



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

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**STATE WATER CONTROL BOARD
ENFORCEMENT ACTION - ORDER BY CONSENT
ISSUED TO
LEONARD COMPANIES FAMILY L.P.
FOR
PROPERTY LOCATED AT LATITUDE 36° 49' 27"N AND LONGITUDE
82° 8' 35"W
Virginia Pollutant Discharge Elimination System Permit No. VAR105828**

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code §§ 62.1-44.15, 62.1-44.15:25, and 62.1-44.15:48, between the State Water Control Board and Leonard Companies Family L.P. regarding the permitted property located at approximate latitude 36° 49' 27"N and longitude 82° 08' 35"W for the purpose of resolving certain violations of the State Water Control Law and the applicable regulations.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. "2009 Permit" means the General Permit for Discharges of Stormwater from Construction Activities, No. VAR10, which was promulgated at 4 VAC 50-60-1170 and subsequently transferred to 9 VAC 25-880-70, issued under the Stormwater Management Act, the VSMP Regulations, and the General Permit Regulations on July 1, 2009 and which expired on June 30, 2014.
2. "2014 Permit" means the General VPDES Permit for Discharges of Stormwater from Construction Activities, No. VAR10, promulgated at 9 VAC 25-880-70, which was

issued under the State Water Control Law, the VSMP Regulations, and the General Permit Regulation on July 1, 2014 and which expires on June 30, 2019.

3. "Board" means the State Water Control Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and 62.1-44.7.
4. "Construction activity" means any clearing, grading or excavation resulting in land disturbance of equal to or greater than one acre, or disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one acre.
5. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.
6. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.
7. "General Permit Regulation" means the General VPDES Permit for Discharges of Stormwater from Construction Activities, 9 VAC 25-880-1 et seq.
8. "Land disturbance" or "land-disturbing activity" means a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation, except that the term shall not include those exemptions specified in Va. Code § 62.1-44.15:34.
9. "Leonard Companies L.P." means Leonard Companies Family L.P., a limited partnership authorized to do business in Virginia and its members, affiliates, partners, and subsidiaries. Leonard Companies L.P. is a "person" within the meaning of Va. Code § 62.1-44.3.
10. "Site" means the property located at approximate latitude 36° 49' 27"N and longitude 82° 08' 35"W in Russell County, VA, from which discharges of stormwater associated with construction activity occur.
11. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.
12. "Order" means this document, also known as a "Consent Order" or "Order by Consent," a type of Special Order under the State Water Control Law.
13. "Registration Statement" means a registration statement for coverage under the State Permit.
14. "State Water Control Law" means Chapter 3.1 (§ 62.1-44.2 et seq.) of Title 62.1 of the Va. Code.

15. "State Waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands. Va. Code § 62.1-44.3.
16. "Stormwater" means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage. Va. Code § 62.1-44.15:24.
17. "Stormwater management plan" means a document or series of documents containing material describing methods for complying with the requirements of a VSMP or the VSMP Regulations. 9 VAC2 5-870-10.
18. "SWPPP" means Stormwater Pollution Prevention Plan, which is a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges. A SWPPP required under a VSMP for construction activities shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of, or the incorporation by reference of an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan. 9 VAC 25-870-10.
19. "SWRO" means the Southwest Regional office of DEQ, located in Abingdon, Virginia.
20. "Virginia Stormwater Management Act" means Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Va. Code.
21. "Va. Code" means the Code of Virginia (1950), as amended.
22. "VAC" means the Virginia Administrative Code.
23. "VESCP authority" means an authority approved by the board to operate a Virginia Erosion and Sediment Control Program. An authority may include a state entity, including the department; a federal entity; a district, county, city, or town; or for linear projects subject to annual standards and specifications, electric, natural gas and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § 15.2-5102 of the Code of Virginia. 9 VAC 25-870-10.
24. "VPDES" means Virginia Pollutant Discharge Elimination System.
25. "VSMP" means the Virginia Stormwater Management Program, which is a program approved by the Soil and Water Conservation Board after September 13, 2011, and until June 30, 2013, or the State Water Control Board on and after June 30, 2013, that has been established by a VSMP authority to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines,

technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations. Va. Code § 62.1-44.15:24.

