COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
NORTHERN REGIONAL OFFICE
13901 Crown Court, Woodbridge, Virginia 22193
(703) 583-3800 Fax (703) 583-3821
www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

STATE WATER CONTROL BOARD
ENFORCEMENT ACTION
AMENDMENT TO
ORDER BY CONSENT
ISSUED TO
DOMINION CAMPGROUND, INC.
FOR
DOMINION CAMPGROUND SEWAGE TREATMENT PLANT
VPDES Permit No. VA0091014

SECTION A: Purpose

This is an Amendment to a Consent Order issued under the authority of Va. Code § 62.1-44.15, between the State Water Control Board and Dominion Campground, Inc., regarding the Dominion Campground Sewage Treatment Plant (STP) for the purpose of revising provisions of the Order issued by the State Water Control Board to Dominion Campground, Inc. on July 1, 2003.

SECTION B: Basis for Amendment

1. Dominion owns and operates the STP in Fredericksburg, Virginia. The Board issued a Consent Order to Dominion on July 1, 2003 (2003 Order) to resolve violations of the State Water Control Law and Regulations, including Permit limit exceedances of ammonia, Biological Oxygen Demand ($CBOD_5$), chlorine, pH and Dissolved Oxygen (DO).

2. The 2003 Order required Dominion, to construct a new sewage treatment plant (STP) to replace the existing treatment plant (lagoon).

3. The new STP was placed into operation on October 6, 2008 and a Certificate to Operate (CTO) was issued to Dominion by DEQ on October 28, 2008.

4. In submitting the Discharge Monitoring Reports (DMRs), as required by the Permit, Dominion has indicated that it exceeded discharge limitations contained in Part I.A.3 of the Permit, for Total Suspended Solids (TSS), Total Kjeldahl Nitrogen (TKN), $CBOD_5$, and Total Phosphorous during the months of May - September 2009.

5. For the June 2009 monitoring period, Dominion submitted an incomplete DMR due to the failure to sign, date and provide a contact number.

6. For the August 2009 monitoring period, Dominion had missing or incomplete data for pH, DO and Total Residual Chlorine as recorded on the DMR.

7. Dominion indicated that it believes the exceedances were related to increased flow to the Plant due to Inflow and Infiltration (I&I) from precipitation. The increased flow was evidenced by the reporting of a plant flow exceeding 95% of the design capacity of the STP during the Months of June- September 2009.

8. DEQ issued a Notice of Violation for the TSS, TKN, and $CBOD_5$ exceedances, No. W2009-07-N-0011 issued to Dominion on July 14, 2009.

9. DEQ issued a Notice of Violation for the TSS, TKN, and $CBOD_5$ exceedances and failure to sign, date and provide a contact number on the DMR, NOV No. W2009-08-N-0011 issued to Dominion on August 26, 2009.

10. DEQ issued a Notice of Violation for the TSS, TKN, and $CBOD_5$ exceedances, NOV No. W2009-09-N-0010 issued to Dominion on September 14, 2009.

11. DEQ issued a Notice of Violation for the TKN, TSS, and $CBOD_5$ exceedances, and the failure to collect samples for pH and Total Residual Chlorine, NOV No. W2009-10-N-0008 issued to Dominion on October 16, 2009.

12. On November 5, 2009, Representatives of Dominion along with the Plant's contract operator, Dabney and Crooks, and the STP engineer, Culpeper Engineering met with DEQ to discuss the violations. At the meeting, Dominion presented DEQ with a plan of corrective actions detailing multiple options to address the Permit exceedances and the hydraulic overloading due to Inflow and Infiltration (I&I) occurring at the STP. Dominion stated various other potential sources of I&I within the collection system may exist and should be addressed in order to resolve the causes of I&I in the system and the STP. The requirement to submit a more specific and detailed corrective action plan, including a schedule is incorporated in Appendix A of the Order.

13. DEQ issued a Notice of Violation for the TSS, TKN, and $CBOD_5$ exceedances, No. W2009-09-N-0010 issued to Dominion on November 10, 2009.

14. DEQ issued a Notice of Violation for the TKN exceedances and the failure to report TRC, DO and pH for October 18th and 20th, No. W2009-12-N-0008 issued to Dominion on December 11, 2009.

15. DEQ issued a Notice of Violation for the TKN, TSS, and Phosphorous, Total (as P) exceedances, and the failure to submit plans for achieving compliance with Total Phosphorous limits, NOV No. W2010-10-N-0009 issued to Dominion on January 14, 2010.

16. Although not noted in a Notice of Violation, Dominion reported exceedances for TKN and TSS during the December 2009 monitoring period.

SECTION C: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 62.1-44.15, the Board orders Dominion Campground, Inc., and Dominion Campground, Inc. agrees to:

1. Perform the actions described in Appendix A of this Order; and

2. Pay a civil charge of $6,090.00 in settlement of the violations cited in this Order. The payments will be made on the following dates:

    a. 1st payment of $2,030.00 will be paid on or before December 31, 2010.
    b. 2nd payment of $2,030.00 will be paid on or before December 31, 2011.
    c. 3rd payment of $2,030.00 will be paid on or before December 31, 2012.

Payment shall be made by check, certified check, money order or cashier's check payable to the "Treasurer of Virginia," and delivered to:

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

Dominion Campground, Inc. shall include its Federal Employer Identification Number (FEIN) with the civil charge payment and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Environmental Emergency Response Fund (VEERF).

And it is so ORDERED this _____ day of _____, 2010.

_____
Thomas A. Faha, Regional Director
Department of Environmental Quality

Dominion Campground, Inc. voluntarily agrees to the issuance of this Order.

Date: 6/9/10 By: _____, Pres.
(Person) (Title)
Dominion Campground, Inc.

Commonwealth of Virginia
City/County of Spotsylvania

The foregoing document was signed and acknowledged before me this 9 day of June, 2010, by Susan Hart who is President of Dominion Campground, Inc., on behalf of the corporation.

_____
Notary Public

7091333
Registration No.

My commission expires: 9-30-2011

Notary seal:

MATT J AYERS
MY COMMISSION EXPIRES
COMMONWEALTH OF VIRGINIA COMMISSION # 7091333
09-30-2011
NOTARY PUBLIC

APPENDIX A
SCHEDULE OF COMPLIANCE

Dominion Campground, Inc. shall:

1. By May 27, 2010, submit a revised plan and schedule to DEQ for review and approval for the collection system and/or STP repairs/upgrades to achieve compliance with final effluent limits. The plan and schedule shall become an enforceable part of this Order.

Unless otherwise specified in this Order, Dominion Campground, Inc. shall submit all requirements of Appendix A of this Order to:

Virginia Department of Environmental Quality
Attn: Enforcement Staff
13901 Crown Court
Woodbridge, VA 22193