as the "System") located in Lowndes County, Georgia; and

WHEREAS, under the Georgia Safe Drinking Water Act of 1977, as amended, O.C.G.A. § 12-5-170 et. seq. (hereinafter referred to as the "Act"), the General Assembly of Georgia designated the Environmental Protection Division of the Department of Natural Resources (hereinafter referred to as the "Division") to administer the provisions of the Act; and

WHEREAS, O.C.G.A. § 12-5-176 assigns the power and responsibility to the Director of the Division (hereinafter referred to as the "Director") to issue permits covering the operation of public water systems, stipulating in each permit the conditions under which such permit was issued, and to issue orders as may be necessary to enforce compliance with the provisions of this Act and all rules and regulations promulgated thereunder; and

WHEREAS, Rules for Safe Drinking Water, Subject 391-3-5 (hereinafter referred to as the "Rules"), were established as required under O.C.G.A. §12-5-174 and became effective on July 26, 1977, and were amended in subsequent years; and

WHEREAS, Rule 391-3-5-.18(7)(a) of the Rules sets the Maximum Contaminant Level for Total Haloacetic Acids (HAA5) as 0.060 milligrams per liter (mg/L); and

WHEREAS, Rule 391-3-5-.18(7)(a) of the Rules sets the Maximum Contaminant Level for Total Trihalomethanes (TTHM) as 0.080 milligrams per liter (mg/L); and

Civil Penalties

WHEREAS, O.C.G.A. § 12-5-192 provides that for any public water system serving fewer than 10,000 individuals, any person violating any provision of the Act or any permit condition or limitation established pursuant to the Act or, negligently or intentionally, failing or refusing to comply with any final order of the Director shall be liable for a civil penalty not to exceed \$1,000.00 for the first day of each violation and a subsequent additional civil penalty not to exceed \$500.00 per violation per day; and