26. "VSMP authority" means an authority approved by the Board after September 13, 2011, to operate a VSMP or, until such approval is given, the Department. An authority may include a locality; state entity, including the Department; federal entity; or for linear projects subject to annual standards and specifications in accordance with subsection B of § 62.1-44.15-31, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § 15.2-5102. Va. Code § 62.1-44.15:24.
27. "VSMP Regulations" means the Virginia Stormwater Management Program (VSMP) Regulations, 9 VAC 25-870-10 et seq.

SECTION C: Findings of Fact and Conclusions of Law

1. Leonard Companies Family L.P. is the operator of the property located at approximate latitude 36° 49' 27"N and longitude 82° 08' 35"W in Russell County, VA, which discharges stormwater associated with construction activity.
2. DEQ is the VSMP authority for Russell County.
3. Russell County is the VESCP authority and the Clinch Valley Soil and Water Conservation District is the VESCP plan-approving authority for Russell County.
4. Stormwater from construction activities at the Leonard Companies L.P. Site is discharged to Mountain Creek, which is a surface water located wholly within the Commonwealth and is a "state water" under the State Water Control Law.
5. On April 25, 2013, DEQ granted Leonard Companies L.P. coverage under the 2009 Permit for discharges of stormwater from construction activities at approximate latitude 36° 49' 27"N and longitude 82° 8' 35"W, assigning it registration number VAR105828.
6. On September 19, 2014, DEQ granted Leonard Companies L.P. coverage under the 2014 Permit, with the same registration number, for discharges of stormwater from construction activities at the Site.
7. On June 29, 2015, December 16, 2015, March 9, 2016, April 4, 2016, June 27, 2016, and February 23, 2017, DEQ staff conducted construction stormwater inspections of the Leonard Companies L.P. permitted Site located at approximate latitude 36° 49' 27"N and longitude 82° 08' 35"W. During those inspections, DEQ staff observed the following:
 - a. On June 29, 2015, December 16, 2015, March 9, 2016, April 4, 2016, June 27, 2016, and February 23, 2017, DEQ staff observed that a copy of the 2014 Permit coverage letter was not posted near the main entrance of the Site.

2014 Permit Part II(C) states in part: “Upon commencement of land disturbance, the operator shall post conspicuously a copy of the notice of coverage letter near the main entrance of the construction activity... The operator shall maintain the posted information until termination of general permit coverage as specified in Part I F.”

- b. On June 29, 2015, December 16, 2015, March 9, 2016, April 4, 2016, June 27, 2016, and February 23, 2017, DEQ staff observed that no SWPPP, including a stormwater management plan with quality and quantity calculations, was located on-site or made available for inspection and the location of the SWPPP was not posted near the site’s entrance. During the November 30, 2016 meeting, Mr. Leonard confirmed that Leonard Companies L.P. had not developed a SWPPP for the Site.

2014 Permit Part II states in part, “A stormwater pollution prevention plan (SWPPP) shall be developed prior to the submission of a registration statement and implemented for the construction activity, including any support activity, covered by this general permit...”

9 VAC 25-870-54(G) states: “The SWPPP must be maintained at a central location onsite. If an onsite location is unavailable, notice of the SWPPP’s location must be posted near the main entrance at the construction site.”

9 VAC 25-870-54(A) states: “A stormwater pollution prevention plan shall include, but not be limited to, an approved erosion and sediment control plan, an approved stormwater management plan, a pollution prevention plan for regulated land-disturbing activities, and a description of any additional control measures necessary to address a TMDL pursuant to subsection E of this section.”

2014 Permit Part II A.3.b states in part: “... Any operator that was authorized to discharge under the general permit issued in 2009, and that intends to continue coverage under this general permit, shall ensure compliance with the requirements of 9VAC25-870-93 through 9VAC25-870-99 of the VSMP Regulation, including but not limited to the water quality and quantity requirements. The SWPPP shall include a description of, and all necessary calculations supporting, all post-construction stormwater management measures that will be installed prior to the completion of the construction process to control pollutants in stormwater discharges after construction operations have been completed...”

9 VAC 25-870-55(B)(7) states in part: “A complete stormwater management plan shall include the following elements:... 7. Documentation and calculations verifying compliance with the water quality and quantity requirements of these regulations...”

