

NOTICES



RECEIVED FEB 22 2011

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

February 22, 2011

Mr. Michael W. Johnson, County Administrator
Southampton County
PO Box 400
Courtland, VA 23837

RE: Proposed Consent Order – Courtland USA, LLC

Dear Mr. Johnson:

The Code of Virginia requires DEQ to notify localities of pending enforcement actions by the State Water Control Board. Enclosed are copies of a proposed consent order and public notice for Courtland USA, LLC, for its automobile salvaging facility at 28265 Southampton Parkway, Courtland. DEQ will accept comments on the proposed order for 30 days from the date of notice publication, which will be February 28, 2011, in *The Virginian-Pilot* newspaper.

The proposed consent order will be presented to the State Water Control Board at its next meeting on April 14 and 15, 2011. The State Water Control Law allows the Board to remedy violations of the law by entering into administrative consent orders with or without associated civil charges or by seeking injunctive relief and civil penalties.

Please contact me as needed with any questions concerning the consent order or public notice. I can be reached at (757) 518-2020 or by email at paul.smith@deq.virginia.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Paul R. Smith".

Paul R. Smith, Esq.
Enforcement Specialist, Sr.

Enclosures (2)

State Water Control Board Public Notice

An enforcement action has been proposed for Courtland USA, LLC, for alleged violations of Virginia Pollutant Discharge Elimination System General Permit VAR05 at its automobile salvage yard at 28265 Southampton Parkway, Courtland, Southampton County. A description of the proposed action is available at the DEQ office named below or online at www.deq.virginia.gov. Paul R. Smith will accept comments by e-mail (paul.smith@deq.virginia.gov), fax [(757) 518-2009], or postal mail (DEQ Tidewater Regional Office, 5636 Southern Blvd, Virginia Beach, VA 23462) from February 28, 2011, to March 30, 2011.



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DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

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Doug Domenech
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STATE WATER CONTROL BOARD ENFORCEMENT ACTION - ORDER BY CONSENT ISSUED TO Courtland USA, L.L.C. Storm Water Registration No. VAR050281

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code § 62.1-44.15, between the State Water Control Board and Courtland USA, L.L.C., for the purpose of resolving certain violations of the State Water Control Law and the applicable permit and regulation.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. "Board" means the State Water Control Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and 62.1-44.7.
2. "Courtland USA" means Courtland USA, L.L.C., a limited liability company authorized to do business in Virginia and its affiliates, partners, subsidiaries, and parents. Courtland USA is a "person" within the meaning of Va. Code § 62.1-44.3.
3. "CSCE" means a comprehensive site compliance evaluation.
4. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.
5. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.
6. "DMR" means Discharge Monitoring Report.

7. "Facility" means the Courtland USA automobile salvage yard located at 28265 Southampton Parkway, Courtland, Southampton County, Virginia, at which used automobiles are dismantled for the purpose of selling and recycling used automobile parts and/or scrap metal.
8. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.
9. "Order" means this document, also known as a "Consent Order" or "Order by Consent," a type of Special Order under the State Water Control Law.
10. "Permit" means VPDES General Permit No. VAR05 for Storm Water Discharges Associated with Industrial Activity, which was effective July 1, 2004, and expired June 30, 2009, and which was renewed effective July 1, 2009, and expires June 30, 2014.
11. "Registration statement" means a registration statement for storm water discharges under 9 VAC 25-151-60.
12. "Regulation" means the VPDES General Permit for Storm Water Discharges Associated with Industrial Activity, 9 VAC 25-151-10 *et seq.*
13. "Sector M" means Industry Sector M defined by the Regulation as that sector of industry engaged, in part, in dismantling or wrecking used motor vehicles for parts recycling/resale and for scrap.
14. "State Water Control Law" means Chapter 3.1 (§ 62.1-44.2 *et seq.*) of Title 62.1 of the Va. Code.
15. "State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands. Va. Code § 62.1-44.3.
16. "SWP3" means a storm water pollution prevention plan.
17. "305(b) report" means the report required by Section 305(b) of the Clean Water Act [33 United States Code § 1315(b)] and Va. Code § 62.1-44.19:5 for providing Congress and the public an accurate and comprehensive assessment of the quality of State surface waters.
18. "TRO" means the Tidewater Regional Office of DEQ, located in Virginia Beach, Virginia.
19. "Va. Code" means the Code of Virginia (1950), as amended.
20. "VAC" means the Virginia Administrative Code.

