

**TENTATIVE AGENDA  
AND MINIBOOK  
WASTE MANAGEMENT BOARD MEETING**

**TUESDAY, JUNE 24, 2014**  
HOUSE ROOM C  
GENERAL ASSEMBLY BUILDING  
9<sup>TH</sup> & BROAD STREETS  
RICHMOND, VIRGINIA

**CONVENE – 10:00 a.m.**

			<b>TAB</b>
<b>I.</b>	<b>Board Business</b> Minutes (December 13, 2013)		A
<b>II.</b>	<b>Regulations – Final Exempt</b> Virginia Hazardous Waste Management Regulations, 9VAC20-60 Amendment for Hazardous Waste Transporters (HB856)	Williams	B
	Voluntary Remediation Regulations, 9VAC20-160 Fee Amendment (SB431)	Willis/Graham	C
<b>III.</b>	<b>Regulations – Fast Track Process</b> Regulations Governing the Transportation of Hazardous Materials, 9VAC20-110 Amendment to add Subpart F of 49 CFR 107	Harris	D
	Regulation for Dispute Resolution, 9VAC20-15 Rev. 1 Amendment	Harris	E
<b>IV.</b>	<b>Significant Noncompliance Report</b>	Deppe	F
<b>V.</b>	<b>Public Forum</b>		
<b>VI.</b>	<b>Other Business</b> Division Director's Report Future Meetings	Steers	
<b>VII.</b>	<b>ADJOURN</b>		

NOTES: The Board reserves the right to revise this agenda without notice unless prohibited by law. Revisions to the agenda include, but are not limited to, scheduling changes, additions, or deletions. Questions on the latest status of the agenda or should be directed to Debra A. Harris at (804) 698-4209 or [Debra.Harris@deq.virginia.gov](mailto:Debra.Harris@deq.virginia.gov).

**PUBLIC COMMENTS AT WASTE MANAGEMENT BOARD MEETINGS**

The Board encourages public participation in the performance of its duties and responsibilities. To this end, the Board has adopted public participation procedures for regulatory action and for case decisions. These procedures establish the times for the public to provide appropriate comment to the Board for its consideration.

For REGULATORY ACTIONS (adoption, amendment or repeal of regulations), public participation is governed by the Administrative Process Act and the Board's Public Participation Guidelines. Public comment is accepted during the Notice of Intended Regulatory Action phase (minimum 30-day comment period) and during the Notice of Public Comment Period on Proposed Regulatory Action (minimum 60-day comment period). Notice of these comment periods is announced in the Virginia Register, by posting to the Department of Environmental Quality and Virginia Regulatory Town Hall web sites and by mail to those on the

Regulatory Development Mailing List. The comments received during the announced public comment periods are summarized for the Board and considered by the Board when making a decision on the regulatory action.

For CASE DECISIONS (issuance and amendment of permits), the Board adopts public participation procedures in the individual regulations which establish the permit programs. As a general rule, public comment is accepted on a draft permit for a period of 30 days. If a public hearing is held, there is an additional comment period, usually 45 days, during which the public hearing is held.

In light of these established procedures, the Board accepts public comment on regulatory actions and case decisions, as well as general comments, at Board meetings in accordance with the following:

**REGULATORY ACTIONS:** Comments on regulatory actions are allowed only when the staff initially presents a regulatory action to the Board for final adoption. At that time, those persons who commented during the public comment period on the proposal are allowed up to 3 minutes to respond to the summary of the comments presented to the Board. Adoption of an emergency regulation is a final adoption for the purposes of this policy. Persons are allowed up to 3 minutes to address the Board on the emergency regulation under consideration.

**POOLING MINUTES:** Those persons who commented during the public hearing or public comment period and attend the Board meeting may pool their minutes to allow for a single presentation to the Board that does not exceed the time limitation of 3 minutes times the number of persons pooling minutes, or 15 minutes, whichever is less.

