

NOTICES



CA
RECEIVED MAR 19 2012

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH

OFFICE OF DRINKING WATER

Southeast Virginia Field Office

Karen Remley, MD, MBA, FAAP
State Health Commissioner

J. Wesley Kleene, PhD, PE
Director, Office of Drinking Water

830 Southampton Avenue
Suite 2058
Norfolk, VA 23510
Phone (757) 683-2000
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MAR 13 2012

INFORMATIONAL NOTICE OF FEDERAL VIOLATION

SUBJECT: SOUTHAMPTON COUNTY
Water - Edgehill Subdivision
PWSID No. 3175340

Mr. Michael Smith
Deputy Director of Public Utilities
Southampton County
17287 Pitmann Road
Boykins, VA 23827

Dear Mr. Smith:

This Informational Notice is to advise that the subject waterworks appears to be in violation of the federal *Ground Water Rule (GWR)* adopted by the U.S. Environmental Protection Agency (EPA). The GWR went into effect on December 1, 2009. Section 141.403 (b) of the NATIONAL PRIMARY DRINKING WATER REGULATIONS requires that a waterworks providing 4-log virus inactivation treatment must verify adequate treatment through daily monitoring of the residual disinfectant concentration.

By letter dated November 30, 2009, this Office approved the subject waterworks for 4-log virus inactivation and notified you of the minimum residual chlorine concentration and associated monitoring requirements. The subject waterworks' monthly operation report for January and February 2012 indicate the minimal residual required to achieve 4 log virus inactivation was not monitored for on the following dates: January 7th, 28th, February 5th, 18th, 25th, and 26th.

As the owner of the waterworks, you are required to comply with these regulations. Federal law requires the Commonwealth of Virginia to adopt State drinking water regulations that are at least as stringent as federal drinking water regulations. Virginia is currently working to adopt State GWR regulations. However, at this time, only the EPA has the authority to enforce the federal regulations. The Virginia Department of Health (VDH) is providing waterworks owners with Informational Notices as a courtesy to inform them of the status of their waterworks in regard to these regulations.

Required Actions

Public Notice: Federal law requires owners of waterworks to give notice of violations to its consumers and to report violations to EPA. EPA has authorized violations to be reported to VDH instead of the EPA, until VDH adopts the GWR. Attached to this letter is an example notice for consumers.

MAR 13 2012

SUBJECT: SOUTHAMPTON COUNTY
Water - Edgehill Subdivision
PWSID No. 3175340

The federal GWR characterizes this monitoring failure as a Tier 3 violation event. You are required to notify consumers of the monitoring failure as follows:

- You must distribute a notice to consumers no later than 1 year from the date of this letter.
- Your notice to consumers must be mailed or directly delivered to each customer receiving a bill, and to other service connections served by your waterworks.
- If your waterworks serves consumers who do not pay water bills, or who do not have service connection addresses (apartment dwellers, university students, or nursing home patients, for example) you must also use other delivery methods to provide notice to these consumers as well. Examples of other methods include (but are not limited to) notice publication in local newspapers, delivery of multiple copies to apartment buildings, or posting the notice in public places served by the system.

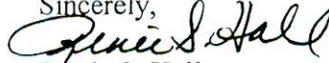
~~Draft Notice:~~ Attached is a draft notice for you to distribute to consumers. You may use this notice as is, or modify it to better meet your situation, as long as the information is accurate and the notice contains all of the required elements and mandated language. If you decide to change the notice, we suggest that you contact this Office to verify that your proposed changes meet the requirements of the federal GWR.

Public Notice Confirmation: Within ten (10) days of completing public notification you must provide this Office with a copy of the notice you distribute, along with the signed certification of completion indicating the distribution date and methods used. Failure to distribute public notice and report to the Virginia Department of Health (VDH) may be a violation of the federal GWR. A certification form is enclosed for your use.

Follow-up Actions: As indicated in our letter dated November 30, 2009, you must maintain and monitor for the appropriate residual disinfectant concentration at the entry point into the distribution. If your daily grab sample at peak flow is below the designated residual level, you must collect follow-up samples and the minimum residual must be achieved within four hours. All measurements are to be reported to this office.

Any violation of these federal regulations may result in an enforcement action being taken by EPA, including federal civil penalties of up to \$37,500 per day per violation.

If you have questions, please call.

