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## Hartford facing potential pollution suit

By **Jim Cook**

The city of Hartford may be sued if it doesn't clean up its act with regard to discharges from the Hartford Lagoon into Hurricane Creek.

David A. Ludder, an attorney for the Conservation Alabama Foundation, filed notice of intent to file suit on Dec. 24. The notice informed the city that unless it took steps to permanently resolve the discharges into the creek within 60 days, Hartford could be sued for more than 1,000 violations of the Clean Water Act.

Hartford Mayor Jeff Sorrells was unavailable for comment Monday.

According to the notice, Hartford has been cited multiple times for failing to comply with discharge limitations and failing to submit required reports.

According to the notice, levels of fecal coliform and total suspended solids are too high and have been on numerous occasions over the last five years. Also, carbonaceous biochemical oxygen demand has been determined to be too high in the Hurricane Creek waters.

In short, the notice alleges that the city isn't doing enough to clean up its wastewater before releasing it into the creek.

Ludder, in a phone interview Monday, said the city of Hartford had failed to comply with its discharge permit, and that ADEM had failed to enforce the Clean Water Act. Ludder said the notice of intent to sue was an attempt to get the city into compliance with the act.

Ludder said that residents of Hartford downstream of the discharge site into Hurricane Creek should avoid the creek, as the water is unsafe.

“Any human contact below the discharge site would not be wise because the fecal coliform amounts have exceeded safe levels for humans to come in contact with,” he said.

Not addressing the problem could have some serious implications for Hartford. According to the notice, the maximum penalty authorized by the Clean Water Act for violations occurring after Jan. 12, 2009, is \$37,500 per violation. For violations occurring prior to Jan. 13, 2009, the maximum penalty is \$32,500 per violation. The notice lists 1,030 violations between 2006 and 2010.

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