**NEW INFORMATION** will not be accepted at the meeting. The Board expects comments and information on a regulatory action or pending case decision to be submitted during the established public comment periods. However, the Board recognizes that in rare instances new information may become available after the close of the public comment period. To provide for consideration of and ensure the appropriate review of this new information, persons who commented during the prior public comment period shall submit the new information to the Department of Environmental Quality (Department) staff contact listed below at least 10 days prior to the Board meeting. The Board's decision will be based on the Department-developed official file and discussions at the Board meeting. In the case of a regulatory action, should the Board or Department decide that the new information was not reasonably available during the prior public comment period, is significant to the Board's decision and should be included in the official file, the Department may announce an additional public comment period in order for all interested persons to have an opportunity to participate.

**PUBLIC FORUM:** The Board schedules a public forum at each regular meeting to provide an opportunity for citizens to address the Board on matters other than those on the agenda, pending regulatory actions or pending case decisions. Those persons wishing to address the Board during this time should indicate their desire on the sign-in cards/sheet and limit their presentations to 3 minutes or less.

The Board reserves the right to alter the time limitations set forth in this policy without notice and to ensure comments presented at the meeting conform to this policy.

Department of Environmental Quality Staff Contact: Debra A. Harris, Policy and Planning Specialist, Office of Regulatory Affairs, Department of Environmental Quality, 629 East Main Street, P.O. Box 1105, Richmond, Virginia 23218, phone (804) 698-4209; fax (804) 698-4346; e-mail: Debra.Harris@deq.virginia.gov

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### **Final Exempts**

*Virginia Hazardous Waste Management Regulations, 9VAC20-60  
Amendment for Hazardous Waste Transporters (HB856)*

The regulation is being modified in response to Chapter 139 of the 2014 Acts of Assembly. As of July 1, 2014, a permit will not be required to transport hazardous waste, and modifications are being made to the regulation to remove this requirement. Transporters of hazardous waste will continue to comply with federal and state regulations that address the transportation of hazardous waste; however a permit will not be required to transport hazardous waste. This regulatory amendment is exempt from the state administrative procedures for adoption of regulations necessary to conform to changes in state law where the agency or board has no discretion (§2.2-4006 A 4 of the Code of Virginia). Currently, transporters of hazardous waste must obtain an EPA identification number and also obtain a Virginia Hazardous Waste Transporter Permit if they will be transporting hazardous waste within Virginia. The regulation is being modified in response to Chapter 139 of the 2014 Acts of Assembly. Effective July 1, 2014, a permit will not be required to transport hazardous waste within Virginia, and modifications are being made to the regulation to remove this requirement. Transporters of hazardous waste will continue to comply with federal and state regulations that address the transportation of hazardous waste. A hazardous waste transporter will continue to be required to have an EPA identification number before it may transport hazardous waste. This regulatory action amends the Virginia Hazardous Waste Management Regulations (9VAC20-60-10 et seq.) to remove the requirement for transporters of hazardous waste to obtain a permit from Virginia prior to transporting hazardous waste within Virginia. At the June 24, 2014 meeting of the Virginia Waste Management Board, the department will request the Virginia Waste Management Board (Board) to adopt an amendment to the Virginia Hazardous Waste Management Regulations (9VAC20-60 et seq.).

*Voluntary Remediation Regulations, 9VAC20-160  
Fee Amendment (SB431)*

Chapter 366 of the 2014 Acts of Assembly requires that the Virginia Waste Management Board adopt amendments to 9VAC20-160 to remove the registration fee cap, to defray actual reasonable costs of the program, and to implement the amendments with an effective date of July 1, 2014. It also requires the Department of Environmental Quality (the department) to utilize a regulatory advisory panel (RAP) to assist in the development of necessary regulations and provide an opportunity for public comment. The RAP met on April 11, 2014 and made amendment recommendations to the department. Proposed amendments were developed and a public comment opportunity was held from May 9, 2014 through May 30, 2014. Public comment was received and a summary of the comments and responses to the comments follows below. At the June 24, 2014 meeting of the Virginia Waste Management Board, the department will request the Board to adopt the amendments to the Voluntary Remediation Regulations, Amendment 3 (9VAC20-160) and authorize its publication.

