



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III  
Governor

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

(804) 698-4000  
1-800-592-5482

John Paul Woodley, Jr.  
Secretary of Natural Resources

### MINUTES

#### STATE WATER CONTROL BOARD

March 29, 2000 - House Room C

General Assembly Building

Richmond, Virginia

#### Board Members Present:

Hunter E. Craig, Chairman	Karl F. Wenger
H. Preston Futrell, Jr.	James V. Couch
Thomas V. Van Auken	Lance W. High

#### Board Members Absent:

Jo Ann Kwong

#### Staff Present:

Dennis H. Treacy, Director  
Department of Environmental Quality

Cindy M. Berndt  
Department of Environmental Quality

#### Attorney General's Office:

Deborah Love Feild, Assistant Attorney General

- 1) The attached minutes summarize activities which took place at this Board Meeting.
- 2) The meeting was convened at 9:32 a.m. on Wednesday, March 29, 2000, voted to go into closed session as 9:32 a.m., returned to open session at 10:15 a.m., recessed at 12:17 p.m. and reconvened at 12:54, voted to go into closed session at 3:05 p.m., returned to open session at 3:20 p.m. and adjourned at 5:30 p.m.



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

<http://www.deq.state.va.us>

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

Dennis H. Treacy  
Director

(804) 698-4000  
1-800-592-5482

### EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON MARCH 29, 2000

#### MINUTE NO. 1 - Closed Session

Pursuant to the provisions of Section 2.1-344 (A) (7) of the Code of Virginia, the Board met in Closed Session to consider the following matters:

Lorton Correctional Complex Sewage Treatment Plant  
LG&E Virginia Water Protection Permit  
Special Orders for Closure Plans

Pursuant to Section 2.1-344.1 (D) of the Code of Virginia, the Board, by roll call vote, unanimously certified that only those matters identified above, which are lawfully exempted from the requirements of the Freedom of Information Act, were considered during Closed Session.

A handwritten signature in cursive script that reads "Cindy M. Berndt".

---

Cindy M. Berndt



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

(804) 698-4000  
1-800-592-5482

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

### EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON MARCH 29, 2000

#### MINUTE NO. 2 – Significant Noncompliance

Mary Jo Leugers, Director of the Office of Enforcement Coordination, reported to the Board that three major facilities were reported to EPA on the Quarterly Noncompliance Report (QNCR) as being in significant noncompliance (SNC) for the quarter ending September 30, 1999. The facilities and their SNC violations were reported as follows:

- |                  |   |
|------------------|---|
| Permittee:       | <b>City of Galax</b>  |
| Violations:      | <b>Overflows</b>  |
| Violation Dates: | January, February, March, April, May, July and September 1999 |
| Items Violated:  | Consent Special Order and Permit                              |

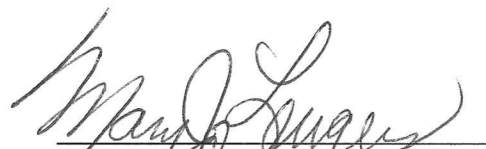
The City of Galax was also reported to EPA as an Exceptions List facility, having been in SNC for two successive quarters. DEQ staff and the Office of the Attorney General (OAG) were reported to the Board to be considering litigation options to address the subject violations.

- |                  |  |
|------------------|--|
| Permittee:       | <b>District of Columbia, Lorton Sewage Treatment Plant</b> |
| Violations:      | <b>Overflow; Failure to Eliminate STP Discharge</b>        |
| Violation Dates: | January and September, 1999                                |
| Items Violated:  | Consent Special Order and Court Order                      |

The OAG was reported to have filed a motion to enforce the requirements of the subject judicial and administrative orders.

- |                  |  |
|------------------|--|
| Permittee:       | <b>Spottsylvania County, Massaponax Sewage Treatment Plant</b> |
| Violations:      | <b>Violations of Total Kjeldahl Nitrogen Effluent Limit</b>    |
| Violation Dates: | August and September, 1999                                     |
| Items Violated:  | Permit   |

The staff of DEQ's Northern Regional Office were reported to be proposing, for Board approval at the March 29, 2000 meeting, an amendment to a consent special order which addressed the referenced violations.



