



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

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Robert G. Burnley  
Director

Thomas L. Henderson  
Regional Director

## **STATE WATER CONTROL BOARD ENFORCEMENT ACTION**

### **AMENDMENT TO SPECIAL ORDER BY CONSENT ISSUED TO The Town of Keysville Permit Number VA0024058**

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

This is an Amendment to a Consent Special Order issued under the authority of Va. Code §§ 10.1-1185 and 62.1-44.15 (8a) and (8d) between the State Water Control Board ("Board") and the Town of Keysville for the purposes of resolving certain violations of State Water Control Law and regulations.

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

1. The Town is currently under a Consent Special Order issued in December 2001 (hereinafter the "2001 Order"), which addressed violations of the Permit in 2000. The 2001 Order requires Keysville to expand/upgrade the wastewater treatment plant (Facility).
2. The Facility discharges to Ash Camp Creek. Ash Camp Creek is reported on Part 1A of the 2002 303(d) Total Maximum Daily Load ("TMDL") Priority List, as required by the Clean Water Act 33 U.S.C. § 1319(d), to the Environmental Protection Agency as impaired for benthic. Ash Camp Creek was first reported on the TMDL Priority list in 1998. The alleged impairment source is the Facility.

3. On April 3, 2003, the DEQ issued Notice of Violation (“NOV”), number W2003-04-L-0002, for an unreported overflow at the headworks of the wastewater treatment plant. The Town attributes the overflow to inflow and infiltration (“I & I”) in the sewage conveyance system.
4. On May 20, 2003, the DEQ issued NOV, number W2003-05-L-0007, for an effluent limit violation of Chlorine Technical Minimum for March 2003. The Town attributes the violation to I & I.
5. On May 12, 2003, the DEQ, the Town and the Town’s consultant met to discuss compliance with the Permit. Keysville stated that it was currently evaluating the sewage conveyance system to address I & I. The Town also stated it would be September 2003 before they would know the extent of financial resources available to correct the problems.
6. On August 12, 2003, the DEQ received a comprehensive I & I evaluation report from the Town, which contained a projected schedule to address I & I in the sewage conveyance system.
7. On September 25, 2003, the DEQ issued NOV, number W2003-09-L-0005, for effluent limits violations of Total Recoverable Copper (“Copper”) and Total Suspended Solids (“TSS”) for the month of June 2003.
8. The Town attributes the TSS exceedance to I & I, and the Copper limit can not be met until the expansion/upgrade of the wastewater treatment plant is complete.

**SECTION C: Agreement and Order**

Accordingly, the State Water Control Board, by virtue of the authority granted in Va. Code § 62.1-44.15 (8a) and (8d) orders the Town, and the Town consents, to perform the actions contained in Appendix B and Appendix C of this Amendment. Appendix B and Appendix C do not supplant Appendix A of the 2001 Order, but are an addition to the 2001 Order. Further, the Board orders, and the Town consents, to pay a civil charge of \$1,150.00 within 30 days of the issuance of this Order. The payment shall note that it is being made pursuant to this Amendment, and shall note the Federal Identification Number for Keysville. The payment shall be made by check, certified check, money order, or cashier’s check payable to the “Treasurer of Virginia” and sent to:

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Town of Keysville  
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Virginia" and sent to:

Receipts Control  
Department of Environmental Quality  
Post Office Box 10150  
Richmond, Virginia 23240

The Board and the Town understand and agree that this Amendment does not alter, modify, or amend the provisions of the 2001 Order, and that the provisions of the 2001 Order remain in effect by its terms.

And it is so ORDERED this 17<sup>th</sup> day of June, 2004.

  
Robert G. Burnley, Director  
Department of Environmental Quality

The Town of Keysville consents to the issuance of this Amendment,

By: Charles R. Harding  
Honorable Charles Harding, Mayor, Town of Keysville

Date: 3-12-04

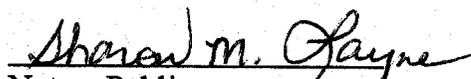
Commonwealth of Virginia

City/County of Charlotte

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of March, 2004,

by \_\_\_\_\_, who is the \_\_\_\_\_ of  
Honorable Charles Harding Mayor

the Town of Keysville.

  
Notary Public

My commission expires: June 30, 2004

**APPENDIX B**

**The Town of Keysville Shall:**

1. Complete construction of I & I projects one (1) through eight (8) identified in Table 2 of the Updated Sewer System Evaluation Survey (“USSES”) for the Town of Keysville, Virginia, prepared by B & B Consultants, Inc. for the Town dated July 2003, by March 31, 2005. If funding becomes available, Keysville shall complete I & I projects nine (9) through eleven (11) identified in Table 2 of the USSES by March 31, 2005.

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**Appendix C**

**The Town of Keysville Shall:**

**Interim Total Recoverable Copper limitation:**

1. During the period beginning with the effective date of this Amendment and lasting until the completion of the wastewater treatment plant expansion, discharges from the wastewater treatment plant shall be limited and monitored in accordance with VPDES Permit VA0024058, except as specified below:

	<u>Quality of Concentration</u>	
	<u>Average</u>	<u>Maximum</u>
Copper	29 ug/L	29 ug/L

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