A summary of the proposed amendments: (i) Section 10: Definitions - Terms were clarified and some new ones added to implement the new registration fee structure; (ii) Section 55: Registration fees for applications received prior to January 29, 2014. This new section was added to conform to registration fee requirements in effect prior to the current regulation in order to restore the registration fee payment and fee refund procedure in place at that time; (iii) Section 60: Registration fees for applications received on or after January 29, 2014 and prior to July 1, 2014. This section was revised to preserve the current registration fee structure and refund procedure for applications submitted prior to the effective date of the new fee structure and to clarify the result of failure to pay those registration fees in a timely manner; (iv) Section 65: Registration fees for applications received on or after July 1, 2014. This new section was added to describe the new three-phase registration fee structure, to implement procedures for assessing and collecting those registration fees, and to implement procedures for handling instances of failure to pay the registration fees. Also procedures were provided for collecting fees for sites reentering the program after termination and for amending previously issued certificates; (v) Section 100: Termination. The section was revised to add nonpayment of registration fees as a new reasonable cause for termination of a site from the program; and (vi) Section 110: Certification of satisfactory completion of remediation. This section was revised to specify that payment of all registration fees is required prior to issuing a certificate.

ANALYSIS OF COMMENT

Below is a summary of each of the comments and the accompanying analysis. Included is a brief statement of the subject, the identification of the commenter, the text of the comment and the Board's response (analysis and action taken). Each issue is discussed in light of all of the comments received that affect that issue. The Board has reviewed the comments and developed a specific response based on its evaluation of the issue raised. The Board's action is based on consideration of the overall goals and objectives of the voluntary remediation program and the intended purpose of the regulation.

1. SUBJECT: Phase 2 registration fees for changes requiring a revised eligibility determination.

COMMENTER: James A. Thornhill; McGuireWoods LLP.

TEXT: The proposed revisions provide for Phase 1, 2 and 3 fees. In the section regarding the Phase 2 fees, 9 VAC 20-160-65.C.1.c provides:

*"c. No phase 2 registration fee shall be required for a site that has been determined to be eligible for participation in the program based upon an application received by the Department prior to July 1, 2014 unless changes are made to the application on or after July 1, 2014 that require a new or revised eligibility determination made pursuant to the provisions of 9VAC20-160-30 and 9VAC20-160-40. On and after July 1, 2014, any change to the site that requires a new or revised eligibility determination makes the site subject to a new phase 2 registration fee under this subsection."*

If a site is deemed eligible pursuant to an application filed before July 1, 2014 it is subject to a maximum \$5,000 fee either under 9 VAC 20-160-55 or 20-160-60. I understand that portion of 20-16-65.C.1.c. What does "unless changes are made to the application on or after July 1, 2014 that require a new or revised eligibility determination made pursuant to the provisions of 9VAC20-160-30 and 9VAC20-160-40" mean? Once eligibility is determined the application has served its purpose, so is this language to capture changes in the application filed prior to July 1, 2014 before eligibility is determined? If the language is meant to capture this then the language needs to be revised and state that more precisely. However, I believe what the language is intended to address is a post eligibility change to the site that requires a new eligibility determination. This would be necessary to add new land to the program or a new participant. The reference to the "application" confuses the provision though as the participant would not be amending the previously approved application but filing a new one.

The language as written also leaves open the possibility that it could be interpreted to include simple changes of a participant as triggering the new fees. The requirements for applicants in 9 VAC 20-160-30 and 40 are to own, operate, have a security interest in or a contract to purchase the site. The review of the required information to change the participant should not trigger any fees and there should be explicit language that it does not apply to changes in participants. (See COMMENT 4 for more on this issue).

"Unless changes are made to the application on or after July 1, 2014 that require a new or revised eligibility determination" also raises a timing issue. If an application was made prior to July 1, 2014 and deemed eligible and then the participant asks for an additional acre to be added is the request when it "requires a new or revised eligibility determination?" So what if the one new acre is deemed ineligible? Does the application alone subject the existing site to the new fees? Or only when and if the new one acre is deemed eligible, which should be the case? The language needs to be explicit on this point.

