

**AMENDMENT TO
EXECUTIVE COMPLIANCE AGREEMENT**

**DEPARTMENT OF CORRECTIONS
COFFEEWOOD CORRECTIONAL CENTER**

**For
COFFEEWOOD WATER & SEWAGE TREATMENT PLANT
(VPDES Permit No. VA0087718)**

This is an amendment to the Executive Compliance Agreement (“Agreement”) entered into under the authority of Va. Code § 62.1-14 and 10.1-1185 by the Department of Environmental Quality (“DEQ”) and the Department of Corrections, (“DOC”) Coffeewood Correctional Center (“Coffeewood”) on February 2, 2001, regarding the Coffeewood water treatment and sewage treatment plant for the purpose of revising certain provisions of the Agreement.

The Agreement provides a construction schedule for Coffeewood to combine discharges from water treatment outfall 002 and sewage treatment outfall 001 into one outfall and to locate that outfall on the Rapidan River where the River’s flow provides sufficient dilution for the discharge to meet the Permit’s whole effluent toxicity limit (“WET”) and effluent limits for copper and zinc. The construction schedule requires that Coffeewood complete construction of the new outfall by August 31, 2002 but completion is contingent upon Coffeewood acquiring the necessary easements to gain access to the Rapidan River.

In a letter dated October 15, 2001, Coffeewood explained that the DOC is unable to acquire the necessary easements. In follow-up correspondence dated March 22, 2002, Coffeewood requested that the Agreement be amended to extend the construction schedule so that Coffeewood could develop and implement an alternative plan and schedule for achieving compliance with final Permit effluent limits.

To remedy these matters, the Department of Corrections, Coffeewood Correctional

DOC Coffeewood Correctional Center
Amended Executive Compliance Agreement
Page 2

Center and DEQ agree to the amended schedule of action in Appendix A and to Coffeewood's compliance with the interim limits provided in Appendices B and C. Both DEQ and Coffeewood understand and agree that this amended Agreement does not alter, modify, or amend any other provisions of the Agreement and the unmodified provisions of the Agreement remain in effect by their own terms.

This amended Agreement shall become effective upon the date of its execution by the Director of the Department of Environmental Quality or his designee. The Department of Corrections, Coffeewood Correctional Center agrees to be bound by any compliance dates in this amended Agreement which may predate its effective date.

Ron Angelone, Director
Department of Corrections

Date

Robert G. Burnley, Director
Department of Environmental Quality

Date

APPENDIX A
SCHEDULE OF COMPLIANCE

The Department of Corrections, Coffeewood Correctional Center shall:

1. By July 1, 2002, submit for review a preliminary engineering report ("PER") to the DEQ Northern Virginia Regional Office ("NVRO") and to the Virginia Department of Health ("VDH") addressing alternatives for achieving compliance with final Permit effluent limits and recommending a preferred alternative; and
2. By November 1, 2002, submit to DEQ NVRO for review and approval a plan and schedule for implementing the alternative chosen by Coffeewood for achieving compliance with final Permit effluent limits. If the cost of the alternative chosen by Coffeewood exceeds the amount budgeted for the project, the schedule submitted pursuant to item two may provide for time needed to request additional funding from the Virginia General Assembly. Upon approval, the plan and schedule shall become a part of and enforceable under this Agreement.