21. "VPDES" means Virginia Pollutant Discharge Elimination System.
22. "Warning Letter" or "WL" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.

SECTION C: Findings of Fact and Conclusions of Law

1. Courtland USA owns and operates the Facility in Southampton County, Virginia. Storm water discharges from the Facility are subject to the Permit through Registration No. VAR050281. Storm water from the Facility discharges to the Nottoway River.
2. The Nottoway River is located in the Chowan River/Dismal Swamp Basin. This segment of the Nottoway River is not listed as impaired in DEQ's 305(b) report.
3. Part I.A.1.a. of the Permit requires Courtland USA to perform and document quarterly visual examinations of the quality of the storm water discharging from the two storm water outfalls (Outfalls 001 and 002) identified in the Permit.
4. Part I.A.1.b and Part IV.C (for Sector M) of the Permit require Courtland USA to conduct benchmark monitoring of storm water discharges from the Facility's permitted storm water outfalls for the presence of four pollutants of concern (total suspended solids, aluminum, iron, and lead) once during each benchmark monitoring period and record benchmark monitoring results on a DMR. Part I.A.1.b also requires that the DMR be signed and that the information (e.g., date, amount and duration) concerning the storm event during which the benchmark sample was taken be recorded thereon. Before July 1, 2009, the Permit required that DMRs be retained at the Facility with the Facility SWP3. The renewed Permit, effective July 1, 2009, now requires that DMRs also be submitted to DEQ.
5. DEQ staff had conducted a routine compliance inspection on May 6, 2008, and noted failures to update the Facility SWP3, to properly maintain the Facility, and to perform quarterly visual examinations of storm water quality, benchmark monitoring of storm water discharges, Facility inspections, CSCEs, and the training of Facility employees in storm water pollution prevention, among other things. These deficiencies were noted in a Warning Letter dated June 2, 2008.
6. During a DEQ Facility inspection on September 28, 2010, DEQ staff documented the following compliance deficiencies with respect to the monitoring requirements of the Permit:
 - a. The quarterly visual examinations of storm water quality required by Part I.A.1.a of the Permit had not been performed.

- b. The DMRs reporting benchmark monitoring of storm water discharges for the July 1 to December 31, 2009, benchmark monitoring period were not signed and did not record storm-event information as required by Part I.A.1.b of the Permit.
7. Courtland USA violated conditions Part I.A.1.a and Part I.A.1.b of the Permit as noted in paragraph C(6) of this Order.
8. Courtland USA is required to develop and implement a Facility SWP3 according to requirements outlined in Part III and Part IV.B (for Sector M) of the Permit.
9. Part III.A of the Permit requires Courtland USA to update the Facility SWP3 to incorporate additional SWP3 provisions required by the 2004 and 2009 Permit revisions.
10. Part III.B.6.b(2) of the Permit requires that industrial materials and activities at the Facility be protected from exposure to rain and storm-water runoff.
11. Part III.B.6.b(5) and Part IV.B.2.b (for Sector M) of the Permit requires that the Facility be inspected at least quarterly for compliance with the Facility SWP3.
12. Part III.B.6.b(6) of the Permit requires that the training of Facility employees in storm water pollution prevention be recorded in the Facility SWP3.
13. Part III.E of the Permit requires that a CSCE be conducted at least annually.
14. During the DEQ Facility inspection on September 28, 2010, DEQ staff documented compliance deficiencies with respect to the SWP3 requirements of the Permit, including the following:
 - a. The Facility SWP3 had not been updated to incorporate the changes to the SWP3 that had been added by the 2004 and 2009 Permit revisions as required by Part III.A of the Permit.
 - b. Industrial materials being stored at the Facility were not protected to prevent exposure to rain and storm-water runoff as required by Part III.B.6.b(2) of the Permit; specifically, transmissions, engine assemblies and other drive-train components were staged outside not under cover.
 - c. The quarterly Facility inspections required by Part III.B.6.b(5) and Part IV.B.2.b (for Sector M) of the Permit had not been conducted.
 - d. The training of Facility employees in storm water pollution prevention had not been recorded in the Facility SWP3 as required by Part III.B.6.b(6) of the Permit.
 - e. An annual CSCE had not been performed as required by Part III.E of the Permit
15. Based on the results of the September 28, 2010, inspection, the Board concludes that Courtland USA has violated conditions Part III.A, Part III.B.6.b(2), Part III.B.6.b(5), Part

III.B.6.b(6), Part III.E, and Part IV.B.2.b (for Sector M) of the Permit as noted in paragraph C(14) of this Order.