With all of the issues regarding what the language beginning with "unless" means, including what it embraces, when the so-called trigger occurs and what happens with the existing fee, the Department needs to reconsider what the language is really meant to cover, i.e. is it necessary? Based upon the foregoing I recommend the deletion of the language shown below as it creates confusion and there does not appear to be a need for the language in the section:

*c. No phase 2 registration fee shall be required for a site that has been determined to be eligible for participation in the program based upon an application received by the Department prior to July 1, 2014 unless changes are made to the application on or after July 1, 2014 that require a new or revised eligibility determination made pursuant to the provisions of 9VAC20-160-30 and 9VAC20-160-40.*

~~On and after July 1, 2014, any change to the site that requires a new or revised eligibility determination makes the site subject to a new phase 2 registration fee under this subsection.~~

RESPONSE: The language of 9VAC20-160 1 c was intended to address a post eligibility change to the site that required a new eligibility determination, just as the commenter supposes. It was intended to capture changes such as the addition of new acreage to a site already deemed eligible under the new three phase fee structure. It was not intended to trigger new fees for simple changes such as changing or adding a participant. However, 9VAC20-160-65 A does not adequately specify that a new application would be required for extending a site already participating in the program under an application received earlier than July 1, 2014. Deletion of language in subdivision 65 C 1 c would have to be accompanied by a requirement to ensure that new acreage be treated as a new site under the new three phase registration fee structure in order to retain this intended requirement. This comment is appropriate and changes in 9VAC20-160-55 A, 9VAC20-1260-60 A, and 9VAC20-160-65 C 1 c have been made to reflect the intent of this comment.

2. SUBJECT: Failure to address disposition of fees previously paid.

COMMENTER: James A. Thornhill; McGuireWoods LLP.

TEXT: Additionally, [9VAC20-160-65 C 1 c] fails to address what happens to the fee paid by the participant under either [9VAC]20-160-55 or 60 for a site that was deemed eligible under an application filed before July 1, 2014. Is it forfeited by the participant or is it applied toward the new Phase 2 fee?

RESPONSE: 9VAC20-160-65 C 1 c as written failed to specifically address registration fees previously paid by the participant under either 9VAC20-160-55 or -60. However, sections 55 and 60 clearly state that fees and refunds applicable to the original site under an application filed before July 1, 2014 apply in accordance with the applicable provisions in those sections. This comment is appropriate, but the changes made in response to comment 1 treating new acreage as a new site subject to the new three phase registration fee structure should resolve confusion concerning which registration fee requirements apply.

3. SUBJECT: Registration fees for changes to applications.

COMMENTER: James A. Thornhill; McGuireWoods LLP.

TEXT: Same concerns as with the language discussed in COMMENT 1. Please consider deleting the language in 9 VAC 20-160-65.D.6:

~~6. No phase 3 registration fee shall be assessed for a site participating in the program based upon an application received by the department prior to July 1, 2014 unless changes are proposed and accepted to the original application after July 1, 2014 that require a new or revised eligibility determination made pursuant to the provisions of 9VAC20-160-30 and 9VAC20-160-40. In that case, the site shall become subject to phase 3 registration fees in accordance with this subsection using the date of the revised application. If changes are made to the application that do not require a new or revised eligibility determination, the site shall not become subject to phase 3 registration fees as a result of those changes.~~

RESPONSE: See the response to comment 1. Deletion of language in subdivision 65 D 6 would have to be accompanied by a requirement to ensure that new acreage be treated as a new site under the new three phase registration fee structure in order to retain this intended requirement. This comment is appropriate and changes in 9VAC20-160-55 A, 9VAC20-160-60 A, and 9VAC20-160-65 D 6 have been made to reflect the intent of this comment.

4. SUBJECT: Registration fees for changes in participants.

COMMENTER: James A. Thornhill; McGuireWoods LLP.

TEXT: The language discussed in the previous comments has given me a concern that there needs to be explicit language that the fees under 9 VAC 20-160-65 will not be triggered for a change in participant for a site deemed eligible for participation when the original application was filed prior to July 1, 2014. The participant on VRP sites can change in particular when the property is sold. As there are only minimal actions needed by the Department to acknowledge this change, the new fees should not apply. I suggest the following addition to 20-160-65:

~~1. For a site that has been determined to be eligible for participation in the program based upon an application received by the Department prior to July 1, 2014, a request to change the participant for such site received by the Department on or after July 1, 2014, or the Department making such change, will not in and of itself subject the site to the fees under this section.~~

RESPONSE: This comment is appropriate and changes have been made to reflect the intent of this comment.

