



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN VIRGINIA REGIONAL OFFICE
13901 Crown Court, Woodbridge, Virginia 22193
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L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

Jeffery A. Steers
Regional Director

**STATE WATER CONTROL BOARD ENFORCEMENT ACTION
AMENDMENT TO
SPECIAL ORDER BY CONSENT
ISSUED TO
FAUQUIER COUNTY WATER AND SANITATION AUTHORITY
FOR THE
VINT HILL FARMS STATION WASTEWATER TREATMENT PLANT
(VPDES PERMIT NO. VA0020460)**

SECTION A: Purpose

This is an Amendment to a Consent Special Order issued under the authority of Va. Code §§62.1-44.15(8a) and (8d) and 10.1-1185 between the State Water Control Board and the Fauquier County Water and Sanitation Authority ("FCWSA") for the purpose of revising certain provisions of the Order issued by the State Water Control Board to FCWSA regarding the Vint Hill Farms Station wastewater treatment plan on March 17, 2006.

SECTION B: Basis for Amendment

1. The Fauquier County Water and Sanitation Authority owns and operates Vint Hill Farms Station WWTP located in Fauquier County, Virginia. The Board issued a Consent Special Order to FCWSA on March 17, 2006 to resolve violations of State Water Control Law and Regulations. The Order required FCWSA, among other things, to upgrade its existing treatment system by no later than February 1, 2007 and close the old system by no later than May 1, 2007.
2. FCWSA submitted a letter to DEQ dated December 22, 2006 that stated the contractor chosen for constructing the upgrade would be unable to meet the deadlines specified in the Consent Order of March 17, 2006. Instead, the new project schedule showed a substantial completion date of July, 2007. Failing to comply with the terms of an Order of the Board is a violation of Va. Code § 62.1-44.31.
3. The new dates outlined in the new project schedule have been incorporated into Appendix A of the Amended Order.

4. The Board also has evidence that FCWSA has violated its Permit by exceeding Permit effluent limits for BOD, Total Phosphorus, and Ammonia in March, 2006. DEQ NVRO issued the following Warning Letter (WL) for these violations: WL No. W2006-05-N-1011 issued May 11, 2006. FCSWA responded via letter, dated June 6, 2006, and explained that the exceedences stemmed from a trickling filter in need of maintenance. It asserts that the filter has been repaired and FCWSA will continue to monitor and make adjustments as necessary.
5. The above referenced permit violations contravene Va. Code § 62.1-44.5 and 9 VAC 25-31-50 which prohibit the discharge of noxious substances into State Waters except in compliance with a VPDES Permit.

SECTION C: Agreement and Order

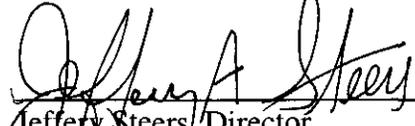
Accordingly, the State Water Control Board, by virtue of the authority granted it in Va. Code § 62.1-44.15(8a) and (8d), orders FCWSA, and FCWSA voluntarily agrees to:

1. Perform the actions described in Appendix A of this Amended Order, which supersedes and cancels paragraphs 1 through 4 of Appendix A of the 2006 Order. Both the State Water Control Board and FCWSA understand and agree that this Amendment does not alter, modify, or amend any other provision of the Order and that unmodified provisions of the Order remain in effect by their own terms.
2. Pay a civil charge of \$6300.00 within 30 days of the effective date of this Amendment in the settlement of the violations cited in this Amendment. Payment shall be made by check payable to the "Treasurer of Virginia", delivered to:

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

Either on a transmittal letter or as a notation on the check, FCWSA shall indicate that this payment is submitted pursuant to this Order and shall include the Federal Identification Number for FCWSA.

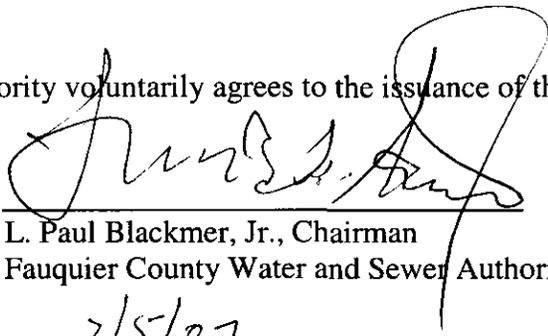
And it is so ORDERED this 29th day of JUNE, 2007.



Jeffery Steers, Director
Department of Environmental Quality

Consent Special Order
Vint Hill Farms Station WWTP
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The Fauquier County Water and Sanitation Authority voluntarily agrees to the issuance of this Order.

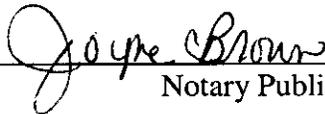
By: 
L. Paul Blackmer, Jr., Chairman
Fauquier County Water and Sewer Authority

Date: 2/5/07

Commonwealth of Virginia
City/County of Warrenton

The foregoing document was signed and acknowledged before me this 5 day of February, 2007, by L. Paul Blackmer, Jr., Chairman of the Fauquier County Water and Sanitation Authority, on behalf

of the Fauquier County Water and Sanitation Authority.


Notary Public

My commission expires: 1/31/08

APPENDIX A
SCHEDULE OF COMPLIANCE

FCWSA Shall:

1. By no later than August 1, 2007, complete construction of the upgraded treatment system in accordance with the approved plans and specs;
2. Begin meeting Ammonia Permit effluent limits 90 days after completing construction and the issuance of the written, final CTO;
3. By no later than November 1, 2007, close the old system in accordance with the approved closure plan and submit a closure report to DEQ.