16. On November 8, 2010, DEQ issued NOV W2010-10-T-1002 to Courtland USA. The NOV advised Courtland USA of the violations of Permit conditions Part I.A.1.a, Part I.A.1.b, Part III.A, Part III.B.6.b(2), Part III.B.6.b(5), Part III.B.6.b(6), Part III.E, and Part IV.B.2.b (for Sector M) revealed during the inspection conducted by DEQ staff on September 28, 2010.
17. A representative of Courtland USA responded to the report of the September 28, 2010, compliance inspection by undated letter (received at DEQ on November 9, 2010) indicating that the housekeeping deficiencies had been corrected and requesting compliance assistance. The representative met with DEQ staff on November 23, 2010, to discuss the NOV. DEQ staff outlined the requirements of the General Permit and provided the representative of Courtland USA copies of forms for his use in completing quarterly Facility inspections, quarterly visual examinations of storm water quality, annual training, and the annual CSCE. The representative noted a preference to contract for assistance in complying with the Permit and was given a directory of local environmental consultants who are familiar with the requirements of the Permit.
18. In order for Courtland USA to complete its return to compliance, DEQ staff and representatives of Courtland USA have agreed to the Schedule of Compliance, which is incorporated as Appendix A of this Order.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 62.1-44.15, the Board orders Courtland USA, and Courtland USA agrees to:

1. Perform the actions described in Appendix A of this Order; and
2. Pay a civil charge of \$5,740 within 30 days of the effective date of the Order in settlement of the violations cited in this Order.

Payment shall be made by check, certified check, money order or cashier's check payable to the "Treasurer of Virginia," and delivered to:

Receipts Control
Department of Environmental Quality
Post Office Box 1104
Richmond, Virginia 23218

Courtland USA shall include its Federal Employer Identification Number (FEIN) (54-1052527) with the civil charge payment and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Environmental Emergency Response Fund (VEERF).

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of Courtland USA for good cause shown by Courtland USA, or on its own motion pursuant to the Administrative Process Act, Va. Code §§ 2.2-4000 *et seq.*, after notice and opportunity to be heard.
2. This Order addresses and resolves only those violations specifically identified in Section C of this Order. This Order shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the Facility; or (3) taking subsequent action to enforce the Order.
3. For purposes of this Order and subsequent actions with respect to this Order only, Courtland USA admits the jurisdictional allegations, findings of fact, and conclusions of law contained herein.
4. Courtland USA consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.
5. Courtland USA declares it has received fair and due process under the Administrative Process Act and the State Water Control Law and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to modify, rewrite, amend, or enforce this Order.
6. Failure by Courtland USA to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.
7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
8. Courtland USA shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other occurrence. Courtland USA shall show that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. Courtland USA shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days when circumstances are

anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:

- a. the reasons for the delay or noncompliance;
- b. the projected duration of any such delay or noncompliance;
- c. the measures taken and to be taken to prevent or minimize such delay or noncompliance; and
- d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

Failure to so notify the Regional Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which Courtland USA intends to assert will result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

9. This Order is binding on the parties hereto, their successors in interest, designees and assigns, jointly and severally.
10. This Order shall become effective upon execution by both the Director or his designee and Courtland USA. Nevertheless, Courtland USA agrees to be bound by any compliance date which precedes the effective date of this Order.
11. This Order shall continue in effect until:
 - a. Courtland USA petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or
 - b. the Director or Board terminates the Order in his or its sole discretion upon 30 days' written notice to Courtland USA.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Courtland USA from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

12. Any plans, reports, schedules or specifications attached hereto or submitted by Courtland USA and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
13. The undersigned representative of Courtland USA certifies that he or she is a responsible official authorized to enter into the terms and conditions of this Order and to execute and

legally bind Courtland USA to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of Courtland USA.

14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.
15. By its signature below, Courtland USA voluntarily agrees to the issuance of this Order.

And it is so ORDERED this _____ day of _____, 2011.

Regional Director
Department of Environmental Quality

------(Remainder of Page Intentionally Blank)-----

Courtland USA, L.L.C. voluntarily agrees to the issuance of this Order.

Date: 1/26/11 By: Harold Loch, owner
(Person) (Title)
Courtland USA, L.L.C.

Commonwealth of Virginia

City/County of Southampton

The foregoing document was signed and acknowledged before me this 26th day of
January, 2011, by Harold Loch who is
owner of Courtland USA, L.L.C., on behalf of the company.