5. SUBJECT: Support for other comments.

COMMENTER: Charles L. Williams; Gentry, Lock, Rakes and Moore, LLP.

TEXT: Jim and I collaborated to some extent and I agree with his observations.

RESPONSE: See the responses to comments 1 through 4. No additional changes are made to the proposal in response to this comment.

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## Fast Track Process

### *Regulations Governing the Transportation of Hazardous Materials, 9VAC20-110 Amendment to add Subpart F of 49 CFR 107*

This regulatory amendment to 9VAC20-110 is presented to the Board for consideration under the fast-track regulatory process. The compliance and enforcement of 9VAC20-110 is implemented by the Virginia State Police who are provided grant funds through the federal government's Motor Carrier Safety Assistance Program. A program audit noted that the hazardous materials transportation regulation under 9VAC20-110 did not include the requirements of Subpart F of 49 CFR 107 which is a condition for the grant. Therefore, an amendment to 9VAC20-110-110 to add Subpart F to the list of federal regulations incorporated by reference is necessary as this will provide the Virginia State Police with the ability to ensure hazardous material transport cargo tank registration and records are in accordance with federal requirements. Section 2.2-4012.1 of the Code of Virginia provides the Board's authority for the use of the fast-track process. The fast-track process is for regulations that are expected to be noncontroversial. After review by the Governor, a notice of a proposed fast-track regulation will be published in the *Virginia Register* and there will be at least a 30 day comment period. The regulation will become effective 15 days after the close of the comment period provided that (i) no objection to use of the fast-

track process is received from 10 or more members of the public, or any member of the applicable standing committee of either house of the General Assembly or the Joint Commission on Administrative Rules, and (ii) the Department does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal. At the Board meeting on June 24, 2014, the Department will request that:

- The Board authorize the Department to promulgate the proposed amendment to 9VAC20-110 for public comment using the fast-track process established in §2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial.
- The Board's authorization also constitute its adoption of the regulation at the end of the public comment period provided that (i) no objection to use of the fast-track process is received from 10 or more members of the public, or any member of the applicable standing committee of either house of the General Assembly or the Joint Commission on Administrative Rules, and (ii) the Department does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal.
- The Board authorize the Department to set an effective date 15 days after close of the public comment period provided (i) the proposal completes the fast-track rulemaking process as provided in § 2.2-4012.1 of the Administrative Process Act and (ii) the Department does not find it necessary to make any changes to the proposal.

*Regulation for Dispute Resolution, 9VAC20-15  
Amendment 1*

Amendment 1 to 9VAC20-15 is presented to the Board for consideration under the fast track regulatory process. The *Regulation for Dispute Resolution, 9VAC20-15*, was adopted by the Board and became effective on July 1, 2001; however, the authorizing provisions under §10.1-1186.3 of the Code of Virginia make reference to statutory requirements for dispute resolution and mediation under Chapter 20.2 and Chapter 21.2 of Title 8.01 of the Code of Virginia. These chapters have been revised since 9VAC20-15 became effective. Therefore, a regulatory action to amend 9VAC20-15 is necessary to comport to the changes made to the statutory requirements for dispute resolution and mediation in Title 8.01 of the Code of Virginia. In addition, a periodic review was conducted prior to this regulatory action. No comments were received; however, the agency is undertaking this regulatory action due to the changes made to the statutory requirements for dispute resolution and mediation in Title 8.01 of the Code of Virginia. Section 2.2-4012.1 of the Code of Virginia provides the Board's authority for the use of the fast-track process. The fast-track process is for regulations that are expected to be noncontroversial. After review by the Governor, a notice of a proposed fast-track regulation will be published in the *Virginia Register* and there will be at least a 30 day comment period. The regulation will become effective 15 days after the close of the comment period provided that (i) no objection to use of the fast-track process is received from 10 or more members of the public, or any member of the applicable standing committee of either house of the General Assembly or the Joint Commission on Administrative Rules, and (ii) the Department does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal.

