



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

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Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

Michael P. Murphy
Regional Director

**STATE WATER CONTROL BOARD ENFORCEMENT ACTION
AMENDMENT TO ORDER BY CONSENT
ISSUED TO
TOWN OF SURRY
FOR
TOWN OF SURRY WASTEWATER TREATMENT PLANT
VPDES Permit No. VA0061646**

SECTION A: Purpose

This is an Amendment of an Order by Consent (Amendment) issued under the authority of Va. Code § 62.1-44.15, between the State Water Control Board (Board) and the Town of Surry, regarding the Town of Surry Wastewater Treatment Plant, for the purpose of revising certain provisions of the Order by Consent (Order) issued by the Board to the Town of Surry on June 25, 2010, and for resolving certain violations of the State Water Control Law, the Virginia Pollutant Discharge Elimination System Permit Regulation and the above-referenced Permit.

SECTION B: Basis for Amendment

1. The Town of Surry owns and operates the Town of Surry Wastewater Treatment Plant (the "Plant") in Surry, Virginia. The Permit allows Surry to discharge treated sewage and other municipal wastes from the Plant to an unnamed tributary of Dark Swamp, in strict compliance with the terms and conditions of the Permit.
2. The State Water Control Board entered into a Consent Order with the Town of Surry effective June 25, 2010, for violations of TKN, CBOD, copper, and chlorine effluent limitations as well as reporting violations.
3. The Order required the Town of Surry to raise sewer rates, identify and complete Inflow and Infiltration (I&I) work on the Plant's collection system, and to complete a corrective

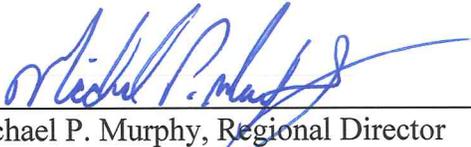
action plan at the Plant to meet VPDES Permit effluent limits. The Town has increased the sewer rates, completed I&I work on the collection system, and is installing an ultraviolet disinfection system. The work on the collection system and UV disinfection expended all of the resources available to the Town of Surry for corrective action. The Town has hired an engineer to draft plans for an upgrade to the Plant, and until completion the Town will experience additional effluent violations.

4. The Town of Surry has requested an extension to the deadline of the Order for completing the planned treatment plant corrective action. The Town plans to install upgrades to the wastewater treatment plant to address all of the violations.
5. Based on the information available to DEQ to date, the Town of Surry is otherwise in compliance with the Order 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 § 62.1-44.15, the Board orders the Town of Surry, and the Town of Surry agrees to perform the actions described in Appendix C of this Amendment, which supersedes and cancels only paragraphs 2, 6, and 7 of Appendix A of the Order. Both the Board and the Town of Surry 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 3RD day of OCTOBER, 2013.



Michael P. Murphy, Regional Director
Department of Environmental Quality

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

Date: 6-20-2013 By: William G. Galloway, Jr. MAYOR
(Person) (Title)
Town of Surry

Commonwealth of Virginia

City/County of Surry

The foregoing document was signed and acknowledged before me this 20th day of June, 2013, by William G. Galloway, Jr. who is Mayor of the Town of Surry, on behalf of the Town.

PAMELA B. OWNEY
Notary Public
Commonwealth of Virginia
No. 172412
My Commission Expires 7/3/14

[Signature]
Notary Public
172412
Registration No.

My commission expires: 7/3/14

Notary seal:

APPENDIX A SCHEDULE OF COMPLIANCE

The Town of Surry shall:

1. On or before September 1, 2013, complete installation of the Department approved UV disinfection system and obtain a Certificate to Operate (CTO) on or before September 15, 2013.
2. On or before October 30, 2013, submit to the Department for review and approval preliminary engineering report outlining the options and cost for the Town to upgrade their wastewater treatment plant to achieve consistent compliance with all Permit effluent limits.
3. On or before March 1, 2014, submit an application to the Department for a certificate to construct (CTC) the upgrade.
4. On or before June 1, 2014, begin construction on the upgrade and obtain a CTO on or before December 15, 2014.
5. Meet all requirements of the Permit with respect to monitoring, recordkeeping and reporting requirements. The interim limits contained in Appendix B of the Consent Order issued July 25, 2010, remain in effect until the month following the issuance of the CTO or until January 15, 2015, whichever occurs first.
6. Submit to the Department a monthly update on the progress of the upgrade on the 15th of each month until the CTO is issued.

DEQ Contact

Unless otherwise specified in this Order, the Town of Surry shall submit all requirements of Appendix A of this Order to:

Frank Lupini
Enforcement Specialist
VA DEQ –Piedmont Regional Office
4949A Cox Road,
Glen Allen, Virginia 23060
Frank.Lupini@deq.virginia.gov