Mary Jo Leugers, Director  
Office of Enforcement Coordination



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT  
ITS MEETING ON MARCH 29, 2000

**MINUTE NO. 3- Consent Order Issuance/Cancellation – District of Columbia Department of Corrections**

On August 24, 1989, the Board issued a Special Order on consent to the District of Columbia through the District of Columbia Department of Corrections. The Board amended the Order on August 20, 1992, and August 25, 1995. The Order provides at Paragraph five that the Board may cancel it "in its sole discretion."

Mr. John R. Butcher, Senior Assistant Attorney General of the Office of the Attorney General ("OAG"), made the presentation concerning the proposed cancellation. Following the presentation, Mr. Gregory L. Clayton, Northern Virginia Regional Director, made the staff recommendation regarding the proposed cancellation.

**Decision**

Based on the briefing material and the OAG presentation and staff recommendation, the Board voted unanimously to:

1. Approve cancellation of the Consent Special Order, as amended;

A handwritten signature in cursive script that reads "Gregory L. Clayton".

Gregory L. Clayton  
Regional Director  
Northern Virginia Region



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT  
ITS MEETING ON MARCH 29, 2000

**MINUTE NO. 4 - Consent Order Issuance/Amendment – Orange County School Board,  
Spotsylvania County Board of Supervisors, and Spotsylvania County**

The Department of Environmental Quality's ("DEQ") Northern Virginia Regional Office ("NVRO") presented two proposed Consent Special Orders without civil charges and one proposed amended Consent Special Order for the Board's consideration.

Ms. Elizabeth Anne Crosier of the DEQ NVRO made the staff presentation concerning the proposed Orders and amendment. Following the presentation, Ms. Crosier made the staff recommendations regarding the proposed Orders.

The proposed Order regarding the Orange County School Board's Lightfoot, Locust Grove, and Unionville Elementary School sewage treatment plants ("STP") includes a construction schedule for the upgrade of each STP to meet ammonia or total kjeldahl nitrogen ("TKN") final effluent permit limits. In addition, the Order provides interim limits for ammonia or TKN until June 15, 2000.

The proposed Order regarding the Spotsylvania County Board of Supervisors Wishner STP includes a construction schedule for a pump station and connection to the Massaponax wastewater treatment plant ("WWTP"), and elimination of the discharge from the Wishner STP. In addition, the Order provides interim limits for ammonia until the connection is completed.

The proposed amended Order regarding the Spotsylvania County Massaponax WWTP provides interim limits for TKN and ultimate oxygen demand for the months of August, September, and October.

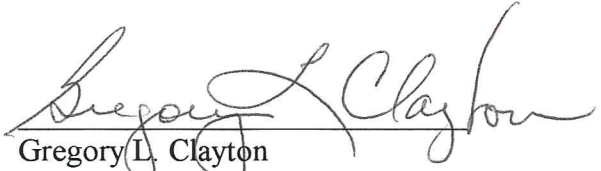
**Decision**

Based on the briefing material and the staff presentation and recommendations, the Board voted unanimously to:

1. Approve the proposed Consent Special Orders;
2. Authorize the Director or his designee to sign the Orders on the Board's

behalf; and

3. Authorize the Director or his designee to refer violations of the Orders to the Attorney General's Office for appropriate legal action.



Gregory L. Clayton  
Regional Director  
Northern Virginia Region



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON MARCH 29, 2000

#### MINUTE NO. 5 - Consent Order Issuance/Civil Charges – Leesburg Iron and Metal Inc.

The Department of Environmental Quality's ("DEQ") Northern Virginia Regional Office ("NVRO") presented one proposed Consent Special Order with civil charges for the Board's consideration.

Ms. Elizabeth Anne Crosier of the DEQ NVRO made the staff presentation concerning the proposed Order. Following the presentation, Ms. Crosier made the staff recommendations regarding the proposed Order.

The proposed Order requires that Leesburg Iron and Metal Inc., eliminate the discharge from its Auto Recyclers of Leesburg facility by October 30, 2000, monitor and submit reports as required by the facility's permit until the discharge is eliminated, and pay a civil charge of \$3,000.

#### Decision

Based on the briefing material and the staff presentation and recommendations, the Board voted unanimously to:

1. Approve the proposed Consent Special Order;
2. Authorize the Director or his designee to sign the Order on the Board's behalf;  
and
3. Authorize the Director or his designee to refer violations of the Order to the Attorney General's Office for appropriate legal action.

A handwritten signature in cursive script that reads "Gregory L. Clayton".