- c. On June 29, 2015, December 16, 2015, March 9, 2016, April 4, 2016, June 27, 2016, and February 23, 2017, DEQ staff observed that no SWPPP inspection reports were available for review. SWPPP inspections were not conducted and/or recorded from June 29, 2015 to February 23, 2017.

2014 Permit Part II F(2).a states: "Inspections shall be conducted at a frequency of: (1) At least once every five business days; or (2) At least once every 10 business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted no later than the next business day."

Permit Part II F(4) states in part: "The inspection report and any actions taken in accordance with Part II must be retained by the operator as part of the SWPPP for at least three years..."

- d. On April 4, 2016, June 27, 2016, and February 23, 2017, DEQ staff observed that the erosion and sediment control plan was neither implemented as approved nor amended after the VESCP authority said the approved ESC plan was no longer valid.

9 VAC 25-870-54(B) states in part: "An erosion and sediment control plan consistent with the requirements of the Virginia Erosion and Sediment Control Law and regulations must be designed and implemented during construction activities. Prior to land disturbance, this plan must be approved by either the VESCP authority or the department in accordance with the Virginia Erosion and Sediment Control Law and attendant regulations."

Va. Code § 62.1-44.15:55(C) states in part: "The VESCP authority may require changes to an approved plan in the following cases:

1. Where inspection has revealed that the plan is inadequate to satisfy applicable regulations.
2. Where the person responsible for carrying out the approved plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this article and associated regulations, are agreed to by the VESCP authority and the person responsible for carrying out the plan."

- e. Erosion and sediment controls were not installed or maintained in accordance with regulatory standards as follows:
 - i. On June 29, 2015, December 16, 2015, March 9, 2016, April 4, 2016, and February 23, 2017, DEQ staff observed that silt fence was not properly installed or maintained in accordance with the approved ESC plan. The silt fence was not properly entrenched and had been damaged in several

locations.

- ii. On February 23, 2017, the diversion ditched had not been stabilized immediately after installation.
- iii. On June 29, 2015, December 16, 2015, February 23, 2017, denuded areas were dormant for more than fourteen days and did not have temporary or permanent stabilization.
- iv. On June 27, 2016 and February 23, 2017, cut and fill slopes were not adequately stabilized to prevent excessive erosion.
- v. On June 27, 2016, the sediment trap was not maintained in effective operating condition. A hole had developed which rendered the trap non-functional. In addition, the top berm had a low spot preventing all runoff from reaching the trap.
- vi. On February 23, 2017, no inlet protection had been installed for the existing slope drain.
- vii. On February 23, 2017, no outlet protection had been installed for the existing slope drain.

9 VAC 25-840-40(4) states: "Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment shall be constructed as a first step in any land-disturbing activity and shall be made functional before upslope land disturbance takes place."

9 VAC 25-840-60(A) states: "All erosion and sediment control structures and systems shall be maintained, inspected and repaired as needed to insure continued performance of their intended function. A statement describing the maintenance responsibilities of the permittee shall be included in the approved erosion and sediment control plan."

9 VAC 25-870-54(B) states in part: "An erosion and sediment control plan consistent with the requirements of the Virginia Erosion and Sediment Control Law and regulations must be designed and implemented during construction activities."

9 VAC 25-870-95(L) states: "Land-disturbing activities shall comply with the Virginia Erosion and Sediment Control Law and attendant regulations."

Permit Part II (E) (1) states in part: "All control measures must be properly maintained in effective operating condition in accordance with good engineering practices and, where applicable, manufacturer specifications."

9 VAC 25-840-40(5) states: "Stabilization measures shall be applied to earthen structures such as dams, dikes and diversions immediately after installation."

9 VAC 25-840-40(1) states: "Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site. Temporary soil stabilization shall be applied within seven days to denuded areas that may not be at final grade but will remain dormant for longer than 14 days. Permanent stabilization shall be applied to areas that are to be left dormant for more than one year."

9 VAC 25-840-40(7) states: "Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion. Slopes that are found to be eroding excessively within one year of permanent stabilization shall be provided with additional slope stabilizing measures until the problem is corrected."

9 VAC 25-840-40(10) states: "All storm sewer inlets that are made operable during construction shall be protected so that sediment-laden water cannot enter the conveyance system without first being filtered or otherwise treated to remove sediment."