At the Board meeting on June 24, 2014, the Department will request that:

- The Board authorize the Department to promulgate the proposed amendment to 9VAC20-15 for public comment using the fast-track process established in §2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial.
  - The Board's authorization also constitute its adoption of the regulation at the end of the public comment period provided that (i) no objection to use of the fast-track process is received from 10 or more members of the public, or any member of the applicable standing committee of either house of the General Assembly or the Joint Commission on Administrative Rules, and (ii) the Department does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal.
- The Board authorize the Department to set an effective date 15 days after close of the public comment period provided (i) the proposal completes the fast-track rulemaking process as provided in § 2.2-4012.1 of the Administrative Process Act and (ii) the Department does not find it necessary to make any changes to the proposal.

**Active HW SNC Cases – Table A**

Location (DEQ Region)	Case Name	Brief Description of Alleged Violations	Status
Chesterfield Co. (PRO)	AAMCO Transmission	Improper management of HW and petroleum products. Failure to make HW determination.	Consent Order under development.
Gloucester Co. (PRO)	Advanced Finishing Systems, Inc.	Exceeding HW accumulation times. Failure to evaluate structural integrity of tanks and secondary containment structures. SAA violations.	Consent Order under development.
Warren Co. (VRO)	Axalta Coating Systems, LLC	Violation of HW pre transport requirements. HW management	Pending EPA enforcement action.
Fairfax Co. (NRO)	Blue Ridge Arsenal	Pre transport violations. Management and contingency plan violations.	Consent Order under development.
City of Roanoke (BRRO)	Chemicals and Solvents, Inc.	Failure to adhere to HW generator and transporter requirements. Possible releases.	Pending EPA enforcement action. Pending DEQ administrative action.
City of Portsmouth (TRO)	Columbus Avenue LLC	Exceeding HW accumulation time. Failure to notify of LQG status and pay annual fee.	Consent Order in negotiations.

Location (DEQ Region)	Case Name	Brief Description of Alleged Violations	Status
City of Roanoke (BRRO)	East West Dyecom, Inc.	Exceeding HW accumulation time limits.	Pending EPA Enforcement Action
Warren Co. (VRO)	Epiphany Studios, Inc.	Failure to make HW determination. Improper disposal of HW.	Consent Order under development.
City of Roanoke (BRRO)	Foot Leveler	Failure to make HW determination. UW violations. Failure to implement comprehensive training program.	Consent Order under development.
City of Richmond (PRO)	Hunter Holmes McGuire Veteran's Affairs Medical Center	Exceeding HW accumulation time limits.	Consent Order under development.
City of Hopewell (PRO)	John Randolph Medical Center	Exceeding HW accumulation time limits.	Consent Order under development.
Henry Co. (BRRO)	Northpoint Trading, Inc.	Exceeding HW accumulation time limits.	Consent Order under development.
Loudoun Co. (NRO)	Orbital Sciences Corp.	Failure to make HW determine. No sampling prior to disposal. Exceeding accumulation time. Improper treatment and disposal of HW. UW violations.	Consent Order under development.
Caroline Co. (NRO)	R207 LLC.	Lack of EPA number. Manifest violations. HW container violations.	Consent Order under development. Pending EPA removal action.
Lunenburg Co. (BRRO)	Virginia Marble Manufacturers, Inc. Plant 2	Failure to make HW determination. Failure to notify change in generator status. Container management violations.	Consent Order under development.
Lunenburg Co. (BRRO)	Virginia Marble Manufacturers, Inc. Main Plant	Failure to make HW determination. Failure to notify change in generator status. Container management violations.	Consent Order under development.
Pulaski Co. (BRRO)	Volvo Group North America, LLC	Labeling violations. Contingency plan violations. Open HW containers.	Pending EPA enforcement action.

