

9. MISCELLANEOUS**A. ANNUAL REPORT - BLACKWATER REGIONAL LIBRARY**

Attached for your reference, please find a copy of the latest annual report for the Blackwater Regional Library.

B. NOTICE OF 4-H POSITION VACANCY

Attached for your reference please find correspondence I received earlier this week from Neil Clark relative to the recent resignation of Terry Patterson as 4-H Coordinator for Southampton and Isle of Wight Counties. He seeks your approval to refill the position.

MOTION REQUIRED: A motion is required to authorize VCE to advertise for the vacant position.

C. NOTICES

Attached for your reference please find copies of various notices.

D. INCOMING CORRESPONDENCE

Please find various items of incoming correspondence attached.

E. OUTGOING CORRESPONDENCE

Please find various items of outgoing correspondence attached.

F. ARTICLES OF INTEREST

Please find copies of various newspaper articles attached for your reference.

RECEIVED OCT 12 2012

Public Notice – Environmental Regulation

NOTICE OF ACTION: The State Water Control Board is considering the amendment of regulations on GROUNDWATER.

PURPOSE OF NOTICE: To seek public comment through the Department of Environmental Quality on 1) the proposal 2) the costs and benefits of the proposal 3) effects of the proposal on farm and forest land preservation and 4) impacts on small businesses.

PUBLIC COMMENT PERIOD: October 22, 2012 to January 11, 2013

PUBLIC HEARINGS:

James City County Board of Supervisors Meeting Room, Building F, 101 Mounts Bay Rd., Williamsburg, VA 23185 on November 26, 2012 at 1:30 p.m.

Spotsylvania County Administration Building- Holbert Building, Board of Supervisors Meeting Room, 9104 Courthouse Rd., Spotsylvania, VA 22553 on December 4, 2012 at 2 p.m.

PUBLIC COMMENT STAGE: Notice of Public Comment

REGULATION NAMES: Eastern Virginia Ground Water Management Area Regulations (9VAC25-600) and Ground Water Withdrawal Regulations (9VAC25-610)

DESCRIPTION OF PROPOSED REGULATIONS: Expands the Eastern Virginia Ground Water Management Area to include the remaining portion of Virginia's coastal plain. Amends the Ground Water Withdrawal regulations to manage groundwater resources more comprehensively.

LOCALITIES PARTICULARLY AFFECTED: counties of Arlington, Caroline, Charles City, Chesterfield, Essex, Fairfax, Gloucester, Hanover, Henrico, Isle of Wight, James City, King George, King and Queen, King William, Lancaster, Mathews, Middlesex, New Kent, Northumberland, Prince George, Prince William, Richmond, Southampton, Spotsylvania, Stafford, Surry, Sussex, Westmoreland, and York and the cities of Chesapeake, Franklin, Hampton, Hopewell, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg.

HOW TO COMMENT: DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name and address of the person commenting and be received by DEQ no later than the last day of the comment period. Both oral and written comments are accepted at the public hearings. More detailed information on the proposals are available at the Town Hall website at <http://www.townhall.virginia.gov/L/viewchapter.cfm?chapterid=1445> and <http://www.townhall.virginia.gov/L/viewchapter.cfm?chapterid=1451> . More information on the proposals can also be obtained by contacting the DEQ representative named below.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION: Melissa Porterfield, Office of Regulatory Affairs, P.O. Box 1105, Richmond, VA 23218, phone: 804-698-4238, fax: 804-698-4346 email: Melissa.Porterfield@deq.virginia.gov



RECEIVED OCT 9 2012

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing Address: P. O. Box 1105, Richmond, Virginia 23218

Fax (804) 968-4500 TDD (804) 698-4021

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

October 5, 2012

Mr. Michael W. Johnson
County Administrator
Southampton County
P.O. Box 400
Courtland, Virginia 23837

Dear Mr. Johnson:

The Department of Environmental Quality has received an application to withdraw ground water in the Eastern Virginia Ground Water Management Area. Section VAC 25-610-250 B of the Ground Water Withdrawal Regulation requires that the Department of Environmental Quality send a notice of each draft permit to each local governing body located within the ground water management area where the proposed withdrawal will occur.

