

# **3-PARTY AGREEMENT**

**CONTRACT FOR PERMANENT PUMP & HAUL BETWEEN  
VIRGINIA DEPARTMENT OF HEALTH, SOUTHAMPTON COUNTY  
AND GREENWOOD RRST, LLC**

THIS AGREEMENT, made and dated \_\_\_\_\_, 20\_\_ by and between the Commonwealth of Virginia, Department of Health, ("Department"); County of Southampton, Virginia a body politic, ("County"); and Greenwood RRST, LLC ("The Owners") of certain property on Moore Lane in Branchville, Virginia utilized for the storage and distribution of liquid asphalt.

WHEREAS, Part III, Article 2 of Virginia Sewage Handling and Disposal Regulations permit the disposal of sewage on a permanent "pump and haul" basis by a government entity upon execution of a contract between the government entity and the Department, and upon issuance of permits by the Commonwealth of Virginia Health Department for pumping and hauling for each sewage storage facility; and

WHEREAS, no practical economic method exists, under current circumstances, for the disposal of sewage from the facility referenced hereinabove, located in Southampton County, Virginia, except by pumping and hauling to a Department approved sewage disposal facility; and

WHEREAS, the Owner has contracted with a private contractor holding a sewage handling permit to pump and haul sewage as required; and

WHEREAS, the County does guarantee to the Department that the owners shall comply with all applicable provisions and said regulations,

THEREFORE, WITNESSETH: that, for and in consideration of the requirements of said regulations, the issuance of pump and haul permits and sewage storage facility permits, and in consideration of the benefits accruing to the owners as a result thereof, the parties all agree as follows:

1. The owners shall have designed and constructed a sewage facility in accordance with Article 7 of the Virginia Sewage Handling and Disposal Regulations and shall apply to the Department for a permit for the sewage storage facility.
2. The County shall apply to the Department for a pump and haul permit to provide sewage collection and disposal services to the owners for so long as the facility is utilized and the County agrees to guarantee compliance by the owners with all applicable regulations concerning sewage collection and disposal services to the facility.

3. The County will assure pump and haul services to the facility are provided by a private contractor holding a sewage handling permit for such period that the structure and facilities are utilized or until connection can be made to an approved sewerage facility.
4. The Department, upon receipt of the application, and provided all applicable regulations are adhered to, will issue all permits required for the required sewage storage facility and pump and haul operation necessary to provide sewage collection and disposal from the site.
5. The County shall assure that all sewage pumped from the site will be transported and disposed of at an approved facility.
6. Nothing herein shall be construed to restrict the Department's ability to revoke the permit(s) for failure to comply with provisions to applicable statutes, the Sewage Handling and Disposal Regulations, or other applicable regulations.

WITNESS THE FOLLOWING SIGNATURES AND SEALS

COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH

DATE \_\_\_\_\_ BY \_\_\_\_\_  
State Health Commissioner

County of Southampton, Virginia

DATE \_\_\_\_\_ BY \_\_\_\_\_  
County Administrator

DATE \_\_\_\_\_ BY \_\_\_\_\_  
Owner