Sincerely,

Renée S. Hall
District Engineer

RSH/bjm

Enclosures: Public Notice

Public Notice Completion Report

pc: Southampton County Health Department

Mr. Michael Johnson, County Administrator, Southampton County

V.D.H. – Office of Drinking Water

Ms. Lisa Donahue, Drinking Water Enforcement Coordinator, US EPA, Region III



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MAR 13 2012

SUBJECT: SOUTHAMPTON COUNTY
Water - Drewryville
PWSID No. 3175300

Mr. Jon Mendenhall
Assistant County Administrator
Southampton County
P. O. Box 400
Courtland, VA 23837

Dear Mr. Mendenhall:

This letter is in response to your inquiry regarding the status of the Preliminary Engineering Report (PER) approved by this office on June 9, 1997. The report was prepared to address upgrades at the subject waterworks. The report includes a discussion of existing facilities, an evaluation of alternatives, and recommendations. The report recommends that the County consider the installation of a new well, provide additional storage and other improvements. Two of the improvements mentioned in the report were the installation of a generator for the well system and the installation of meters. A generator now serves the system and the system is now metered. The existing conditions at the waterworks have not changed otherwise.

On March 2, 2012 during a telephone conversation with you, you asked if the referenced PER could be used in order to apply for SRF funding. The Southampton County Board of Supervisors was awarded funding through the VDH Financial and Construction Assistance Program. In the grant agreement it was stated that the funds were to be used to locate and install a pilot well, and to prepare a preliminary engineering report and plans and specifications.

The agreement required that a well site inspection for the second well be conducted by April 30, 2009. A well site inspection was conducted for the second well by VDH on May 7, 2009. The agreement also stated that the well must be drilled by May 31, 2009. The second well was drilled August 2010. In a letter to Mr. Julien Johnson, Director of Public Utilities, Southampton County dated August 5, 2010, the County was notified that the grant was closed due to noncompliance with the terms of the grant agreement.

We encourage you to apply for additional funding to complete the project. The PER will need to be updated since the well has been constructed. A copy of the Groundwater Completion Report (GW-2) as well as calculations used for the pump design will need to be submitted. In addition, compliance samples were collected and the yield and drawdown test was also completed.

Mr. Davis Magette

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1.15.22 2012

SUBJECT: SOUTHAMPTON COUNTY
Water - Darden's Mill Estates
PWSID No. 3175282

Public Notice Confirmation: Within ten days of completing public notification, you must provide this Office with a copy of the notice you distribute, along with signed certification of the distribution completion date and methods used. Failure to distribute public notice and report to the Virginia Department of Health may be a further violation of the *Waterworks Regulations*. A public notification completion form is enclosed for your use.

Follow-up Actions: You must collect your regularly scheduled bacteriological sample during February 2012.

If you have questions, please call.

Sincerely,



Renée Hall
District Engineer

RSH/bjm

Enclosures

pc: Southampton County Health Department
Mr. Michael Johnson, County Administrator, Southampton County
V.D.H. - Office of Drinking Water



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MAR 13 2012

INFORMATIONAL NOTICE OF FEDERAL VIOLATION

SUBJECT: SOUTHAMPTON COUNTY
Water - Agri-Business Industrial Park
PWSID No. 3175007

Mr. Michael Smith
Deputy Director of Public Utilities
Southampton County
17287 Pitmann Road
Boykins, VA 23827

Dear Mr. Smith:

This Informational Notice is to advise that the subject waterworks appears to be in violation of the federal *Ground Water Rule (GWR)* adopted by the U.S. Environmental Protection Agency (EPA). The GWR went into effect on December 1, 2009. Section 141.403 (b) of the NATIONAL PRIMARY DRINKING WATER REGULATIONS requires that a waterworks providing 4-log virus inactivation treatment must verify adequate treatment through daily monitoring of the residual disinfectant concentration.

By letter dated November 30, 2009, this Office approved the subject waterworks for 4-log virus inactivation and notified you of the minimum residual chlorine concentration and associated monitoring requirements. The subject waterworks' monthly operation report for February 2012 indicate the minimal residual required to achieve 4 log virus inactivation was not monitored for on the following dates: February 5th, 25th, and 26th.

As the owner of the waterworks, you are required to comply with these regulations. Federal law requires the Commonwealth of Virginia to adopt State drinking water regulations that are at least as stringent as federal drinking water regulations. Virginia is currently working to adopt State GWR regulations. However, at this time, only the EPA has the authority to enforce the federal regulations. The Virginia Department of Health (VDH) is providing waterworks owners with Informational Notices as a courtesy to inform them of the status of their waterworks in regard to these regulations.