**Resolved HW Cases – Table B**

Location (DEQ Region)	Case Name	Brief Description of Alleged Violations	Status
Chesterfield Co. (PRO)	Alstom Power Inc.	Exceeding accumulation time. Inspection violations. UW violations. Contingency and notification violations	Consent Order effective February 24, 2014. \$9,000 civil penalty.
City of Chesapeake (TRO)	Astro Cleaning & Packaging Corp	Unpermitted treatment and disposal of HW. Failure to ensure universal treatment standards were met.	Consent Order effective February 18, 2014. \$18,025 civil penalty.
City of Hampton (TRO)	Craft Machine Works, Inc.	Failure to make HW determination. Failure to obtain a permit. Labeling and storage violations	Consent Order in public notice until May 20, 2014. \$10,000 civil penalty.
City of Richmond (PRO)	Handcraft Cleaners & Launderers, Inc.	Amendment to require Corrective Action Plan to address groundwater	Amended Consent Order effective October 8, 2013. Schedule of Compliance included.
Pulaski Co. (BRRO)	Lewis Gale Hospital	Used oil violations. Manifest violations. Inadequate record keeping.	Consent Order effective February 10, 2014. \$8,470 civil charge.
James City Co. (TRO)	Motiva Enterprises, LLC	Unpermitted disposal.	Consent Order effective April 21, 2014. \$134,446 civil penalty.
City of Harrisonburg (VRO)	Rockingham Memorial Hospital	Exceeding generator status. Failure to pay annual fee. UW violations. Unpermitted treatment.	Consent Order effective January 27, 2014. \$15,662 civil penalty. Schedule of compliance included.
Henrico County (PRO)	Standex Engraving LLC	Failure to make HW determination. SAA violations. HW management and contingency plan violations.	Consent Order effective December 2, 2013. \$19,600 civil penalty.
Frederick Co. (VRO)	Stowe Woodward,	Labeling violations. Manifest violations.	Consent Order in public notice until

Location (DEQ Region)	Case Name	Brief Description of Alleged Violations	Status
	LLC	Management violations.	December 5, 2013. \$23,250 civil penalty.
Amherst Co. (BRRO)	Wright's Auto Sales & Body Shop	Failure to make HW determination, used oil violations.	Consent order effective May 14, 2014. \$2,600 civil penalty. Schedule of compliance included.

Total FFY 14 YTD Hazardous Waste Consent Orders = 10

Total FFY 14 YTD Civil Charges = \$241,053

### Resolved Solid Waste Cases – Table C

Note: SNC status does not apply to Solid Waste cases

Location (DEQ Region)	Case Name	Brief Description of Alleged Violations	Status
Chesterfield Co. (PRO)	Ace Waste Richmond, LLC for Ace Recycling	Exceeding permitted waste limits. Financial Assurance, operations manual and records violations.	Amended Consent Order effective February 11, 2014. Schedule of compliance included
Roanoke Co. (BRRO)	American Infrastructure – VA, Inc.	Unpermitted disposal of asbestos containing material.	Consent Order effective April 3, 2014. \$36,400 civil penalty.
Buckingham Co. (BRRO)	Mr. Robert E. Bryant	Unpermitted disposal. Burning tires.	Consent Order effective December 12, 2013. \$4,270 civil penalty.
City of Chesapeake (TRO)	East Coast Gutterman, LLC	Operating without a permit.	Consent Order effective May 6, 2014. \$5,255 civil penalty. Schedule of compliance included.
Prince Edward Co. (BRRO)	Town of Farmville Sanitary Landfill	Amendment to update schedule of compliance regarding implementation of additional corrective action monitoring of groundwater.	Amended Consent Order effective March 19, 2014. Schedule of compliance included.
City of Chesapeake (TRO)	Higgerson-Buchanan, Inc.	Failure to submit reports. Failure to initiate monitoring after exceedence.	Consent Order effective March 12, 2014. \$7,963 civil penalty.
Lunenburg Co. (BRRO)	RWG5, LLC	Failure to comply with cover requirements. Failure to limit size of working face of landfill. Failure to report noncompliance.	Consent Order effective May 27, 2014. \$13,500 civil penalty.
Chesterfield Co. (PRO)	Shoosmith Brothers Inc. for the Shoosmith Sanitary Landfill	Failure to control leachate seeps. Failure to comply with cover requirements. Failure to limit size of working face of landfill. Failure to report noncompliance.	Consent Order effective February 12, 2014. \$16,000 civil penalty.
Charles City Co. (PRO)	Waste Management of Virginia, Inc. for the Charles City County Landfill	Failure to control leachate seeps. Failure to maintain daily and intermediate cover of exposed solid waste.	Consent Order effective March 13, 2014. \$28,652 civil penalty. Schedule of compliance included

Total FFY 14 Solid Waste Consent Orders = 9

Total FFY 14 Civil Charges = \$112,040