In accordance with this section, please find the enclosed notice that will be advertised in the **Sussex-Surry Dispatch on Wednesday, October 10, 2012**. Additional information on the permit application can be obtained by contacting the DEQ staff person listed on the attached notice.

The Department will accept comments concerning the proposed issuance of this draft permit for thirty days. All comments must be received by **5:00 p.m. on Wednesday, November 9, 2012**.

Sincerely,

B. N. Sinha, Ph.D.
Ground Water Permitting Program

/bns

Enclosure

Public Notice – Environmental Permit

PURPOSE OF NOTICE: To seek public comment on a draft permit from the Department of Environmental Quality for the withdrawal of ground water in Sussex County, Virginia.

PUBLIC COMMENT PERIOD: October 10, 2012 to November 9, 2012

PERMIT NAME: Ground Water Withdrawal Permit issued by DEQ, under the authority of the State Water Control Board

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: Sussex Service Authority, 4385 Beef Steak Road, Waverly, Virginia 23890; GW0010100

NAME AND LOCATION OF WATER WITHDRAWAL: Northeastern Regional Water System; their two wells are located on Musselwhite Drive off of State Route 625 in the northeastern portion of the Sussex County.

PROJECT DESCRIPTION: Sussex Service Authority has applied for a reissuance of their permit for the Northeastern Regional Water System in Sussex County, Virginia. The permit would allow the applicant to withdraw an average of 736,115 gallons per day. The ground water withdrawal will continue to support a potable water supply for the existing operation of two maximum security Jails, residential and commercial facilities along with the proposed development of two industrial sites. The proposed withdrawal will utilize the Lower Potomac Aquifer at a depth between 305 feet to 435 feet below the land surface at the withdrawal site. An aquifer is a body of rock or layer of sediment in the ground in which ground water is stored and transported. DEQ has made a tentative decision to issue the permit.

AFFECTED AREA: The radial distance from the wells to where computer modeling predicts the aquifer may experience one foot of drawdown due to the withdrawal is illustrated on a map that can be viewed at <http://www.deq.virginia.gov/gwpermitting/publicnotices.html>.

HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING: DEQ accepts comments by e-mail, fax or postal mail. All comments must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The reason why a public hearing is requested; 2) A brief informal statement regarding the nature and extent of the interest of the requester or of those represented by the requester, including how and to what extent of the interest would be directly and adversely affected by the permit; 3) Specific references, where possible, to terms and conditions of the permit with suggested revisions. DEQ may hold a public hearing, including another comment period, if public response is significant and there are substantial, disputed issues relevant to the proposed permit.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION: Dr. B. N. Sinha; DEQ – Ground Water Withdrawal Permitting Program, P. O. Box 1105, Richmond, VA 23218; Phone: (804) 698-4229; E-mail: bhudeo.sinha@deq.virginia.gov FAX: (804) 698-4032. The public may review the draft permit and application at the DEQ office named above by appointment.

**COPY**

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH

OFFICE OF DRINKING WATER

WARNINGKaren Remley, MD, MBA, FAAP
State Health CommissionerJohn J. Aulbach II, PE
Director, Office of Drinking WaterMadison Building
109 Governor Street, 6th Floor
Richmond, VA 23219
Phone: 804-864-7500
Fax: 804-864-7521

September 27, 2012

VIA FIRST CLASS and CERTIFIED MAIL – RETURN RECEIPT REQUESTEDMs. Shanda Harper
Aura, Inc.
137 Kenmore Street
Suffolk, Virginia 23434**Re: Kingsdale Moseley Waterworks (Southampton County) PWSID #3175461**
Ongoing Noncompliance – Pending State/Federal Enforcement Action

Dear Ms. Harper:

This is a warning that the Kingsdale Moseley waterworks has been identified as a Serious Violator under the federal Environmental Protection Agency's (EPA) Enforcement Response Policy, and Virginia Department of Health (VDH) records reflect that the Kingsdale Moseley waterworks is not being operated in compliance with the *Waterworks Regulations (Regulations)*. This situation presents a potential threat to public health, and you are advised to take immediate action to resolve this matter.

