



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY VALLEY REGIONAL OFFICE

Matthew J. Strickler
Secretary of Natural Resources

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David K. Paylor
Director

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STATE WATER CONTROL BOARD AMENDMENT TO ORDER BY CONSENT ISSUED TO CITY OF WAYNESBORO FOR WAYNESBORO STP VPDES PERMIT NO. VA0025151

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 City of Waynesboro regarding the Waynesboro Sewage Treatment Plan for the purpose of revising certain provisions of the Order by Consent (Order) issued by the Board to the City of Waynesboro on June 24, 2010, as amended on May 22, 2014, and for resolving certain violations of the State Water Control Law, Regulations, and Permit No. VAR025151.

SECTION B: Basis for Amendment

1. Waynesboro owns and operates the Facility and the sewage collection system serving Waynesboro City and a portion of Augusta County, Virginia. The VPDES Permit No. VA0025151 was reissued under the State Water Control Law and the Regulation to Waynesboro on February 1, 2015 and expires on January 31, 2020. The Permit allows Waynesboro to discharge treated sewage and other municipal wastes from the Facility to the South River, in strict compliance with the terms and conditions of the Permit.

2. The Board entered into the Order with Waynesboro effective June 24, 2010 to require an upgrade of the Facility, and to address I&I issues in its collection system. The Facility completed the upgrade and completed three of the I&I Projects. The June 24, 2010 Order was amended on May 22, 2014 to include the I&I projects that weren't complete, and to include additional infrastructure upgrades. Waynesboro completed the I&I projects contained in the Amended Order in a timely manner. These upgrades and repairs improved treatment and reduced inflows.
3. Despite the improvements, Waynesboro reported overflows at several manholes and pump stations due to large rain events, on September 29, 2015, October 3, 2015, December 2, 2015, August 3, 2016, and May 5, 2017. Waynesboro included the Permit required 5-day letter explanation for each event, which detailed clean up actions and future prevention responses.
4. On April 5, 2017, Waynesboro submitted a plan and schedule of corrective actions to further address these I&I issues for incorporation into this Amendment. Specifically, the plan and schedule contemplates \$1.35 million additional expenditures to rehabilitate 12,600 linear feet of sewer line and 80 manholes. These improvements are designed to eliminate inflows of groundwater and de-bottleneck flows to the pump stations.
5. Va. Code § 62.1-44.5 states that: “[E]xcept in compliance with a certificate issued by the Board, it shall be unlawful for any person to discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances
6. The Regulation, at 9 VAC 25-151-70, also states that except in compliance with this permit, or another permit issued by the Board, it is unlawful to discharge into state waters sewage, industrial wastes or other wastes.
7. Va. Code § 62.1-44.15(5a) states that a VPDES permit is a “certificate” under the statute.
8. Based on the documentation submitted by Waynesboro and a file review by DEQ staff, the Board concludes that Waynesboro has violated Va. Code § 62.1-44.5 and 9 VAC 25-151-70.
9. In order for Waynesboro to return to compliance, DEQ and Waynesboro have agreed to the Schedule of Compliance, which is incorporated as Appendix A of this Order.

SECTION C: Agreement and Order

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

1. Perform the actions described in Appendix A of this Amendment, which supersedes and terminates only Appendix A of the Order. This Amendment supersedes and terminates the Amended Order issued to Waynesboro on May 22, 2014. Both the Board and Waynesboro 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 4th day of October, 2018.



A handwritten signature in blue ink, appearing to read "Amy T. Owens", is written over a horizontal line.

Amy T. Owens, Regional Director
Department of Environmental Quality

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City of Waynesboro voluntarily agrees to the issuance of this Order.

Date: 7-31-18 By: Michael J. Hill, City Manager
(Person) (Title)

Commonwealth of Virginia
City/County of Waynesboro

The foregoing document was signed and acknowledged before me this 31 day of July, 2018, by Michael Hill who is City Manager of Waynesboro on behalf of the City of Waynesboro

Julia Bortle
Notary Public

234704
Registration No.

My commission expires: 5/31/22

Notary seal:

JULIA BORTLE NOTARY PUBLIC Commonwealth of Virginia Reg. #234704 My Commission Expires May 31, 20 <u>22</u>

APPENDIX A SCHEDULE OF COMPLIANCE

Waynesboro shall conduct collection system rehabilitation work on the following schedule:

1. Project S-10A
 - a. By July 30, 2018, Waynesboro shall be complete Phase I construction.
 - b. By July 31, 2018, Waynesboro shall begin construction on Phase II.
 - c. By March 31, 2019, Waynesboro shall complete construction on Phase II.

2. Project S-11
 - a. By July 31, 2018, Waynesboro shall begin construction on Project S-11.
 - b. By January 31, 2019, Waynesboro shall complete construction on Project S-11.

3. Gwynne Avenue and Sunset Project
 - a. By April 30, 2019, Waynesboro shall begin construction on the Gwynne Avenue and Sunset Project.
 - b. By November 30, 2019, Waynesboro shall complete construction of the Gwynne Avenue and Sunset Project.

4. No later than 14 days following a date identified in the above schedule of compliance Waynesboro shall submit to DEQ's Valley Regional Office a written notice of compliance or noncompliance with the scheduled item. In the case of noncompliance, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled item.

5. **DEQ Contact**

Unless otherwise specified in this Order, Waynesboro shall submit all requirements of Appendix A of this Order to:

Tiffany R. Severs
Enforcement Team Leader
VA DEQ –VRO Regional Office
4411 Early Road, Mailing PO Box 3000
Harrisonburg, VA 22980
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