Gregory L. Clayton  
Regional Director  
Northern Virginia Region



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING OF MARCH 29, 2000

Minute No. 6 – Issuance of Mountain Run WWTP, VPDES Permit VA0090212

This agenda item involves the issuance of a permit for Culpeper County's Mountain Run WWTP. Staff from Northern Virginia Regional Office summarized the comments received from the public and provided responses to these comments. Staff then recommended that the Board issue the permit as drafted with one modification. The modification was the inclusion of a reopener clause by which the permit could be modified in the event that a TMDL for Mountain Run requires more stringent limits than what is currently required by the permit. No one else spoke to the Board on this agenda item.

### **Board Decision**

The Board unanimously voted in favor of staff's recommendation.

A handwritten signature in black ink that reads "Gregory L. Clayton".

Gregory L. Clayton  
Regional Director  
Northern Virginia Regional Office





# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

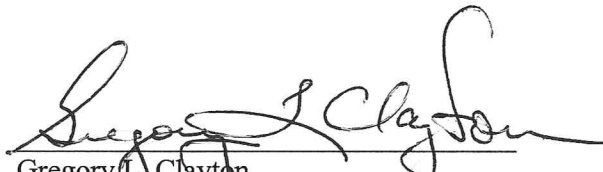
EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING OF MARCH 29, 2000

Minute No. 7 – Issuance of Meadowood L.L.P. STP VPDES Permit VA0090221

This agenda item involves the issuance of a permit for a proposed privately owned sewage treatment plant to be owned and operated by Meadowood L.L.P. Staff from Northern Virginia Regional Office summarized the comments received from the public, provided responses to these comments, and answered questions from the Board. The Board asked Mr. Jimmie Jenkins who was representing the Fairfax County Board of Supervisors several questions concerning the County's objections to the issuance of the permit. The Board also asked Ms. Melanie Davenport who was representing Meadowood L.L.P. several questions to clarify the applicant's proposal. Staff then recommended that the Board issue the permit as drafted with one modification. The modification was the inclusion of a special condition requiring the permittee to agree to a consent special order requiring financial assurance for the sewage treatment facility.

### **Board Decision**

The Board unanimously voted in favor of staff's recommendation.

  
Gregory L. Clayton  
Regional Director  
Northern Virginia Regional Office



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

(804) 698-4000  
1-800-592-5482

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

### PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON MARCH 27, 2000

Minute No. 8 – Proposed Issuance of Virginia Water Protection Permit No. 89-0868 to LG&E Westmoreland - Altavista

Joe Hassell and Dave Paylor gave a presentation on the proposed issuance of Virginia Water Protection Permit No. 89-0868 to LG &E Westmoreland – Altavista. The proposed action is a modification and reissuance of the existing §401 Certificate that would establish water withdrawal conditions during severe drought. LG&E Westmoreland Altavista made a presentation in favor of alternate versions of the draft permit. Twenty-nine persons spoke to the Board on the issues of concern.

#### **Decision**

The staff had not requested comments on the draft permit from the Department of Health, the Virginia Marine Resources Commission or the Virginia Department of Agriculture and Consumer Services. The Board voted unanimously to table the issue pending receipt of recommendations of those three agencies.

A handwritten signature in blue ink, appearing to read "Larry G. Lawson".

Larry G. Lawson, P.E.

Director

Division of Water Program Coordination



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

<http://www.deq.state.va.us>

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

Dennis H. Treacy  
Director

(804) 698-4000  
1-800-592-5482

### EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON MARCH 29, 2000

#### MINUTE NO. 9 - Closed Session

Pursuant to the provisions of Section 2.1-344 (A) (7) of the Code of Virginia, the Board met in Closed Session to consider the following matters:

LG&E Virginia Water Protection Permit

Pursuant to Section 2.1-344.1 (D) of the Code of Virginia, the Board, by roll call vote, unanimously certified that only those matters identified above, which are lawfully exempted from the requirements of the Freedom of Information Act, were considered during Closed Session.

A handwritten signature in cursive script that reads "Cindy M. Berndt".

\_\_\_\_\_  
Cindy M. Berndt



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

West Central Regional Office  
3019 Peters Creek Road, Roanoke, Virginia 24019  
Telephone (540) 562-6700, Fax (540) 562-6725  
<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

Thomas L. Henderson  
Regional Director

**MINUTE NO. 10 - Consent Special Orders without Civil Charges**

Thomas Henderson of the Department of Environmental Quality, West Central Regional Office introduced the staff recommendations concerning the proposed Consent Special Order for the City of Danville Northside Sewage Treatment Plant.

**Board Decision**

Based on the staff recommendations, the Board voted to:

1. Approve the Consent Special Order for:  
City of Danville
2. Authorize the Director or his designee to sign the Order on its behalf; and
3. Authorize the Director or his designee to refer any violations of the Orders to the Attorney General's Office for appropriate legal action.

A handwritten signature in black ink, appearing to read 'T. Henderson', written over a horizontal line.

Thomas L. Henderson  
Regional Director



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

**PIEDMONT REGIONAL OFFICE**

4949-A Cox Road  
Glen Allen, Virginia 23060  
(804) 527-5020  
Fax (804) 527-5106  
<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

Gerard Seeley, Jr.  
Piedmont Regional Director

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON MARCH 29, 2000

MINUTE NO. 11 - Consent Special Orders without Penalty Settlements

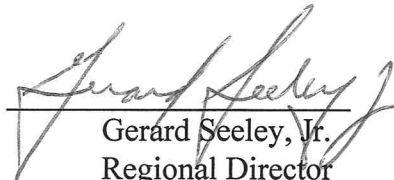
Mr. Rick Weeks, Piedmont Regional Office, introduced the staff recommendations concerning the proposed Consent Special Order Settlements for the Town of South Boston (Amendment).

The proposed Order for the Town of South Boston (Amendment) allowed the Town to address the VPDES permit effluent violations by working to reduce I/I in the Town's wastewater collection system. The Amendment requires a plant expansion if the I/I measures fail to bring the facility into compliance. The Amendment also requires the Town to limit new industrial/commercial sewer connections estimated to exceed 9,000 gallons to the Plant during the I/I study and through the final I/I program evaluation by DEQ.

**Board Decision**

Based on the staff presentation and recommendations, the Board voted unanimously to:

1. approve the Consent Special Order for :  
Town of South Boston (Amendment)
2. authorize the Director or his designee to sign the Order on its behalf; and
3. authorize the Director or his designee to refer any violation of this Order to the Attorney General's Office for appropriate legal action.

  
Gerard Seeley, Jr.  
Regional Director



COMMONWEALTH of VIRGINIA  
*DEPARTMENT OF ENVIRONMENTAL QUALITY*

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

***PIEDMONT REGIONAL OFFICE***

4949-A Cox Road  
Glen Allen, Virginia 23060  
(804) 527-5020  
Fax (804) 527-5106  
<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

Gerard Seeley, Jr.  
Piedmont Regional Director

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON MARCH 29, 2000

MINUTE NO. 12 - Consent Special Orders with Penalty Settlements

Mr. Rick Weeks, Piedmont Regional Office, introduced the staff recommendations concerning the proposed Consent Special Order Settlements for the Capital Region Airport Commission, Richmond International Airport and Cedar Grove Farm.

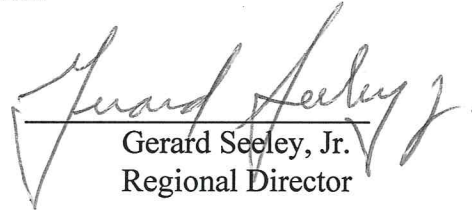
The proposed Order for the Capital Region Airport Commission, Richmond International Airport addresses the unpermitted discharge of deicing product to state waters on March 14, 1999. The Order requires the payment of a \$7,500 civil charge for the alleged violation.

The Cedar Grove farm is part of the Estate of Edmond M. Ware. The Order addresses alleged violations occurring from unpermitted discharges to state waters during lagoon closure activities on the Cedar Grove farm in December 1999 and January 2000. The Order requires all lagoon closure work to be discontinued until sediment erosion control measures are in place; the remaining lagoons are closed in a manner which will prevent additional pollutants from entering State waters; all liquid waste and sludges are removed from the lagoons prior to back-filling; all liquid waste and sludges are utilized in accordance with an approved nutrient management plan or disposed of as solid waste; the lagoons are back-filled with clean fill materials to a minimum grade of 5%; and, DEQ be provided reasonable access to ensure compliance with the Order. The Order also provides for a \$5,000 civil charge.

## Board Decision

Based on the staff presentation and recommendations, the Board voted unanimously to:

1. approve the Consent Special Orders for :  
  
Capitol Region Airport Commission,  
Richmond International Airport  
  
Cedar Grove Farm
2. authorize the Director or his designee to sign the Orders on its behalf; and
3. authorize the Director or his designee to refer any violation of these Orders to the Attorney General's Office for appropriate legal action.

  
Gerard Seeley, Jr.  
Regional Director



**COMMONWEALTH of VIRGINIA**  
*DEPARTMENT OF ENVIRONMENTAL QUALITY*

**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON MARCH 29, 2000**

**MINUTE NO. 13 VRO Consent Special Orders**

R. Bradley Chewning, Regional Director of the VRO, introduced Edward Liggett, VRO enforcement staff. Mr. Liggett made a staff presentation and introduced the staff recommendations concerning proposed VRO Consent Special Orders with civil charges for the following facilities:

**Consent Special Orders with Civil Charges:**

- **Eden Beverages, Inc.**

Eden Beverages is a small water bottling plant in Buffalo Gap, Augusta County. In May of 1997, DEQ staff investigated a fish kill in Buffalo Branch, a tributary of the Middle River in the Potomac River basin. Upon investigation, staff discovered that an employee of Eden Beverages had accidentally overturned a barrel of sodium hydroxide into the stream causing the fish kill. Upon further investigation, staff also observed violations of state waste and air control law. The proposed order Order requires Eden Beverages to pay fish replacement costs and to pay a civil charge of \$3,000. The proposed Order also settles the violations of state waste and air control law. No public comment was received on the proposed Order during the required 30-day public notice period.



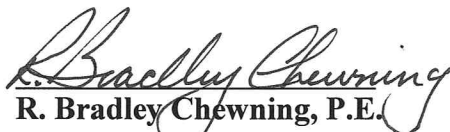
- **Sandy's Mobile Court, Inc.**

Sandy's Mobile Court, Inc. owns and operates a sewage treatment plant (STP) which discharges to an unnamed tributary to Crooked Run in Frederick County under VPDES Permit No. VA0088811. On March 3, 1999, DEQ staff conducted an inspection of the sewage treatment facilities. This inspection found that the facility's laboratory records were not being accurately kept and that the operator was not properly testing and reporting effluent test data. Sandy's has failed to comply with the previous permit's schedule of compliance to meet final limitations and failed to demonstrate that the STP can comply with the effluent limits of the present permit, particularly that of ammonia. The proposed Order will require Sandy's to upgrade the STP to meet the final limitations contained in the VPDES Permit and to retain a Class IV operator upon completion of the upgrade. The proposed Order includes a civil charge of \$ 3,000. No public comment was received on the proposed Order during the required 30-day public notice period.

### **Board Decision**

Based on the staff presentation and recommendations, the Board unanimously voted to:

1. approve the Consent Special Orders with civil charges for these facilities;
2. authorize the Director or his designee to sign the Orders on its behalf; and
3. authorize the Director or his designee to refer any violation of these Orders to the Attorney General's Office for appropriate legal action.

  
**R. Bradley Chewning, P.E.**  
**Regional Director**  
**Valley Regional Office**



**COMMONWEALTH of VIRGINIA**  
*DEPARTMENT OF ENVIRONMENTAL QUALITY*

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON MARCH 29, 2000

Minute No. 14 – Wunder Orchards STP

Valley Regional Office Water Permits Manager B. Keith Fowler made a presentation regarding the reissuance of VPDES Permit No. VA0088285 for Wunder Orchards STP. A public hearing on the proposed reissuance was held on December 1, 1999. Mr. Fowler referred to the agenda item materials in the Board books, which included a summary of the comments received concerning the proposed permit reissuance, staff responses to these comments, and changes made to the draft permit following the public hearing. These changes were made to the draft permit: 1) A special condition regarding Total Maximum Daily Load (TMDL) requirements is included in the permit; and 2) The permittee shall employ or contract for this facility a class IV operator.

Following the staff presentation, six citizens including a representative from Friends of the North Fork Shenandoah River, made presentations opposing the permit reissuance. Then the staff and the citizens responded to several questions raised by Board members.

Mr. Fowler then recommended that the Board authorize the reissuance of VPDES Permit No. VA0088285 for Wunder Orchards STP as drafted and modified.

Board Decision

Based on their review of the hearing records, the presentations, and the staff's recommendation, the Board voted 4 to 1 (Mr. Futrell opposed) to authorize the Director to issue VPDES Permit No. VA0088285 to Wunder Orchards STP as drafted and modified with the condition that fecal coliform monitoring be required by the permit regardless of the disinfection method used.

A handwritten signature in cursive script that reads "R. Bradley Chewing".

R. Bradley Chewing, P.E.

Regional Director  
Valley Regional Office



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON MARCH 29, 2000

Minute No. 15 – Mr. Fuel Travel Center

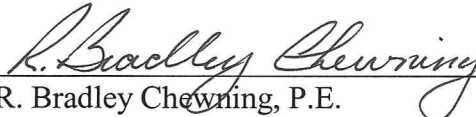
Valley Regional Office Water Permits Manager B. Keith Fowler made a presentation regarding the issuance of VPDES Permit No. VA0090191 for Mr. Fuel Travel Center. A public hearing on the proposed issuance was held on October 26, 1999. Mr. Fowler referred to the agenda item materials in the Board books, which included a summary of the comments received concerning the proposed permit issuance, staff responses to these comments, and changes made to the draft permit following the public hearing. These changes were made to the draft permit: 1) The sample type for BOD5, Suspended Solids and Ammonia-N is changed from grab to 8 hour composite; 2) The requirement regarding no discharge of tank bottom waters is included in the permit; and 3) The fecal coliform monitoring time is changed from "between 10 a.m. and 4 p.m." to "between 4 p.m. and 11 p.m.".

Following the staff presentation, two citizens representing Clearbrook Citizens for Safety made presentations opposing the permit issuance. Then the staff and the citizens responded to several questions raised by Board members.

Mr. Fowler then recommended that the Board authorize the issuance of VPDES Permit No. VA0090191 for Mr. Fuel Travel Center as drafted and modified.

Board Decision

Based on their review of the hearing records, the presentations, and the staff's recommendation, the Board unanimously authorized the Director to issue VPDES Permit No. VA0090191 to Mr. Fuel Travel Center as drafted and modified.

  
R. Bradley Chewning, P.E.

Regional Director  
Valley Regional Office



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

**PIEDMONT REGIONAL OFFICE**

4949-A Cox Road  
Glen Allen, Virginia 23060  
(804) 527-5020  
Fax (804) 527-5106  
<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

Gerard Seeley, Jr.  
Piedmont Regional Director

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON MARCH 29, 2000

MINUTE NO. 16 - Consent Special Orders Cancellations

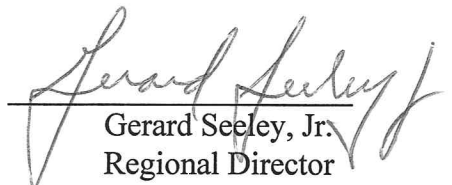
Mr. Gerard Seeley, Jr., Piedmont Regional Director, acting on behalf of all six regions, introduced the staff recommendations concerning the proposed cancellations of nine Consent Special Orders.

**Board Decision**

Based upon the staff recommendation, the Board voted unanimously to:

1. approve cancellation of Consent Special Orders for :

Cumberland County School Board  
Michael Frayker d/b/a Poor Boys  
Hanover County  
Betty Li d/b/a Rose Garden Inn & Restaurant  
Omega Protein, Inc.  
E. B. Sprouse Co., Inc.  
City of Buena Vista  
Town of Grottoes  
Thomas Maybush

  
Gerard Seeley, Jr.  
Regional Director



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

**PIEDMONT REGIONAL OFFICE**

4949-A Cox Road  
Glen Allen, Virginia 23060  
(804) 527-5020  
Fax (804) 527-5106  
<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

Gerard Seeley, Jr.  
Piedmont Regional Director

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON MARCH 29, 2000

MINUTE NO. 17 - Permit Cancellations

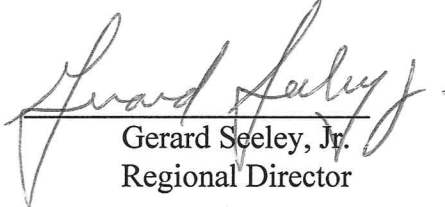
Mr. Gerard Seeley, Jr., Piedmont Regional Director, acting on behalf of all six regions, introduced the staff recommendations concerning the proposed cancellation of one Permit.

**Board Decision**

Based upon the staff recommendation, the Board voted unanimously to:

1. approve cancellation of the Permit for :

Owen Corning

  
Gerard Seeley, Jr.  
Regional Director



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

<http://www.deq.state.va.us>

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

Dennis H. Treacy  
Director

(804) 698-4000  
1-800-592-5482

### EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON MARCH 29, 2000

#### MINUTE NO. 18 - Final Regulation - Stony Creek WQS

Jean Gregory of Water Quality Standards Programs referred the Board members to tab number 16 in their agenda book for briefing information on the proposed amendment and explained that this meeting was the first opportunity to bring the proposed amendment before them for final consideration since the close of the comment period. Dr. VanAuken advised the Board that the impacted permittee and citizens group had worked out their differences so there were no obstacles to moving forward with the amendment.

#### Board Decision:

Based on the briefing material and the staff presentation and recommendation, the Board by an unanimous vote adopted as an amendment to sections 9 VAC 25-260-350 and 9 VAC 25-260-400 of the Water Quality Standards the classification of Stony Creek and its tributaries in Shenandoah County as "Nutrient Enriched Waters."

A handwritten signature in blue ink, appearing to read "Larry G. Lawson".

Larry G. Lawson, P.E., Director  
Division of Water Program Coordination



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III  
Governor

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

(804) 698-4000

1-800-592-5482

John Paul Woodley, Jr.  
Secretary of Natural Resources

### EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON MARCH 29, 2000

MINUTE NO. 19 - Virginia Pollution Abatement (VPA) General  
Permit Regulation for Poultry Waste Management,  
9 VAC 25-630-10 et seq.

The Board had been provided a draft regulation and a summary of the issues discussed by the Poultry Advisory Group prior to the meeting. Richard Ayers gave a brief outline of the regulatory program mandated by state law and answered questions from Board members.

#### Board Decision

Based on the briefing material and the staff presentation, the Board voted unanimously to authorize the staff to advertise a public comment period and hold public hearings on the adoption of the Poultry Waste Management General Permit Regulation, 9 VAC 25-630-10 et seq.

A handwritten signature in blue ink, appearing to read "Larry G. Lawson".

Larry G. Lawson, P.E.

Director, Water Program Coordination



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

<http://www.deq.state.va.us>

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

Dennis H. Treacy  
Director

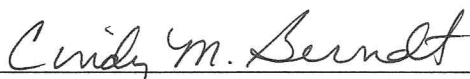
(804) 698-4000  
1-800-592-5482

### EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON MARCH 29, 2000

#### MINUTE NO. 20 - Public Forum

Ms. Kay Slaughter of the Southern Environmental Law Center appeared. She urged the Board to check federal law and regulation in reference to the permit issued to Wunder Orchards since she believes it is illegal to issue a discharge permit for a discharge to an impaired stream. In addition, Ms. Slaughter asked that the full Board attend the public hearings on the general permit for confined poultry feeding operations.

Mr. Jeff Corbin of the Chesapeake Bay Foundation appeared and addressed the same issues as Ms. Slaughter.

  
\_\_\_\_\_  
Cindy M. Berndt





# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

<http://www.deq.state.va.us>

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

Dennis H. Treacy  
Director

(804) 698-4000  
1-800-592-5482

### PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON MARCH 27, 2000

Minute No. 21 – Extension of Consent Special Order to LG&E Westmoreland - Altavista

Following the unanticipated tabling of the proposed issuance of the Virginia Water Protection Permit No. 89-0868 to LG&E Westmoreland Altavista (see Minute No. 8). LG&E Westmoreland – Altavista requested and the Board agreed to extend the active consent special order until a final decision was taken. The staff recommended that the Board extend by deleting the existing termination date of April 1, 2000 and leaving in place the remaining self-canceling provisions. Consequently, the Consent Special Order would automatically expire upon issuance of a new Virginia Water Protection Permit to the Company.

#### **Decision**

The Board voted unanimously to accept the staff recommendation and existing Consent Special Order.

A handwritten signature in blue ink, appearing to read "Larry G. Lawson".

Larry G. Lawson, P.E.

Director

Division of Water Program Coordination



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III  
Governor

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

(804) 698-4000  
1-800-592-5482

John Paul Woodley, Jr.  
Secretary of Natural Resources

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER  
CONTROL BOARD AT ITS MEETING ON MARCH 29, 2000

MINUTE NO. 22 - Future Meetings

The Board did not set a specific date for the next meeting. The Board did indicate that a special meeting will be scheduled to consider the LG&E Virginia Water Protection Permit and the next regular meeting would be in late June 2000.

  
\_\_\_\_\_  
Cindy M. Berndt