VDH has issued Notices of Violation (NOVs) to you for the following:

- Operating a waterworks without a valid operation permit as required by 12VAC5-590-190 of the *Regulations* from January 11, 2007 to the present;
- Failure to provide a Class VI licensed operator as required by 12 VAC 5-590-460 A of the *Regulations* from September 12, 2011 to the present;
- Failure to collect and have analyzed a combined nitrate/nitrite sample during the calendar year 2011 monitoring period as required by 12VAC5-590-370 of the *Regulations*;

- Failure to collect and have analyzed the required triggered source water sample during the months of October 2011 and August 2012 as required by 12VAC5-590-379 B as the result of routine bacteriological samples collected on October 30, 2011 and August 22, 2012 that indicated the presence of coliform bacteria;
- Failure to collect and have analyzed four repeat water samples for bacteriological examination in response to the positive routine samples collected October 30, 2011 and August 22, 2012 as required by 12VAC5-590-370 of the *Regulations*;
- Failure to collect and have analyzed five routine water samples for bacteriological examination in response to the positive routine sample collected October 30, 2011 as required by 12VAC5-590-370 of the *Regulations*;
- Failure to deliver an annual Consumer Confidence Report (CCR) to the customers served by the waterworks and to the state for calendar year 2011 as required by 12 VAC 5-590-545 of the *Regulations*;
- Failure to file a monthly operation report as required by 12VAC5-590-530 of the *Regulations* for January – July 2012;
- Failure to provide public notification and failure to submit certification of public notice as required by 12VAC5-590-540 of the *Regulations*. Public notification was required as follows:

<u>Violation</u>	<u>Monitoring Period</u>	<u>Public Notification Due</u>
Failure to collect Nitrite / Nitrate sample	2008	June 15, 2012
Failure to collect bacteriological sample	April 2011	June 15, 2012

- Failure to submit a Waterworks Business Operation Plan from January 11, 2007 to the present as required by § 32.1-172 of the *Code of Virginia*;
- Failure to submit a Cross-Connection Control Plan for VDH review and approval from January 2007 to the present as required by 12VAC5-590-580 of the *Regulations*; and,
- Failure to submit an Emergency Management Plan for VDH review and approval from January 2007 to the present as required by 12VAC5-590-505 of the *Regulations*.

To protect public health and avoid formal enforcement action, please take the following actions:

1. Provide VDH with the name and license number of a Class VI licensed operator in responsible charge of your waterworks no later than October 19, 2012;
2. Collect the required nitrate-nitrite sample no later than October 31, 2012 and report the results to VDH no later than November 10, 2012;

Ms. Shanda Harper
September 27, 2012
Page 4

If you have any technical questions about how to operate your waterworks in compliance with the *Regulations*, please contact Renée S. Hall, District Engineer, at the VDH Southeast Virginia Field Office at (757) 683-2000, extension 113.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. K. Payne". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert A. K. Payne, JD
Director of Legal Affairs
Office of Drinking Water

cc: Karen D. Johnson, Chief, Drinking Water Branch, EPA Region III
John J. Aulbach II, PE, Director, Office of Drinking Water
Daniel B. Horne, PE, Director, VDH ODW Southeast Virginia Field Office
Nancy Welch, MD, MHA, MBA, Director, Western Tidewater Health District
Mr. Michael W. Johnson, County Administrator, Southampton County
Eric A. Cooke, Commonwealth Attorney, Southampton County



RECEIVED OCT 1 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 Kleenc, PhD, PE
Director, Office of Drinking Water

830 Southampton Avenue
Suite 2058
Norfolk, VA 23510
Phone (757) 683-2000
Fax (757) 683-2007

NOTICE OF VIOLATION

SEP 25 2012

SUBJECT: SOUTHAMPTON COUNTY
Water - Southampton Correctional Complex
PWSID No. 3175730

Mr. Dallas L. Phillips, Environmental Engineer Senior
Department of Corrections
Eastern Regional Office
1001 Obici Industrial Boulevard, Suite F
Suffolk, Virginia 23434