Anne B. Railey
Notary Public

170270
Registration No.

My commission expires: 03/31/14

Notary seal:



APPENDIX A SCHEDULE OF COMPLIANCE

Courtland USA shall:

1. By June 1, 2011, either: (a) submit to DEQ Tidewater Regional Office a certification that Courtland USA has ceased automobile dismantling and recycling activities at the Facility and request that the Facility's coverage under the Permit be terminated; or (b) comply with the Schedule of Compliance outlined in Item 2 below.

2. In the event Courtland USA continues automobile dismantling and recycling activities at the Facility after June 1, 2011, it shall:
 - a. By June 1, 2011, submit to DEQ Tidewater Regional Office for review and approval an updated Facility SWP3 that contains all elements required by Part III and Part IV.B (for Sector M) of the Permit. The SWP3 shall specifically include storm water controls that will be implemented at the Facility to reduce the levels of iron and aluminum in the storm water discharging from the Facility to levels below the benchmark concentrations established in the Permit for those pollutants of concern.
 - b. By July 10, 2011, submit to TRO the reports of all Facility inspections and visual examinations of storm water quality conducted between September 28, 2010, and June 30, 2011, to ensure compliance with the Facility SWP3 and the Permit, and of any training of Facility employees in storm water pollution prevention conducted during that period.
 - c. By October 10, 2011, January 10, 2012, and April 10, 2012, submit to DEQ Tidewater Regional Office, reports of any training of Facility employees in storm water pollution prevention and of all Facility inspections and visual examinations of storm water quality conducted by or on behalf of Courtland USA to ensure compliance with the Facility SWP3 and the Permit during the preceding three-month period. Reports shall include any corrective action taken in response to deficiencies noted during any inspection or examination.
 - d. Perform benchmark monitoring of both outfalls twice during calendar year 2011, once during the period January through June 2011 and once during the period July through December 2011. The two sampling events will be at least 30 days apart and will be reported to DEQ on DMRs by July 10, 2011, and January 10, 2012, respectively.
 - e. Comply with all conditions of the Permit.

3. Mail all submittals and reports required by this Appendix A to:

Regional Director
DEQ, Tidewater Regional Office
5636 Southern Boulevard
Virginia Beach, VA 23462



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CA

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

FEB 17 2011

NOTICE OF VIOLATION

SUBJECT: SOUTHAMPTON COUNTY
Water - Reflections
PWSID No. 3175850

Mr. William Holland, Owner
Reflections
37019 General Mahone Blvd.
Ivor, VA 23866

Re: Failure to Collect Required Nitrate/Nitrite Sample

Dear Mr. Holland:

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 conduct the required monitoring of the chemical quality of water served to consumers by your waterworks. According to our records, one routine nitrate/nitrite water sample was required during calendar year 2010 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. However, because no nitrate/nitrite sample has been reported since July 27, 1999 the *Waterworks Regulations* §12 VAC 5-590-540 allows this as a situation that requires Tier 2 public notification. You are hereby required to notify consumers that the prescribed monitoring was not performed, as follows:

- You must provide 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 directly delivered to the persons served by your waterworks.
- Posted notices must be posted for a minimum of seven days even though the violation has been resolved.

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.



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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

February 14, 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 Smithfield Times on Wednesday, February 16, 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 March 18, 2011.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. Brown".

Brenda L. Brown
Ground Water Permit Writer

Enclosure

RECEIVED FEB 15 2011

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 Isle of Wight County, Virginia.

PUBLIC COMMENT PERIOD: February 16, 2011 to March 18, 2011

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

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: Richmond Cold Storage Company, Inc., 4808 Radford Avenue, Richmond, Virginia, GW0039001.

NAME AND LOCATION OF WATER WITHDRAWAL: Richmond Cold Storage – Smithfield Plant, 10070 Old Stage Highway, Smithfield.

PROJECT DESCRIPTION: Richmond Cold Storage Company, Inc. has applied for reissuance of a permit for the Richmond Cold Storage – Smithfield Plant in Isle of Wight County, Virginia. The permit would allow the applicant to withdraw an average of 13,883 gallons per day. The ground water withdrawal will be used to provide evaporative cooling for industrial processes, fire protection, and a public water supply at the site. The proposed withdrawal will utilize the Upper Potomac aquifer at a depth between 335 feet to 520 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.

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; FAX: (757) 518-2009. The public may review the draft permit and application at the DEQ office named above by appointment.