9 VAC 25-840-40(11) states: "Before newly constructed stormwater conveyance channels or pipes are made operational, adequate outlet protection and any required temporary or permanent channel lining shall be installed in both the conveyance channel and receiving channel."

8. On March 16, 2017, DEQ issued Notice of Violation (NOV) No. NOV-003-0317-SC to Leonard Companies L.P., which included the alleged violations described in C(7)(a)-(e) above.
9. Based on the results of the June 29, 2015, December 16, 2015, March 9, 2016, April 4, 2016, June 27, 2016, and February 23, 2017 inspections, the Board concludes that Leonard Companies L.P. violated Va. Code § 62.1-44.15:55(C), 9 VAC 25-840-40(1), 9 VAC 25-840-40(4), 9 VAC 25-840-40(5), 9 VAC 25-840-40(7), 9 VAC 25-840-40(10), 9 VAC 25-840-40(11), 9 VAC 25-840-60(A), 9 VAC 25-870-54(A), 9 VAC 25-870-54(B), 9 VAC 25-870-54(G), 9 VAC 25-870-55(B)(7), 9 VAC 25-870-95(L), and the conditions of 2014 Permit Parts II, II(A)(3)(b), II(C), II(E)(1), II(F)(2), II(F)(4), as described in paragraphs C(7)(a)-(e) of this Order.
10. On March 31, 2017, DEQ conducted a construction stormwater inspection of the Site. At the time of this inspection, a SWPPP had been developed for the Site, but the SWPPP did not contain a signed copy of the registration statement, or a copy of the notice of coverage letter. In addition, modifications had been made to the SWPPP, but the modifications were not signed in accordance with Part III(K) of the 2014 Permit. The SWPPP did not include a stormwater management plan.

2014 Permit Part II A.1.a. states in part: "The SWPPP shall include the following items:
1. General information. a. A signed copy of the registration statement..."

2014 Permit Part II A.1.b. states in part: "The SWPPP shall include the following items:
1. General information. b. Upon receipt, a copy of the notice of coverage under the
general VPDES permit for discharges of stormwater from construction activities..."

2014 Permit Part III K.1. states in part: "...All registration statements shall be signed as
follows: b. For a partnership or sole proprietorship: by a general partner or the proprietor,
respectively..."

2014 Permit Part III K.2 states in part: "Reports, etc. All reports required by this general
permit, including SWPPPs, and other information requested by the board or the
department shall be signed by a person described in Part III K 1 or by a duly authorized
representative of that person..."

2014 Permit Part III K.3 states in part: "Changes to authorization. If an authorization
under Part III K 2 is no longer accurate because a different individual or position has
responsibility for the overall operation of the construction activity, a new authorization
satisfying the requirements of Part III K 2 shall be submitted to the VSMP authority..."

2014 Permit Part III K.4 states in part: "Certification. Any person signing a document
under Part III K 1 or 2 shall make the following certification..."

2014 Permit Part II A.3.b states in part: "... Any operator that was authorized to
discharge under the general permit issued in 2009, and that intends to continue coverage
under this general permit, shall ensure compliance with the requirements of 9VAC25-
870-93 through 9VAC25-870-99 of the VSMP Regulation, including but not limited to
the water quality and quantity requirements. The SWPPP shall include a description of,
and all necessary calculations supporting, all post-construction stormwater management
measures that will be installed prior to the completion of the construction process to
control pollutants in stormwater discharges after construction operations have been
completed..."

9 VAC 25-870-55(B)(7) states in part: "A complete stormwater management plan shall
include the following elements:... 7. Documentation and calculations verifying
compliance with the water quality and quantity requirements of these regulations..."

11. DEQ visited the Site on May 1, 2017 to check on the progress at the Site. As of May 1,
the Site, including the diversion ditch, had been hydro-seeded, silt fences had been
repaired, and inlet protections had been installed, correcting the violations described in
C(7)(e)(i)-(iii) and (vi), above.
12. On May 3, 2017, DEQ staff met with Leonard Companies L.P. representatives to discuss
the current Site conditions.

