



# *COMMONWEALTH of VIRGINIA*

## DEPARTMENT OF ENVIRONMENTAL QUALITY Blue Ridge Regional Office

[www.deq.virginia.gov](http://www.deq.virginia.gov)

David K. Paylor  
Director

Robert J. Weld  
Regional Director

Molly Joseph Ward  
Secretary of Natural Resources

**Lynchburg Office**  
7705 Timberlake Road  
Lynchburg, Virginia 24502  
(434) 582-5120  
Fax (434) 582-5125

**Roanoke Office**  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
(540) 562-6700  
Fax (540) 562-6725

### **VIRGINIA WASTE MANAGEMENT BOARD ENFORCEMENT ACTION AMENDMENT TO ORDER BY CONSENT ISSUED TO THE TOWN OF FARMVILLE FOR THE TOWN OF FARMVILLE SANITARY LANDFILL SOLID WASTE PERMIT NO. 195**

#### **SECTION A: Purpose**

This is an Amendment of an Order by Consent and its subsequent Amendment of that Order by Consent issued under the authority of Va. Code § 10.1-1455, between the Virginia Waste Management Board and the Town of Farmville regarding the Town of Farmville Sanitary Landfill, for the purpose of revising certain provisions of the Order by Consent (2011 Order) and its subsequent Amendment (2012 Amendment) of that Order by Consent issued by the Board to the Town of Farmville on July 6, 2011 and amended on August 13, 2012.

#### **SECTION B: Basis for Amendment**

1. The Town of Farmville ("Town") is a political subdivision of the Commonwealth of Virginia. The Town is a "person" within the meaning of Va. Code § 10.1-1300/§ 10.1-1400/§ 62.1-44.3.
2. "Facility" or "Landfill" means the Town of Farmville Landfill, Solid Waste Permit No. 195, located in Farmville, Virginia, which is owned and operated by the Town of Farmville.
3. On December 15, 1975, the Town was granted a permit to operate a sanitary landfill by the Commissioner of the Virginia Department of Health, predecessor-in-interest to the Director of the Virginia Department of Environmental Quality ("DEQ" or "Department"). The Permit allowed for the disposal of sanitary waste.

The Town asserts that the Facility last received waste on or about September 1990.

4. The Town is party to a Consent Order dated July 6, 2011 ("2011 Order"). The main focus of the 2011 Order was for the Town to implement a Corrective Action Program ("CAP").
5. The Town requested an extension of the deadlines in Appendix A - Schedule of Compliance of the 2011 Order and the deadlines were modified and extended in a Consent Order Amendment dated August 13, 2012. Appendix A – Schedule of Compliance in the 2012 Amendment superseded and canceled Appendix A – Schedule of Compliance in the 2011 Order.
6. Based on the information available to DEQ to date, the Town is otherwise in compliance with the Order and its Amendment and is current with all monitoring and reporting requirements.

**SECTION C: Agreement and Order**

Accordingly, by virtue of the authority granted it in Va. Code § 10.1-1455, the Board orders the Town, and the Town agrees to perform the actions described in Appendix A of this Amendment, which supersedes and cancels only Appendix A of the 2011 Order and Appendix A of the 2012 Amendment. Both the Board and the Town understand and agree that this Amendment does not alter, modify or amend any other provision of the Order and that the unmodified provisions of the Order remain in effect by their own terms.

And it is so ORDERED this 19<sup>th</sup> day of March, 2014.



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Robert J. Weld, Regional Director  
Department of Environmental Quality

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The Town of Farmville voluntarily agrees to the issuance of this Order.

Date: 2/5/2014 By: [Signature], Town Manager  
Gerald J. Spates  
Town of Farmville

Commonwealth of Virginia  
City/County of Prince Edward

The foregoing document was signed and acknowledged before me this 5<sup>th</sup> day of February, 2014, by Gerald J. Spates who is the Town Manager of the Town of Farmville, on behalf of the Town.

[Signature]  
Notary Public  
335855  
Registration No.

My commission expires: 9/30/2015

Notary seal:



## APPENDIX A SCHEDULE OF COMPLIANCE

1. The Town shall, pursuant to 9 VAC 20-81-250(B)(3), conduct groundwater Assessment Monitoring until Post Closure Care (“PCC”) is terminated by the Department. Additional corrective action monitoring (9 VAC 20-81-260.D.1.c) shall be conducted with an agreed upon well network and schedule until the corrective action program is terminated. This corrective action network and schedule along with any revisions will become an enforceable part of the order once documented.
2. The Town shall provide evidence and documentation that the groundwater contamination is characterized and assessed as required by 9 VAC 20-81-260(C)(1).
3. The Town shall respond to any Department notices of deficiency with respect to its corrective action program in accordance with the notice.
4. Until such time that the Town has met GPS, the Town shall undertake interim measures necessary to ensure protection of human health and the environment by controlling and preventing migration of pollutants in groundwater and surface water. These interim measures shall include, but are not be limited to the installation of an extraction well adjacent to PZ-12 or the PZ-7 cluster no later than **June 30, 2014**. The extraction well shall be hard piped and hard wired into the existing Town of Farmville sanitary sewer system and electrical system and begin extraction no later than **June 30, 2014**. Additional measures shall be taken in accordance with an agreed upon schedule between the Department and Town. This schedule and any revisions will become an enforceable part of the order once documented.
5. A report of interim measure activities is due by the 30<sup>th</sup> day of June each year following the effective date of the Order. The report shall provide information on the previous year’s interim measure activities, the analytical data collected including copies of the field sampling records and laboratory reports, a historical detects data table maintaining at least 10 data points once they exist, plume maps showing the lateral and vertical extent of each constituent of concern (COC) found at levels above GPS and background, and shall also discuss the Town’s progress toward meeting GPS. Additional reports may be requested by the Department based on the interim measures taken. The Town shall provide the requested report in accordance with the due date given in the Department’s letter.
6. Unless otherwise specified in this Order, the Town shall submit all requirements of Appendix A of this Amendment to:

Jerry Ford, Jr.  
VA DEQ - Blue Ridge Regional Office  
3019 Peters Creek Road  
Roanoke, VA 24019  
Phone: (540) 562-6817  
e-mail: Jerry.Ford@deq.virginia.gov