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COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

4949-A Cox Road, Glen Allen, Virginia 23060

(804) 527-5020 Fax (804) 527-5106

www.deq.virginia.gov

Doug Domenech
Secretary of Natural Resources

David K. Paylor
Director

Michael P. Murphy
Regional Director

February 10, 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 two applications 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 Richmond Times-Dispatch on February 11, 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 March 14, 2011.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. Erinn Tisdale".

C. Erinn Tisdale
Ground Water Permitting

Enclosures

RECEIVED FEB 11 2011

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: February 11 to March 14, 2011.

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

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: Aqua Virginia, Inc.; 2414 Granite Ridge Road, Rockville, Virginia 23146: GW0002801

NAME AND LOCATION OF WATER WITHDRAWAL: Cherrydale Water System; Woodbridge Road, Hanover, Virginia 23111

PROJECT DESCRIPTION: Aqua Virginia, Inc. has applied for a re-issuance of an existing permit for the Cherrydale Water System in Hanover County, Virginia. The permit would allow the applicant to withdraw an average of 62,586 gallons per day. The ground water withdrawal will support the residential and church connections within the service area. The proposed withdrawal will utilize the Middle Potomac aquifer at a depth between 275 feet to 370 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. The permit will be issued to Aqua Virginia, Inc. who will be the owner and operator of the system.

HOW TO COMMENT: DEQ accepts comments by e-mail, fax or postal mail. All comments must be in writing; contain a brief statement on how the proposal affects the person commenting, other users or the aquifer; and be received by DEQ during the comment period. The public also may request a public hearing. If a public hearing is requested, the written comments should include the reason for holding a hearing and related factual concerns. 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. The public may review the draft permit and application at the DEQ office named below.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION:

Erinn Tisdale; DEQ Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia, 23060; Phone: (804)-527-5068; E-mail: C.Erinn.Tisdale@deq.virginia.gov; FAX: (804)-527-5106.

RECEIVED FEB 11 2011

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: February 11 to March 14, 2011.

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

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: Aqua Virginia, Inc.; 2414 Granite Ridge Road, Rockville, Virginia 23146: GW0002901

NAME AND LOCATION OF WATER WITHDRAWAL: Hanover Farms; Cold Harbor & Gains Mill Roads, Hanover, Virginia 23111

PROJECT DESCRIPTION: Aqua Virginia, Inc. has applied for a re-issuance of an existing permit for the Hanover Farms Water System in Hanover County, Virginia. The permit would allow the applicant to withdraw an average of 29,066 gallons per day. The ground water withdrawal will support the residential connections within the service area. The proposed withdrawal will utilize the Middle Potomac aquifer at a depth between 210 feet to 380 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. The permit will be issued to Aqua Virginia, Inc. who will be the owner and operator of the system.

HOW TO COMMENT: DEQ accepts comments by e-mail, fax or postal mail. All comments must be in writing; contain a brief statement on how the proposal affects the person commenting, other users or the aquifer; and be received by DEQ during the comment period. The public also may request a public hearing. If a public hearing is requested, the written comments should include the reason for holding a hearing and related factual concerns. 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. The public may review the draft permit and application at the DEQ office named below.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION:
Erinn Tisdale; DEQ Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia, 23060; Phone: (804)-527-5068; E-mail: C.Erinn.Tisdale@deq.virginia.gov; FAX: (804)-527-5106.



RECEIVED FEB 10 2011

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE

Doug Domenech
Secretary of Natural Resources

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

David K. Paylor
Director

February 8, 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 Ground Water Withdrawal Regulation requires that the DEQ send a notice of each draft permit to each local governing body 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 Saturday, February 12, 2011. This applicant previously held a ground water withdrawal permit authorizing 18,980,000 gallons 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 March 14, 2011.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. Brown".

Brenda L. Brown
Ground Water Permit Writer

Enclosure

RECEIVED FEB 10 2011

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 Portsmouth, Virginia.

PUBLIC COMMENT PERIOD: February 12, 2011 to March 14, 2011

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

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: Elizabeth Manor Corporation, 1 Ace Parker Drive, Portsmouth, Virginia, GW0053100.

NAME AND LOCATION OF WATER WITHDRAWAL: Elizabeth Manor Golf and Country Club, 1 Ace Parker Drive, Portsmouth

PROJECT DESCRIPTION: Elizabeth Manor Corporation has applied for reissuance of a permit for the Elizabeth Manor Golf and Country Club in Portsmouth, Virginia. The permit would allow the applicant to withdraw an average of 59,178 gallons per day. The ground water withdrawal will be used to provide water to supplement the on-site lake for the purposes of supplying irrigation water to its playable grounds. The proposed withdrawal will utilize the Columbia aquifer at a depth between 0 feet to 52 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.

