

**STATE WATER CONTROL BOARD ENFORCEMENT ACTION  
AMENDMENT TO  
SPECIAL ORDER BY CONSENT  
ISSUED TO  
SANVILLE UTILITIES CORP.,  
THE HENRY COUNTY PUBLIC SERVICE AUTHORITY, RECEIVER**

**SECTION A: Purpose**

This is an Amendment to a Consent Special Order issued under the authority of Va. Code §62.1-44.15(8a) by the State Water Control Board to the Sanville Utilities Corporation, Henry County Public Service Authority, in its role as Receiver, for the purpose of revising certain provisions of the Consent Special Order issued by State Water Control Board on May 7, 2002.

**SECTION B: Basis for Amendment**

1. As Receiver for Sanville Utilities Corp. (“Sanville”), the Henry County Public Service Authority (“Receiver”) holds VPDES Permit No. VA0029751 for operation of a wastewater treatment plant (“Fairway Acres STP”) for Fairway Acres, a residential subdivision, and VPDES Permit No. VA0090557 for operation of a wastewater treatment plant (“Westwood Lagoon”) for the Westwood Subdivision. On May 7, 2002, the Board issued a Consent Special Order (“May 2002 Order”) to the Receiver. The May 2002 Order requires the Receiver to: a) submit a closure plan for Westwood Lagoon by June 1, 2003, and b) directly connect both Fairway Acres and Westwood Subdivision to public sewer by December 31, 2003.
2. In a letter dated May 15, 2003, the Receiver explained that there have recently been delays in obtaining a series of approximately fifty-seven easements for the collection system of the two treatment facilities that are required in order to obtain the USDA Rural Utilities Service funding for the interceptor to which the Sanville facilities will be connected. It now appears that some of these easements will have to be obtained through condemnation proceedings. Because of these delays, the Receiver does not expect to be able to comply with the schedule of compliance in the May 2002 Order. The funding delay has also slowed the planning process for lagoon closure. Accordingly, the Receiver has requested that the deadlines for submittal of a closure

plan for Westwood Lagoon and connection of both Fairway Acres and Westwood Subdivision to public sewer be extended.

3. Therefore, the State Water Control Board and the Receiver agree that it is appropriate to amend the May 2002 Order as described below.

**SECTION C: Agreement and Order**

Accordingly, the State Water Control Board, by virtue of the authority granted it in Code §62.1-44.15(8a), orders the Receiver and the Receiver agrees that the Receiver shall perform the actions described in Appendix A of this Amendment, which supercede the requirements at Section D.1 and D.5 of the May 2002 Order. Both the State Water Control Board and the Receiver understand and agree that this Amendment does not alter, modify, or amend any other provision of the May 2002 Order and that unmodified provisions of the May 2002 Order remain in effect by their own terms.

And it is so ORDERED this day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Robert G. Burnley, Director  
Department of Environmental Quality

The Henry County Public Service Authority, acting as Receiver for Sanville Utilities Corporation voluntarily agrees to the issuance of this Amendment.

By: \_\_\_\_\_

Date: \_\_\_\_\_

Commonwealth of Virginia

City/County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2003,

by \_\_\_\_\_, who is \_\_\_\_\_ of the Henry County Public Service Authority, acting as Receiver for Sanville Utilities Corporation, on behalf of said PSA.

\_\_\_\_\_  
Notary Public

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My commission expires: \_\_\_\_\_

**APPENDIX A**

The Receiver shall comply with the following schedule:

1. Not later than December 31, 2003, the Receiver shall submit to the Regional Office an approvable closure plan for the Westwood Lagoon. The closure plan shall include a plan of action and schedule. The Receiver shall comply with the approved closure plan. Upon connection to the public sewer, the Receiver shall cease all discharge from the Lagoon.
2. Not later than June 30, 2004, the Receiver, subject to SCC approval, shall directly connect the Fairway Acres Subdivision and the Westwood Subdivision to public sewer.