

***Summary of Reasons Supporting Proposed Revisions
to the Water Quality Program Regulations***

335-6-13 Financial Assurance Requirements for Privately-Owned Sewage Treatment Systems

The Alabama Department of Environmental Management is proposing to add a new chapter 335-6-13 to the division 335-6 Code to prevent the discharge of untreated or partially treated sewage by privately-owned sewage treatment works lacking adequate resources to operate, maintain, repair or upgrade the treatment works or sewage collection system. Over the past twenty-five years, a number of regulated privately-owned treatment works treating domestic sewage have discharged raw or partially treated sewage because they lacked sufficient income or capital to operate or maintain their treatment works or collection systems.

These regulations would require the owners or operators of certain privately-owned sewage treatment works to file with the Department a financial assurance plan which would provide the resources necessary to cover the contingencies of the facility ceasing operations, or if the owner or operator is no longer financially viable, to adequately maintain and operate the facility protective of human health and the environment.