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; FAX: (757) 518-2009. The public may review the draft permit and application at the DEQ office named above by appointment.



RECEIVED FEB 07 2011

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

FEB 03 2011

NOTICE OF VIOLATION

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

Mayor Danny Williams
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, 2010-December 31, 2010 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.



RECEIVED FEB 02 2011

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

4949-A Cox Road, Glen Allen, Virginia 23060

(804) 527-5020 Fax (804) 527-5106

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

Michael P. Murphy
Regional Director

February 1, 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. 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 Time Dispatch on Thursday, February 3, 2011. 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 Monday, March 4, 2011**.

Sincerely,

A handwritten signature in black ink, appearing to read "B. N. Sinha".

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

/bns

Enclosure

RECEIVED FEB 02 2011

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 New Kent County, Virginia.

PUBLIC COMMENT PERIOD: February 3, 2011 to March 4, 2011

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

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: New Kent County, P.O. Box 50, New Kent, Virginia 23124; GW0000601

NAME AND LOCATION OF WATER WITHDRAWAL: Parham Landing/Route 33 Corridor Water System; two wells are located on Route 33 and Route 30 about three miles east of the 220th Interchange of Virginia HWY 33 and I64 in the northeastern portion of New Kent County.

PROJECT DESCRIPTION: New Kent County has applied for a reissuance of a permit for the Parham Landing/Route 33 Corridor Water System in New Kent County, Virginia. The permit would allow the applicant to withdraw an average of 228,576 gallons per day that represents a significant reduction from the previously permitted amount. The ground water withdrawal will support a potable water supply for the Parham Landing/Route 33 Corridor commercial and residential facilities. The proposed withdrawal will utilize the Upper and Middle Potomac Aquifers at a depth between 325 feet to 760 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.

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. The public may review the draft permit and application at the DEQ office named below.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION:

Dr. B. N. Sinha; DEQ – Piedmont Regional Office, 4949 A Cox Road, Glen Allen, VA 23060; Phone: (804) 527-5054; E-mail: bnsinha@deq.virginia.gov FAX: (804)527-5106.

The public may review the draft permit and related documents at the DEQ - Piedmont Regional Office every work day by appointment.



RECEIVED FEB 07 2011

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

JAN 31 2011

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

Ms. Jeanne Harness, Administrator
Southampton Public Utilities
17287 Pittmann Road
Boykins, VA 23827

Dear Mr. Johnson:

We have received your final 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 Regulations*, except as noted.

The level detected for chlorine was reported incorrectly. The level detected should be 0.36 mg/l. The chlorine residuals were taken from your bacteriological sampling sites.

You are reminded that the next CCR, containing 2010 data, is due to the customers by July 1, 2011. The CCR records must be kept in your files for at least five 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 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

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RECEIVED FEB 07 2011

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH OFFICE OF DRINKING WATER

Southeast Virginia Field Office

JAN 31 2011

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 - Town of Newsoms
PWSID No. 3175500

Ms. Jeanne Harness, Administrator
Southampton Public Utilities
17287 Pittmann Road
Boykins, VA 23827

Dear Ms. Harness:

We have received your final 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 Regulations*, except as noted.

The level detected for chlorine was reported incorrectly. The level detected should be 0.12 mg/l. The chlorine residuals were taken from your bacteriological sampling sites.

You are reminded that the next CCR, containing 2010 data, is due to the customers by July 1, 2011. The CCR records must be kept in your files for at least five 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 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

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RECEIVED FEB 07 2011

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

JAN 31 2011

SUBJECT: SOUTHAMPTON COUNTY
Water - Drewryville
PWSID No. 3175300

Ms. Jeanne Harness, Administrator
Southampton Public Utilities
17287 Pittmann Road
Boykins, VA 23827

Dear Ms. Harness:

We have received your final 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 Regulations*.

You are reminded that the next CCR, containing 2010 data, is due to the customers by July 1, 2011. The CCR records must be kept in your files for at least five 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 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

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RECEIVED FEB 07 2011

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

JAN 31 2011

SUBJECT: SOUTHAMPTON COUNTY
Water - Edgehill
PWSID No. 3175340

Ms. Jeanne Harness, Administrator
Southampton Public Utilities
17287 Pittmann Road
Boykins, VA 23827

Dear Ms. Harness:

We have received your final 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 Regulations*, except as noted.