13. On May 15, 2017, DEQ staff met with a representative of the Site contractor, Chris Dale of C.L. Dale Construction, at the Site. Chris Dale stated that plans for the Site have changed. Leonard Companies L.P. plans to halt further development of the Site and terminate permit coverage once all permit conditions have been met. Chris Dale and DEQ agreed on a plan to prepare the Site for permit termination.
14. Due to the change in plans, DEQ and Chris Dale agreed that a revised ESC plan is no longer necessary at the Site, negating the need to correct C(7)(d).
15. As of September 28, 2017, the notice of coverage letter was posted near the main entrance of the construction activity, the SWPPP contained a signed registration statement and a notice of coverage letter, and modifications to the SWPPP were signed in accordance with Part IIIK of the Permit.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 62.1-44.15, 62.1-44.15:25, and 62.1-44.15:48, the Board orders Leonard Companies L.P., and Leonard Companies L.P. agrees to pay a civil charge of \$11,730 within 30 days of the effective date of the Order in settlement of the violations cited in this Order.

Payments 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

Leonard Companies L.P. shall include its Federal Employer Identification Numbers (FEIN) (47 5331990) 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 Stormwater Management Fund. If the Department has to refer collection of moneys due under this Order to the Department of Law, Leonard Companies L.P. shall be liable for attorneys' fees of 30% of the amount outstanding.

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of Leonard Companies L.P. for good cause shown by Leonard Companies L.P., or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 et seq., after notice and opportunity to be heard.
2. This Order addresses and resolves only those violations specifically identified in Section C of this Order and in NOV No. 003-0317-SC dated March 16, 2017. This Order shall not

preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the facility; or (3) taking subsequent action to enforce the Order.

3. For purposes of this Order and subsequent actions with respect to this Order only, Leonard Companies L.P. admits the jurisdictional allegations, findings of fact, and conclusions of law contained herein.
4. Leonard Companies L.P. consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.
5. Leonard Companies L.P. declares it has received fair and due process under the Administrative Process Act and the State Water Control Law and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to modify, rewrite, amend, or enforce this Order.
6. Failure by Leonard Companies L.P. to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.
7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
8. Leonard Companies L.P. shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other unforeseeable circumstances beyond its control and not due to a lack of good faith or diligence on its part. Leonard Companies L.P. shall demonstrate that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. Leonard Companies L.P. shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:
 - a. the reasons for the delay or noncompliance;
 - b. the projected duration of any such delay or noncompliance;
 - c. the measures taken and to be taken to prevent or minimize such delay or noncompliance; and

- d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

Failure to so notify the Regional Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which the parties intend to assert will result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

9. This Order is binding on the parties hereto and any successors in interest, designees and assigns, jointly and severally.
10. This Order shall become effective upon execution by both the Director or his designee and Leonard Companies L.P. Nevertheless, Leonard Companies L.P. agrees to be bound by any compliance date which precedes the effective date of this Order.
11. This Order shall continue in effect until:
 - a. The Director or his designee terminates the Order after Leonard Companies L.P. has completed all of the requirements of the Order;
 - b. Leonard Companies L.P. petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or
 - c. The Director or Board terminates the Order in his or its sole discretion upon 30 days' written notice to Leonard Companies L.P.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Leonard Companies L.P. from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

12. Any plans, reports, schedules or specifications attached hereto or submitted by Leonard Companies L.P. and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
13. The undersigned representative of Leonard Companies L.P. certifies that he or she is a responsible official authorized to enter into the terms and conditions of this Order and to execute and legally bind Leonard Companies L.P. to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of the Leonard Companies L.P.
14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no

representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.

15. By their signatures below, Leonard Companies L.P. voluntarily agrees to the issuance of this Order.

And it is so ORDERED this 3rd day of January, 2018.



Jefferson Reynolds, Director of Enforcement
Department of Environmental Quality

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Leonard Companies L.P. voluntarily agrees to the issuance of this Order.

Date: 10-4-17 By: David A. Leonard, GEN. PARTNER
(Person) (Title)
Leonard Companies L.P.

Commonwealth of Virginia
City/County of Russell

The foregoing document was signed and acknowledged before me this 4th day of October, 2017, by David A. Leonard who is General Partner of Leonard Companies L.P., on behalf of the company.

Betsy H Brown
Notary Public

168576
Registration No.

My commission expires: 12/31/2019

Notary seal:

