

**NOTICES**



RECEIVED JAN 4 2012

# COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462  
(757) 518-2000 Fax (757) 518-2009  
www.deq.virginia.gov

Doug Domenech  
Secretary of Natural  
Resources

David K. Paylor  
Director

Maria R. Nold  
Regional Director

January 3, 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. Part V of the Virginia 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 Virginian Pilot on Sunday January 8, 2012. Additional information on the permit application may be obtained by contacting me.

The Department will accept comments concerning the proposed issuance of this draft permit for thirty days. All comments must be received by 4 p.m. on February 7, 2012.

Sincerely,

Brenda L. Brown  
Ground Water Permit Writer

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 the City of Virginia Beach, Virginia.

**PUBLIC COMMENT PERIOD:** January 8, 2012 to February 7, 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:** City of Virginia Beach, Municipal Center, Bldg 21, 2408 Courthouse Drive, Virginia Beach, Virginia GW0055600

**NAME AND LOCATION OF WATER WITHDRAWAL:** Princess Anne Athletic Complex, 2188 Landstown Road, Virginia Beach, Virginia

**PROJECT DESCRIPTION:** The City of Virginia Beach has applied for a new permit for the Princess Anne Athletic Complex in Virginia Beach, Virginia. The permit would allow the applicant to withdraw an average of 17,671 gallons per day. The ground water withdrawal will be used to provide water to supplement the irrigation pond that supplies irrigation water for turf grass on the athletic fields. The proposed withdrawal will utilize the Yorktown-Eastover aquifer at a depth between 62 feet to 200 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 and requests for public hearing by e-mail, fax or postal mail. All comments and requests 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 requestor, including how and to what extent such 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:** Brenda Brown; Tidewater Regional Office, 5636 Southern Blvd., Virginia Beach, VA, 23462; Phone: (757) 518-2188; E-mail: [brenda.brown@deq.virginia.gov](mailto:brenda.brown@deq.virginia.gov); FAX: (757) 518-2009. The public may review the draft permit and application at the DEQ office named above by appointment.



RECEIVED JAN 3 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

DEC 20 2011

## NOTICE OF VIOLATION

SUBJECT: SOUTHAMPTON COUNTY  
Water - Town of Capron  
PWSID No. 3175170

The Honorable William N. Kitchen, Mayor  
Town of Capron  
P. O. Box 248  
Capron, VA 23829

### **Re: Failure to Conduct Required Bacteriological Monitoring**

Dear Mayor Kitchen:

This notice is to advise that you may be in violation of §12 VAC 5-590-370 of the Commonwealth of Virginia *Waterworks Regulations* for failure to complete required monitoring of the bacteriological quality of water your waterworks serves to consumers. The *Regulations* require your system to collect one routine water sample for bacteriological examination each month and report the results of the test to this office no later than the 10<sup>th</sup> day of the following month. According to our records no bacteriological sample was collected, analyzed or reported for the month of November 2011.

### **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 within one year of receipt of this letter.
- 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.
- If your waterworks serves consumers who do not pay water bills, or 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) publication in local newspapers, delivery of multiple copies to apartment buildings, or posting the notice in public places served by the system.
- You may choose to include your notice to consumers as an enclosure with your Consumer Confidence Report (CCR) for 2011. To do so, the combined CCR and public notice must be distributed to consumers by July 1, 2012 which is the deadline for distributing the CCR alone. Furthermore, you must take steps to ensure that the CCR and notice reaches all persons served by the waterworks. This requirement is more stringent than the "good faith effort" requirements for distributing the CCR alone.

DEC 20 2011

SUBJECT: SOUTHAMPTON COUNTY  
Water - Town of Capron  
PWSID No. 3175170

- 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 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*. Please insert the name, address, and phone number of a waterworks representative in the spaces provided on the draft notice.

**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 your regularly scheduled bacteriological sample during December 2011.

If you have questions, please call.

Sincerely,



Renée S. Hall  
District Engineer

RSH/ssd  
Enclosures

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



RECEIVED JAN 3 2012

# COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH

## OFFICE OF DRINKING WATER

Southeast Virginia Field Office

DEC 29 2011

### NOTICE OF VIOLATION

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

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 Sample**

Dear Ms. Harper:

This notice is to advise that you may be in violation of §12 VAC 5-590-370 of the Commonwealth of Virginia *Waterworks Regulations* for failure to complete required monitoring of the bacteriological quality of water your waterworks serves to consumers. The *Regulations* require a system of your size to collect a minimum of five routine water samples for bacteriological examination in the month following a positive routine sample. Your system had a positive sample on October 30, 2011. According to our records, no bacteriological samples were collected, analyzed or reported in November 2011.

**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.
- 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.

Ms. Shanda Harper

Page 2

DEC 29 2011

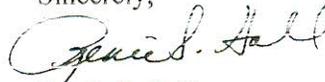
SUBJECT: SOUTHAMPTON COUNTY  
Water - Kingsdale-Moseley  
PWSID No. 3175461

**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 a routine bacteriological sample during each monthly monitoring period. 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, EPA Region 3  
V.D.H. – Office of Drinking Water

13-24



RECEIVED JAN 3 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

DEC 29 2011

### NOTICE OF VIOLATION

SUBJECT: SOUTHAMPTON COUNTY  
Water - Town of Courtland  
PWSID No. 3175220

The Honorable Danny Williams  
Town of Courtland  
22219 Meherrin Road  
P. O. Box 39  
Courtland, VA 23837

#### **Re: Exceeding the Primary Maximum Contaminant Level for Fluoride**

Dear Mayor Williams:

This notice is to advise that you may be in violation of §12 VAC 5-590-410 of the *Waterworks Regulations* for exceeding the Primary Maximum Contaminant Level (PMCL) for fluoride. Test results of the quarterly water samples taken at the entry point of the Town of Courtland waterworks during the compliance period of January 1, 2011 through December 31, 2011 indicate that the running annual average fluoride concentration calculated at 4.7 mg/L exceeds the PMCL for fluoride of 4.0 mg/L.