Re: Exceeding the Primary Maximum Contaminant Level for *E. coli* Bacteria

Dear Mr. Phillips:

This notice is to advise that you may be in violation of §12 VAC 5-590-380 of the *Waterworks Regulations* for exceeding the Primary Maximum Contaminant Level (PMCL) for *E. coli* bacteria during September 2012. According to our records, the routine bacteriological sample collected on September 12, 2012 was positive for total coliform bacteria. Two of the repeat samples collected on September 19, 2012 were positive for *E. coli* bacteria. As stated in §12 VAC 5-590-380 of the *Waterworks Regulations*, the PMCL for *E. coli* bacteria has been exceeded when a routine sample and a repeat sample are total coliform positive, and at least one of the samples is also positive for *E. coli* bacteria.

Required Actions for Exceeding the PMCL for *E. coli* Bacteria

Public Notice: The Federal Public Notification Rule characterizes this as a Tier 1 situation. Whenever a Tier 1 violation or situation occurs, public water supplies are required to initiate consultation with this office within 24 hours of learning of the violation or situation. According to our records, the required consultation took place during your conversation with me, at 10:30 a.m. on September 24, 2012. At that time, I described public notification requirements, and emailed you a copy of this letter and a suggested notice to consumers.

Mr. Dallas L. Phillips

Page 2

SUBJECT: SOUTHAMPTON COUNTY
Water - Southampton Correctional Complex
PWSID No. 3175730

The public notification must be handled as follows:

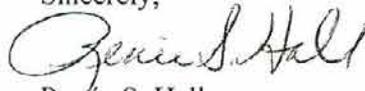
- You must distribute a notice to consumers no later than 10:30 a.m. on September 25, 2012.
- Your notice to consumers must be posted in conspicuous locations throughout the area served by your waterworks.
- Posted notices must be posted for a minimum of seven days even if the violation has been resolved, and must remain in place as long as the violation persists.
- You must repeat distribution of the notice every three months, 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 Public Notification Rule.

Public Notice Confirmation: Within ten (10) days of completing public notification, but no later than October 5, 2012, 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 violation of the Federal Public Notification Rule. A certification form is enclosed for your use.

Follow-up Actions: Plans and specifications for chlorination facilities have been approved for this waterworks which may reduce the potential for more positive samples. In light of this violation as well as the fact that the waterworks should move forward with the installation of the chlorination facilities, the distribution system and the wells are being disinfected at this time. Please collect two consecutive samples 24 hours apart after disinfecting the waterworks. In addition, you may wish to collect follow-up samples at the repeat locations that resulted in the positive sample results. Also, please collect five routine bacteriological samples in **October 2012**, in accordance with your approved Bacteriological Sample Siting Report/ Triggered Source Water Monitoring Plan.

Sincerely,



Renee S. Hall
District Engineer

RSH/ssd
Enclosures

pc: Dr. Nancy Welch, Acting Director, Southampton County Health Department
Mr. Michael Johnson, County Administrator, Southampton County
VDH – Office of Drinking Water



RECEIVED OCT 1 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
Fax (757) 683-2007

NOTICE OF VIOLATION

SEP 26 2012

SUBJECT: SOUTHAMPTON COUNTY
Water - Kingsdale-Moseley
PWSID No. 3175461

Ms. Shanda Harper
Aura, Inc.
137 Kenmore Street
Suffolk, VA 23434

Re: Failure to Collect Required Bacteriological Samples

Dear Ms. Harper:

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, a positive bacteriological sample was collected on August 22, 2012. The *Regulations* require a system of your size to collect a minimum of four repeat water samples for bacteriological examination in response to a positive routine sample. According to our records none of the four required repeat samples were collected. In accordance with §12 VAC 5-590-379 of the Virginia *Waterworks Regulations*, in response to the total coliform positive samples you were required to collect and have analyzed a triggered source water sample during the month of August 2012. Your waterworks is served by a well source. Our records indicate that you failed to collect the required triggered source water sample from the well.

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 customers must be mailed or directly delivered to each customer receiving a bill, and to other service connections served by your waterworks.

SUBJECT: SOUTHAMPTON COUNTY
Water - Kingsdale-Moseley
PWSID No. 3175461

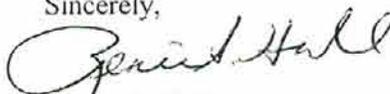
- You may choose to distribute an annual report of all Tier 3 violations incurred by your waterworks during 2012. If so, your annual notice must satisfy the timing, content, and distribution requirements for each Tier 3 violation.
- Until the violation is resolved, you must give a copy of the notice 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.
- If you are using a private laboratory, you should advise them that the monthly samples are for compliance purposes and ask that they submit results directly to this office.

Draft Notice: Attached is a draft notice for you to provide 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*.

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 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 5 routine bacteriological samples during the September 2012 monthly monitoring period. You must also collect a raw water sample from the well. If these samples have been collected and analyzed, please report the results by October 10, 2012. If you have questions, please call

Sincerely,



Renée S. Hall
District Engineer

RSH/ssd
Enclosures

pc: Dr. Nancy Welch, Acting Director, Southampton County Health Department
 Mr. Michael W. Johnson, County Administrator, Southampton County
Ms. Roberta Riccio, USEPA Region 3
V.D.H. – Office of Drinking Water



RECEIVED SEP 25 2012

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing Address: P. O. Box 1105, Richmond, Virginia 23218
Fax (804) 968-4500 TDD (804) 698-4021
www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

September 24, 2012

Mr. Michael W. Johnson
County Administrator
Southampton County
P.O. Box 400
Courtland, Virginia 23837

Dear Mr. Johnson:

The Department of Environmental Quality has received an application to withdraw ground water in the Eastern Virginia Ground Water Management Area. Section VAC 25-610-250 B of the Ground Water Withdrawal Regulation requires that the Department of Environmental Quality send a notice of each draft permit to each local governing body located within the ground water management area where the proposed withdrawal will occur.

In accordance with this section, please find the enclosed notice that will be advertised in the **Richmond Times Dispatch on Tuesday, September 25, 2012.** Additional information on the permit application can be obtained by contacting the DEQ staff person listed on the attached notice.

The Department will accept comments concerning the proposed issuance of this draft permit for thirty days. All comments must be received by **5:00 p.m. on Wednesday, October 24, 2012.**

Sincerely,

B. N. Sinha, Ph.D.
Ground Water Permitting Program

/bns

Enclosure

Public Notice – Environmental Permit

PURPOSE OF NOTICE: To seek public comment on a draft permit from the Department of Environmental Quality for the withdrawal of ground water in Hanover County, Virginia.

PUBLIC COMMENT PERIOD: September 25, 2012 to October 24, 2012

PERMIT NAME: Ground Water Withdrawal Permit issued by DEQ, under the authority of the State Water Control Board

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: County of Hanover, P. O. Box 470, Hanover, Virginia 23069; GW0002301

NAME AND LOCATION OF WATER WITHDRAWAL: Hanover Courthouse Water System; their three wells are located in the north central portion of the Hanover County east of US Route 301 near the Hanover Courthouse.

PROJECT DESCRIPTION: The County of Hanover has applied for a reissuance of their permit for the Courthouse Water System in Hanover County, Virginia. The permit would allow the applicant to withdraw an average of 66,466 gallons per day which is a decrease from the previously permitted amount. The ground water withdrawal will continue to support a potable water supply for the existing operation of county governmental, residential and commercial facilities. The proposed withdrawal will utilize the Middle Potomac Aquifer at a depth between 180 feet to 325 feet below the land surface at the withdrawal site. An aquifer is a body of rock or layer of sediment in the ground in which ground water is stored and transported. DEQ has made a tentative decision to issue the permit.

AFFECTED AREA: The radial distance from the wells to where computer modeling predicts the aquifer may experience one foot of drawdown due to the withdrawal is illustrated on a map that can be viewed at

<http://www.deq.virginia.gov/Programs/Water/WaterSupplyWaterQuantity/GroundwaterPermitting/PublicNotices.aspx>

HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING: DEQ accepts comments by e-mail, fax or postal mail. All comments must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The reason why a public hearing is requested; 2) A brief informal statement regarding the nature and extent of the interest of the requester or of those represented by the requester, including how and to what extent of the interest would be directly and adversely affected by the permit; 3) Specific references, where possible, to terms and conditions of the permit with suggested revisions. DEQ may hold a public hearing, including another comment period, if public response is significant and there are substantial, disputed issues relevant to the proposed permit.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION: Dr. B. N. Sinha; DEQ – Department of Environmental Quality, 629 East Main Street, P. O. Box 1105 Richmond, VA 23218; Phone: (804)698-4229; E-mail: bhudeo.sinha@deq.virginia.gov FAX: (804)698-4032. The public may review the draft permit and application at the DEQ office named above by appointment.



LA
RECEIVED SEP 24 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
Fax (757) 683-2007

SEP 17 2012

NOTICE OF VIOLATION

SUBJECT: SOUTHAMPTON COUNTY
Water - Palm Tree Inn
PWSID No. 3175545

Mr. Grover B. Edge Jr.
28210 Southampton Pkwy.
Palm Tree Inn
Courtland VA 23837

Re: Exceeding the Primary Maximum Contaminant Level for Total Coliform Bacteria

Dear Mr. Edge:

This notice is to advise that you may be in violation of §12 VAC 5-590-380 of the *Waterworks Regulations* for exceeding the Primary Maximum Contaminant Level (PMCL) for total coliform bacteria. Our records indicate that during the July 2012 monitoring period, four (4) of five (5) samples tested positive for the presence of total coliform bacteria. Per *Waterworks Regulations*, the PMCL for total coliform bacteria is that no more than one sample per monitoring period may do so.

Required Actions

Public Notice: According to § 12 VAC 5-590-540 of the *Waterworks Regulations* this is a Tier 2 situation. You are required to notify consumers that the total coliform PMCL is exceeded, as follows:

- You must provide a notice to consumers within 30 days of receipt of this notice.
- Your notice to consumers must be posted in conspicuous locations throughout the area served by your waterworks, or mailed or directly delivered to the persons served by your waterworks.
- If your waterworks serves consumers who would not be reached by your posted, mailed, or hand-delivered notice, you must also use other distribution methods to provide notice to these consumers as well. For example, such persons may include those who may not see a posted notice because it is not in a location they routinely pass by. Examples of other methods include (but are not limited to) publication of a notice through a company newsletter, or by E-mail to staff or students.

SEP 17 2012

Mr. Grover B. Edge Jr.

Page 2

SUBJECT: SOUTHAMPTON COUNTY
Water - Palm Tree Inn
PWSID No. 3175545

- Posted notices must be posted for a minimum of seven days even if the violation has been resolved, and must remain in place 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*.

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 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 notice completion report is enclosed for your use.

Follow-up Actions: The distribution system was flushed and chlorinated. In addition, a total of five routine samples were collected during August 2012. Given the August 2012 sample results were satisfactory, the waterworks may resume collecting one sample per quarter starting the fourth quarter (October–December) of 2012.

If you should have any questions, please do not hesitate to contact me at ext. 113.

Sincerely,



Renée S. Hall
District Engineer

TD/RSH/bjm

Enclosures: Public Notice
Public Notice Completion Report

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

RECEIVED SEP 17 2012



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH

OFFICE OF DRINKING WATER

Southeast Virginia Field Office

SEP 10 2012

SUBJECT: SOUTHAMPTON COUNTY
Water - Southampton County Jail Farm
PWSID No. 3175600

830 Southampton Avenue
Suite 2058
Norfolk, VA 23510
Phone (757) 683-2000
Fax (757) 683-2007

Karen Remley, MD, MBA, FAAP
State Health Commissioner

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

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

Dear Mr. Smith:

We have received your final 2011 Consumer Confidence Report (CCR) and Certification Form for the subject waterworks located in Southampton County. The report was submitted to satisfy the requirements of the Commonwealth of Virginia *Waterworks Regulations*.

Our review of the CCR indicates that it appears to be complete and meets the requirements of the CCR Rule, as issued by the U.S. Environmental Protection Agency (EPA) and *Waterworks Regulation*.

