



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY  
SOUTHWEST REGIONAL OFFICE  
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Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Allen J. Newman, P.E.  
Regional Director

**STATE WATER CONTROL BOARD ENFORCEMENT ACTION –  
AMENDMENT TO ORDER BY CONSENT  
ISSUED TO  
Town of Pound  
FOR  
Pound Wastewater Treatment Plant  
VPDES Permit No. VA0061913**

**SECTION A: Purpose**

This is an Amendment of an Order by Consent (Amendment) issued under the authority of Va. Code § 62.1-44.15, between the State Water Control Board and the Town of Pound, regarding the Town of Pound Wastewater Treatment Plant, for the purpose of revising certain provisions of the Order by Consent (Order) issued by the Board to the Town of Pound on January 5, 2016.

**SECTION B: Basis for Amendment**

1. The Town of Pound owns and operates the WWTP in Pound, Virginia. The WWTP treats and discharges treated sewage and other municipal wastes, for the residents and businesses of the Town of Pound, in strict compliance with the terms and conditions of the Permit.
2. The State Water Control Board entered into the Order with the Town of Pound, effective January 5, 2016, for violation of final effluent Permit limits, loss-of-solids events and overflows, failure to properly operate and maintain all facility systems of treatment and control, and for discharging without a permit for five days (until the Permit was reissued).
3. The Town of Pound has requested an extension of the deadline for completing the work required by Appendices A and B Schedules of Compliance contained in the Order. The extension is necessary due to the fact that the funding package for the work required by the Schedules of Compliance changed after issuance of the Order.

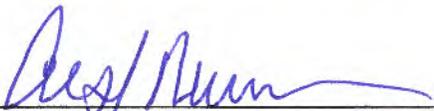
4. Based on the information available to DEQ to date, the Town is otherwise in compliance with the Order and is current with all monitoring and reporting requirements.

**SECTION C: Agreement and Order**

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

1. Perform the actions described in Appendices A and B of this Amendment, which supersede and cancel only Appendices A and B of the Order. Both the State Water Control Board and the Town of Pound understand and agree that this Amendment does not alter, modify or amend any other provision of the Order and that the unmodified provisions of the Order remain in effect by their own terms.

And it is so ORDERED this 7<sup>th</sup> day of November, 2016.

  
\_\_\_\_\_  
Allen J. Newman, P.E., Regional Director  
Department of Environmental Quality

The Town of Pound voluntarily agrees to the issuance of this Order.

Date: 29 Aug 2016 By: George E Dean (Person) MAYOR/INTERIM TOWN MANAGER (Title)  
Town of Pound

Commonwealth of Virginia  
City/County of Wise

The foregoing document was signed and acknowledged before me this 29<sup>th</sup> day of

August, 2016, by George E. Dean who is

Mayor/Interim Town Manager of the Town of Pound, on behalf of the Town.

Megan Courtney Koerner Sturgill  
Notary Public

7500021  
Registration No.

My commission expires: 8-31-2019

Notary seal:



## APPENDIX A SCHEDULE OF COMPLIANCE

In order to comply with the provisions of the State Water Control Law, the Regulation and the Permit, the Town of Pound agrees to implement the following actions, as they relate to the Virginia Clean Water Revolving Loan Fund project for upgrade of the WWTP and addition of a flow equalization basin, by the dates noted below:

1. Submit final design plans and specifications to DEQ.....April 1, 2018
2. Obtain DEQ Approval of Plans and Specifications\* .....May 1, 2018
3. Award Contract.....October 1, 2018
4. Issue Notice to Proceed and Begin Construction.....October 15, 2018
5. Achieve Substantial Completion.....September 1, 2019
6. Achieve final completion, obtain CTO and place new treatment units in service.....  
.....October 1, 2019
7. Notify DEQ in writing within ten days of completion of any item noted in Items 1 through 6 above.
8. Submit quarterly progress reports to the SWRO; the first report, for the reporting period April 1, 2018 through June 30, 2018, shall be due on July 10, 2018; subsequent quarterly reports shall be submitted in the same manner until the project is completed.
9. Unless otherwise specified in this Order, the Town of Pound shall submit all requirements of Appendix A of this Order to:

Ruby Scott  
Compliance Auditor  
VA DEQ – Southwest Regional Office  
355-A Deadmore Street  
Abingdon, Virginia 24210  
Phone: (276) 676-4882  
Fax: (276) 6764899  
[ruby.scott@deq.virginia.gov](mailto:ruby.scott@deq.virginia.gov)

\* Upon approval by DEQ, said documents/schedules shall become an enforceable part of this Amendment, as stated in Item 12 of Section E, Administrative Provisions, of the Order.

## **APPENDIX B SCHEDULE OF COMPLIANCE**

In order to comply with the provisions of the State Water Control Law and Regulation and the Permit, the Town of Pound agrees to implement the following actions, as they relate to the "Analysis of Initial Sanitary Sewer System Flow Monitoring Data for the Town of Pound, Virginia" dated June, 2015 and received by DEQ by electronic transmittal on July 1, 2015 (hard copy received July 2, 2015), by the dates noted below:

1. Complete any additional flow monitoring activities.....June 1, 2017
2. Perform cleaning and video inspection of areas identified.....September 1, 2017
3. Complete Inflow/Infiltration Preliminary Engineering Report (PER), including Project schedule, and submit to DEQ for review and approval.....October 1, 2017
4. Submit final design plans and specifications for the Project, and an application for issuance of a Certificate to Construct, to DEQ.....March 1, 2018
5. Obtain DEQ Approval of Plans and Specifications\* and issuance of a Certificate to Construct.....April 1, 2018
6. Advertise and complete Project per schedule included in I/I PER (Item 3, above).
7. Notify DEQ in writing within ten days of completion of any item noted in Items 1 through 6 above and items noted in the project schedule in the I/I PER (Item 3, above).
8. Submit quarterly progress reports to the SWRO; the first report, for the reporting period April 1, 2017 through June 30, 2017, shall be due on July 10, 2017; subsequent quarterly reports shall be submitted in the same manner until the project is completed.
9. All reports submitted to the SWRO shall be mailed to the attention of Ruby Scott, Compliance Auditor, 355-A Deadmore Street, Abingdon, VA 24210.

\* Upon approval by DEQ, said documents/schedules shall become an enforceable part of this Amendment, as stated in Item 12 of Section E, Administrative Provisions, of the Order.