The Town of Courtland has entered into a voluntary binding agreement known as a Consent Order with the Virginia Department of Health. The Order contains a compliance schedule to resolve the ongoing exceedance of the fluoride PMCL standard. The Town of Courtland has met all milestones and deadlines established in the Order so far.

#### **Required Actions**

**Public Notice:** The Federal Public Notification Rule characterizes this as a Tier 2 situation. You are required to notify consumers that the fluoride PMCL was exceeded, as follows:

- You must distribute a notice to consumers no later than 30 days of receipt 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.

DEC 29 2011

SUBJECT: SOUTHAMPTON COUNTY  
Water - Town of Courtland  
PWSID No. 3175220

- 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 every three months, for as long as the violation persists.

**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 violation of State and Federal Public Notification Rule. A public notification completion form is enclosed for your use.

If you have questions, please call

Sincerely,



Renée S. Hall  
District Engineer

RSH/ssd

pc: Dr. Nancy M. Welch, Acting Director, Southampton County Health Department  
Mr. Michael Johnson, County Administrator, Southampton County  
Robert A. K. Payne, JD, VDH Compliance Manager  
Mr. Brian Poe, USEPA, Region 3



RECEIVED DEC 21 2011

# COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

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Doug Domenech  
Secretary of Natural  
Resources

David K. Paylor  
Director

Maria R. Nold  
Regional Director

December 19, 2011

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. Part V of the Virginia 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 *Virginian Pilot* on Sunday December 25, 2011. Additional information on the permit application may be obtained by contacting me.

The Department will accept comments concerning the proposed issuance of this draft permit for thirty days. All comments must be received by 4 p.m. on January 24, 2012.

Sincerely,

Brenda L. Brown  
Ground Water Permit Writer

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 the City of Virginia Beach, Virginia.

**PUBLIC COMMENT PERIOD:** December 25, 2011 to January 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:** City of Virginia Beach, Municipal Center, Bldg 21, 2408 Courthouse Drive, Virginia Beach, Virginia GW0054600

**NAME AND LOCATION OF WATER WITHDRAWAL:** Bow Creek Golf Course, 3425 Clubhouse Road, Virginia Beach, Virginia

**PROJECT DESCRIPTION:** The City of Virginia Beach has applied for a new permit for Bow Creek Golf Course in Virginia Beach, Virginia. The permit would allow the applicant to withdraw an average of 13,151 gallons per day. The ground water withdrawal will be used to provide water for irrigation of golf course greens, green banks, and tees, and for the restroom in the maintenance building. The proposed withdrawal will utilize the Yorktown-Eastover aquifer at a depth between 105 feet to 220 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:** Computer modeling predicts that the aquifer will not experience one foot of drawdown due to the withdrawal.

**HOW TO COMMENT AND OR REQUEST A PUBLIC HEARING:** DEQ accepts comments and requests for public hearing by e-mail, fax or postal mail. All comments and requests 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 requestor, including how and to what extent such 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:** Brenda Brown; Tidewater Regional Office, 5636 Southern Blvd., Virginia Beach, VA, 23462; Phone: (757) 518-2188; E-mail: [brenda.brown@deq.virginia.gov](mailto:brenda.brown@deq.virginia.gov); FAX: (757) 518-2009. The public may review the draft permit and application at the DEQ office named above by appointment.



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

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Doug Domenech  
Secretary of Natural Resources

David K. Paylor  
Director

Maria R. Nold  
Regional Director

December 19, 2011

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. 9 VAC 25-610-250 B of the Virginia Ground Water Withdrawal Regulation requires that the DEQ 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 Tidewater News on Sunday, December 25, 2011. This applicant currently holds a ground water withdrawal permit authorizing a 4,500,000 gallon per year withdrawal. Additional information on the permit application may be obtained by contacting me.

The Department will accept comments concerning the proposed issuance of this draft permit for thirty days. All comments must be received by 4 p.m. on January 24, 2012.

Sincerely,

A handwritten signature in black ink that reads "Henry L. Ghittino".

Henry L. Ghittino  
Ground Water Permits  
Group Leader

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 Ivor, Virginia.

**PUBLIC COMMENT PERIOD:** December 25, 2011 to January 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:** White Tail Resort Inc., 39033 White Tail Drive, Ivor, Virginia, GW0057000.

**NAME AND LOCATION OF WATER WITHDRAWAL:** White Tail Resort Inc., 39033 White Tail Drive, Ivor, Virginia.

**PROJECT DESCRIPTION:** White Tail Resort Inc. has applied for reissuance of a permit for the White Tail Resort Inc. in Ivor, Virginia. The permit would allow the applicant to withdraw an average of 23,077 gallons per day. The ground water withdrawal will be used to provide a public water supply to the campground. The proposed withdrawal will utilize the Upper Potomac aquifer at a depth between 210 feet to 320 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 and requests for public hearing by e-mail, fax or postal mail. All comments and requests 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 requestor, including how and to what extent such 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:** Hank Ghittino; Tidewater Regional Office, 5636 Southern Blvd., Virginia Beach, VA, 23462; Phone: (757) 518-2197; E-mail: [Hank.Ghittino@deq.virginia.gov](mailto:Hank.Ghittino@deq.virginia.gov); FAX: (757) 518-2009. The public may review the draft permit and application at the DEQ office named above by appointment.