You are reminded that the next CCR, containing 2012 data, is due to the customers by July 1, 2013. Please be reminded that a copy of the CCR must be delivered to this office at the same time the report is distributed to consumers. The CCR records must be kept in your files for at least three (3) years and made available to this Department upon request.

If you have any questions or, if we may be of further assistance, please do not hesitate to call me at ext. 113 or Tony Dongarra at ext. 105.

Sincerely,

A handwritten signature in cursive script that reads "Renée S. Hall".

Renée S. Hall
District Engineer

TD/RSH/bjm

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

R:\DIST20B\Southampton County\Jail Farm\CCR2011\2011 SH Jail Farm CCR Final AL.docx



CA
RECEIVED SEP 17 2012

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH
OFFICE OF DRINKING WATER
Southeast Virginia Field Office

830 Southampton Avenue
Suite 2058
Norfolk, VA 23510
Phone (757) 683-2000
Fax (757) 683-2007

Karen Remley, MD, MBA, FAAP
State Health Commissioner

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

SEP 10 2012

NOTICE OF VIOLATION

SUBJECT: SOUTHAMPTON COUNTY
Water - Kingsdale - Moseley
PWSID no. 3175461

Ms. Shanda Harper
Aura, Inc.
137 Kenmore Street
Suffolk, VA 23434

Re: Operating a Waterworks Without a Permit
Failure to Provide a Licensed Operator
Failure to Submit a Waterworks Business Operation Plan
Failure to Submit Monthly Operations Report
Failure to Implement a Cross-Connection and Control Program

Dear Ms. Harper:

This notice is to advise that you may be in violation of § 32.1-172 of the Code of Virginia and the *Waterworks Regulations* for operating a waterworks without an Operation Permit.

Section 32.1-172 A of the Code of Virginia states "No owner shall establish, construct or operate any waterworks or water supply in the Commonwealth without a written permit from the Commissioner, except for the extension of water distribution piping having a diameter of eight inches or less and serving less than fifteen equivalent residential connections." It is our understanding that there are approximately 18 connections to this system. According to our records, you have been operating without a valid permit since January 1, 2006.

Section 32.1-172 B of the Code of Virginia states that "The application also shall include a comprehensive business plan detailing the technical, managerial, and financial commitments to be made by the owner in order to assure that system performance requirements for providing the water supply will be met over the long term." Our records indicate that such a plan has not been submitted and approved by this office to date.

This office requested the submission of the Waterworks Business Operation Plan (WBOP) in our letter dated December 20, 2006. The WBOP was also requested in our notice of violation dated May 1, 2009 and in a warning letter dated September 1, 2009 issued by this Department. In addition, the WBOP was

SUBJECT: SOUTHAMPTON COUNTY
Water - Kingsdale-Moseley
PWSID No. 3175461

also requested during an inspection of the waterworks on January 1, 2010 and during our most recent inspection of your waterworks on June 28, 2012. A WBOP must be submitted and approved by this office before the permit can be issued.

In addition, this notice is also to advise that you may be in violation of §12 VAC 5-590-460A of the *Waterworks Regulations* for failure to provide a licensed operator for your waterworks. Section 12 VAC 5-590-460A states "Waterworks operators designated by the waterworks owner to be in responsible charge must possess a valid waterworks operator license issued by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage Professionals, Department of Professional and Occupational Regulation, in accordance with that board's regulations (18 VAC 160-20-10 et. seq.)."

"The license must be of a classification equal to or higher than that of the waterworks." The Kingsdale- currently have a responsible charge operator of the appropriate class.

Further, Section 12 VAC5-590-600 (B) of the *Waterworks Regulations* states that:

"The purveyor shall establish or cause to be established and operate a cross connection control and backflow prevention program consistent with the extent of the system and the type of consumer served. This program shall include at least one designated individual who shall be responsible for the inspection of the waterworks for cross connection and backflow prevention control. This program shall be carried out in accordance with the Uniform Statewide Building Code and shall be a continuing program". No evidence was provided during the most recent inspection which indicates that the Cross Connection Control Plan (CCCP) is active and ongoing. The CCCP on file was approved on February 28, 1987 and was signed by a prior owner." A program must be established by you as the current owner.