Our records indicate that the level detected for chlorine was incorrect. The annual average should be 0.27 mg/l.

You are reminded that the next CCR, containing 2010 data, is due to the customers by July 1, 2011. The CCR records must be kept in your files for at least five 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 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

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RECEIVED FEB 14 2011

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH OFFICE OF DRINKING WATER

Southeast Virginia Field Office

FEB 04 2011

SUBJECT: SOUTHAMPTON COUNTY
Water - 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

Ms. Jeanne Harness, Administrator
Southampton Public Utilities
17287 Pittmann Road
Boykins, VA 23827

Dear Ms. Harness:

We have received your final 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 Regulations*, except as noted.

- The definition for Action Level (AL) was omitted from the report.
- There is no table of detected regulated contaminants other than the lead and copper results table in the report. The following needed to be in the table:
 - Barium was detected in the sample collected on November 2, 2009 at a level of 0.143 mg/l. This information was not in the report.
 - Positive total coliform samples were collected in October and November 2009. These results were discussed but should also be in the table.

You are reminded that the next CCR, containing 2010 data, is due to the customers by July 1, 2011. The CCR records must be kept in your files for at least five 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 ext. 113.

Sincerely,

Renée S. Hall
District Engineer

RSH/bjm

pc: Southampton County Health Department
~~Mr.~~ Michael Johnson, County Administrator, Southampton County
Ms. Wanda Stivers, Southampton Jail Farm
V.D.H. - Office of Drinking Water

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RECEIVED JAN 3 1 2011



CA

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH OFFICE OF DRINKING WATER

Southeast Virginia Field Office

JAN 2 1 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 - Courtland Inn
PWSID No. 3175755

Mr. Manoj M. Desai
Courtland Inn
23615 Jerusalem Road
Courtland, Virginia 23837

Re: Failure to Collect Required Bacteriological Sample

Dear Mr. Desai:

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 a minimum of five routine water samples for bacteriological examination during the month following a positive total coliform sample result. Our records show that no routine samples were collected, analyzed or reported during December 2010 in response to the positive routine sample collected on November 3, 2010.

Required Actions

Public Notice: Section §12 VAC 5-590-540 of the *Waterworks Regulations* requires you to notify consumers that the prescribed monitoring was not completed, as follows:

- You must provide notice to consumers within one year of receipt of this letter.
- Your notice to consumers must be posted in conspicuous locations throughout the area served by your waterworks, or directly delivered to the persons 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 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.



CA

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

JAN 21 2011

NOTICE OF VIOLATION

SUBJECT: Southampton County
Water - Pino's Pizza Restaurant
PWSID No. 3175271

Ms. Giuseppina Volo
Pino's Pizza
23319 Jerusalem Road
Courtland, Virginia 23837

Re: Failure to Collect Required Bacteriological Samples

Dear Ms. Volo:

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. A bacteriological sample for the fourth calendar quarter of 2010 was required to be collected, analyzed and reported between October 1 and December 31, 2010.

Required Actions

Public Notice: Section §12 VAC 5-590-540 of the *Waterworks Regulations* requires you to notify consumers that the prescribed monitoring was not completed for the fourth quarter of 2010, as follows:

- You must provide notice to consumers within one year of receipt of this letter.
- Your notice to consumers must be posted in conspicuous locations throughout the area served by your waterworks, or directly delivered to the persons served by your waterworks.
- Posted notices must be posted for a minimum of seven days even though the violation has been resolved.

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 report is enclosed for your use.



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

JAN 21 2011

NOTICE OF VIOLATION

SUBJECT: SOUTHAMPTON COUNTY
Water - For Pete's Sake
PWSID No. 3175840

Mr. Peter Pearson
For Pete's Sake
23201 Main Street
Courtland, Virginia 23837

Re: Failure to Collect Required Bacteriological Sample

Dear Mr. Pearson:

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 the required monitoring of the bacteriological quality of water your waterworks serves to consumers. According to our records, one routine water sample was required during the calendar quarter of October through December 2010 and none was collected, analyzed, or reported. If you have results of a sample having been analyzed, please forward those results to this Office.

Required Actions

Public Notice: Section §12 VAC 5-590-540 of the *Waterworks Regulations* requires you 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 consumers must be posted in conspicuous locations throughout the area served by your waterworks, or directly delivered to the persons served by your waterworks.
- Posted notices must be readable and be protected by glass, plastic, or other suitable covering. 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.

CA

CA



RECEIVED JAN 24 2010

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

JAN 18 2011

NOTICE OF VIOLATION

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 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 10th day of the following month. According to our records no bacteriological sample was collected, analyzed or reported for the month of December 2010.

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.
- 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.

CA



RECEIVED JAN 24 2010

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

JAN 18 2011

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, a positive bacteriological sample was collected on December 14, 2010. 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 was collected.

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.



RECEIVED JAN 24 2010

CA

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

JAN 18 2011

INFORMATIONAL NOTICE OF FEDERAL 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 Informational Notice is to advise that you appear 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 141.402(a) of the National Primary Drinking Water Regulations requires a waterworks owner to collect an additional bacteriological sample from all active well or spring sources any time a routine bacteriological sample collected from the distribution system indicates the presence of coliform bacteria. This sampling requirement is called "triggered source water monitoring".

According to our records, a routine distribution system bacteriological sample collected on December 14, 2010 indicated the presence of coliform bacteria, which then required you to collect and have analyzed a triggered source water sample during the month of December 2010. Your waterworks is served by two well sources. Our records indicate that you failed to collect the required triggered source water sample from the well (s) in service at the time of the positive sample.

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.



RECEIVED JAN 21 2010

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

January 19, 2011

Administrator
Southampton County
PO Box 400
Courtland, VA 23837

RE: VPDES Permit No. VA0082767 Permit Reissuance
Dominion-Southampton Power Station, Franklin, VA

Dear Sir/Madam:

This letter transmits a copy of the public notice for the referenced proposed permit action for your review. This notice is being provided to you pursuant to Section 62.1-44.15:01 of the Code of Virginia. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a 30-day public comment period for this proposal. If you wish to comment on this proposed action, please respond to the Virginia Department of Environmental Quality at the above address.

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at (757) 518-2008.

Sincerely,

A handwritten signature in black ink, appearing to read 'Deanna Dodson Austin'.

Deanna Dodson Austin
Environmental Engineer Senior

Enclosure: Public Notice

cc: DEQ -ECM FILE VA0082767

RECEIVED JAN 21 2010

Public Notice – Environmental Permit

Citizens are invited to comment on a proposed permit that will allow the release of treated industrial wastewater and stormwater from a regulated industrial activity into a waterway in Franklin, Virginia

PUBLIC COMMENT PERIOD: Until close of business (4:30 pm) 30 days from the first date of this public notice,
(NEWSPAPER MUST ADD DATE HERE)

PERMIT NAME: Virginia Pollutant Discharge Elimination System Permit – Wastewater issued by DEQ, under the authority of the State Water Control Board

NAME, ADDRESS AND PERMIT NUMBER OF APPLICANT: Virginia Electric & Power Co. 5000 Dominion Blvd. Glen Allen, VA 23060 VA0082767

NAME AND ADDRESS OF FACILITY: Dominion-Southampton Power Station 30134 General Thomas Hwy Franklin, VA 23851

DISCHARGE LOCATION/RECEIVING STREAM/WATERSHED: Southampton County; Nottoway River; Chowan River/Dismal Swamp Basin

PROJECT DESCRIPTION: Virginia Electric & Power Co. has applied for reissuance of a permit for Dominion-Southampton Power Station in Franklin, Virginia. The applicant proposes to release treated industrial wastewater and industrially related stormwater at a rate of 0.25 million gallons per day into a water body. The permit will limit the following pollutants to amounts that protect water quality: pH, Total Phosphorus, Total Suspended Solids, Free Available Chlorine, Temperature, Oil and Grease, Total Zinc, Total Chromium, and Whole Effluent Toxicity.

TO COMMENT TO DEQ: via e-mail, fax or postal mail. You must include your name, address and telephone number plus the names and telephone numbers of any people you represent. DEQ must receive your comments during the comment period.

The public may review permit documents at the Tidewater Regional Office every work day by appointment. You may request a public hearing via e-mail, fax or postal mail during the comment period. Requests for hearings must include the reason for the hearing request, the nature of the issue(s) to be raised in the public hearing, your interest and how the facility affects you. DEQ may hold a public hearing, including another comment period, if public response is significant and there are substantial, disputed issues relevant to the permit.

CONTACT: Deanna Austin at DEQ Tidewater Regional Office, 5636 Southern Blvd, Virginia, 23606
Phone: (757) 518-2008 E-mail: deanna.austin@deq.virginia.gov Fax: (757) 518-2009