Required Actions

Public Notice: Federal law requires owners of waterworks to give notice of violations to its consumers and to report violations to EPA. EPA has authorized violations to be reported to VDH instead of the EPA, until VDH adopts the GWR. Attached to this letter is an example notice for consumers.

The federal GWR characterizes this monitoring failure as a Tier 3 violation event. You are required to notify consumers of the monitoring failure as follows:

MAR 13 2012

SUBJECT: SOUTHAMPTON COUNTY
Water - Drewryville
PWSID No. 3175300

The bacteriological samples indicate that the samples were analyzed by the Presence/Absence method (P/A) instead of by Most Probable Number (MPN) analyses. Twenty samples will need to be collected and analyzed by the MPN method.

The *Waterworks Regulations* state in part that:

“Waterworks serving 50 or more residential connections with wells as the source of supply shall provide at least two water sources which do not hydraulically interfere with another source of public water supply. Consideration shall be given to requiring each source to be of a minimum yield so its reliability is realistic. The secondary well should be rated at 20% of the waterworks capacity as a minimum.”

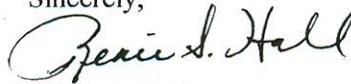
The Drewryville waterworks consists of one drilled well, a 2,000 gallon hydropneumatic tank and appurtenances. Operation reports indicate that the waterworks serves 74 residential connections.

The waterworks was issued a grandfathered permitted capacity of 24,000 gpd. Eighty percent of the permitted capacity has been exceeded for at least 8 months within the past year. In addition, the operation reports indicate that the average demand usage per connection ranged from 83-435 gpd during the 2010-2011 period. During the last inspection, the operator indicated that the waterworks experienced significant leaks during the previous year. You stated that you wanted to comply with the *Regulations* regarding storage requirements. Please note that you will need at least 11,333 gallons of effective storage capacity. In addition, if fire flow demands are to be incorporated you will need an additional 60,000 gallons based on a demand of 500 gpm for the duration of a 2-hour fire. You stated that you have a tank on the property that you wish to hook up to the system and want to incorporate this as part of the construction grant. The tank would have to be added to the revised PER and must comply with AWWA standards.

The plans and specifications should address the well installation and pump specifications as well as the addition of a tank and any possible booster pumps.

If you have any questions, or if we may be of further assistance, please do not hesitate to call me ext. 113.

Sincerely,



Renée S. Hall
District Engineer

RSH/bjm

pc: Southampton County Health Department
Mr. Michael Johnson, County Administrator, Southampton County
V.D.H. - Office of Drinking Water
V.D.H. - Office of Drinking Water, Attn: Mr. Steve D. Pellej, PE

RECEIVED FEB 27 2012



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COMMONWEALTH of VIRGINIA

Karen Remley, MD, MBA, FAAP
State Health Commissioner

J. Wesley Kleene, PhD, PE
Director, Office of Drinking Water

DEPARTMENT OF HEALTH
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Southeast Virginia Field Office

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FEB 22 2012

NOTICE OF VIOLATION

SUBJECT: SOUTHAMPTON COUNTY
Water - Darden's Mill Estates
PWSID No. 3175282

Mr. Davis Magette
620 Carrington Drive
Weston, FL 33326

Re: Failure to Collect Required Bacteriological Samples

Dear Mr. Magette:

This notice is to advise that you may be in violation of §12 VAC 5-590-370 of the Virginia *Waterworks Regulations* for failure to conduct the required monitoring of the bacteriological quality of water served to your customers. According to our records, one routine water sample was required for bacteriological analysis during the month of January 2012, and none was collected, analyzed, or reported.

Required Actions

Public Notice: The *Waterworks Regulations* characterizes this as a situation that requires Tier 3 public notification. According to §12 VAC 5-590-540, you are required to notify consumers that the prescribed monitoring was not performed, as follows:

- You must provide notice to consumers no later than one year following receipt of this notice.
- Your notice to consumers must be mailed or directly delivered to each customer receiving a bill, and to other service connections served by your waterworks.
- Until the violation is resolved, you must give a copy of the notice to all new billing units or new customers, before or at the time service begins.
- You must repeat distribution of the notice annually, for as long as the violation persists.

Draft Notice: Attached is a draft notice for you to distribute to consumers. You may use this notice as is, or modify it to better meet your situation, as long as the information is accurate and the notice contains all of the required elements and mandated language. If you decide to change the notice, we suggest that you contact this Office to verify that your proposed changes meet the requirements of the *Waterworks Regulations*. Please insert the name, address, and phone number of a waterworks representative in the spaces provided on the draft notice.