Also, Section 12VAC5-590-700 (E) of the *Waterworks Regulations* states that "All waterworks shall provide metering of total water production." Section 12 VAC 5-590-530 states that "The results of any required monitoring activity shall be reported by the owner (or their authorized agent) to the ODW no later than (i) the 10th day of the month following the month during which the test results were received, or (ii) the 10th day following the end of the monitoring period, whichever is shorter, unless stipulated otherwise by the Commissioner." For instance, the August 2012 report will be due by September 10, 2012. Waterworks operation reports are not being submitted on a regular basis. During the calendar year of 2011, only four (4) reports were received. No operation reports have been received for 2012. A copy of the monthly operation report form was submitted to you with your 2010 inspection report and has been pointed out in your most recent inspection report.

Required Actions

- Submit a Comprehensive Business Plan as part of the process to obtain a waterworks operation permit. These documents can be found at:
<http://www.vdh.virginia.gov/odw/permitandapplications.htm>.
- Notify us, by October 15, 2012, of the status of obtaining a licensed operator for your waterworks. Please provide us with the name and license number of the licensed operator as it appears on the license. Remember that the licensed operator must possess a license of at least Class VI. Failure to comply with this requirement may result in further enforcement action.

SUBJECT: SOUTHAMPTON COUNTY
Water - Kingsdale-Moseley
PWSID No. 3175461

- Submit monthly operation reports of total water production. The reports are due the tenth of the month following the report period (July 10, 2012 for the June 2012 report period). Your first report will be due October 10, 2012.
- Submit a Cross-Connection Control Program to this office for review and approval. A blank cross connection control program is enclosed with this notice. Please complete the form and return it to this office for review and approval within 30 days of receipt of this notice.

Follow-up Actions:

Due to the prevalence of severe storms in the area, it is required that all community waterworks prepare an Emergency Management Plan for extended power outages. This office can assist you with the preparation of such a plan.

If you have questions, please call me at ext. 113.

Sincerely,



Renée S. Hall
District Engineer

RSH/bjm

pc: ✓ Mr. Michael Johnson, County Administrator, Southampton County
Nancy Welch, M.D., Acting Director, Southampton County Health Department
V.D.H. – Robert A. K. Payne, Legal Affairs Manager
Ms. Roberta Riccio, Groundwater and Enforcement Branch USEPA (3WP22)
VDH – Office of Drinking Water

RECEIVED SEP 17 2012



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH

OFFICE OF DRINKING WATER

Southeast Virginia Field Office

SEP 10 2012

830 Southampton Avenue
Suite 2058
Norfolk, VA 23510
Phone (757) 683-2000
Fax (757) 683-2007

Karen Remley, MD, MBA, FAAP
State Health Commissioner

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

SUBJECT: SOUTHAMPTON COUNTY
Water - Boykins-Branchville
PWSID No. 3175100

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

Dear Mr. Smith:

We have received your final 2011 Consumer Confidence Report (CCR) and Certification Form for the subject waterworks located in Southampton County. The report was submitted to satisfy the requirements of the Commonwealth of Virginia *Waterworks Regulations*.

Our review of the CCR indicates that it appears to be complete and meets the requirements of the CCR Rule, as issued by the U.S. Environmental Protection Agency (EPA) and *Waterworks Regulation*.

You are reminded that the next CCR, containing 2012 data, is due to the customers by July 1, 2013. Please be reminded that a copy of the CCR must be delivered to this office at the same time the report is distributed to consumers. The CCR records must be kept in your files for at least three (3) years and made available to this Department upon request.

If you have any questions or, if we may be of further assistance, please do not hesitate to call me at ext. 113 or Tony Dongarra at ext. 105.

Sincerely,

A handwritten signature in cursive script that reads "Renée S. Hall".

Renée S. Hall
District Engineer

TD/RSH/bjm

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

R:\DIST20B\Southampton County\Boykins-Branchville\CCR\2011\2011 Boykins CCR Final AL.docx