



TOWN COUNCIL REGULAR WORK SESSION

Monday, March 11, 2024 @ 7:00PM

Town Hall Conference Room

View meeting online LIVE at <https://www.frontroyalva.com/673/Town-Hall-Live>

7:00pm 1. Roll Call

2. Consent Agenda Items for March 25th

A. Uniform Contract – *Michelle Campbell*

7:10pm 3. New Business

A. ACES Appalachian Trail Head Project – Justin Proctor (15 minutes)

B. Water Supply Plan – Joe Waltz (30 minutes)

C. Community Development Update- Lizi Lewis (15 minutes)

8:10pm 4. Old Business

A. Follow-Up Review of FY25 Proposed Budget-BJ Wilson

B. Solid Waste Private Property Collection- BJ Wilson

C. Alley Vacation on 7th Street Viewing Committee Report – *Joe Waltz*

8:40pm 5. Closed Session

6. Adjourn



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: March 11, 2024

Item#2A

Agenda Item: Uniform Rental Services

Summary: Request is being made by the Finance Department, Purchasing Division, to approve a Customer Service Agreement with UniFirst Corporation for the rental of uniforms, mats, shop towels, etc. The new service agreement will combine three service agreements, all ending throughout different months and years, into one combined agreement, for a 60-month interval.

The method of procurement is cooperative contracting, utilizing a Sourcewell contract with UniFirst Corporation, contract number 04-0920-UFC. Staff received a quote with updated pricing, utilizing new Sourcewell contract pricing with a potential annual savings of \$13,803.82.

Total estimated annual expense is \$45,000; which equals approximately \$225,000 over the term of 60-months.

Budget/Funding: Funding has been budgeted and is available under 45410 Uniforms & Wearing Apparel, 43005 maintenance service contracts, & 45407 maintenance supplies for the corresponding departments.

1203	Automotive/Motor Pool
3104	Police Services
4203	Solid Waste Management
4302	General Properties
4305	Horticulture Programs
4500	Highway Maintenance
9601	Water Treatment Plant
9602	Water Line Maintenance
9801	Wastewater Treatment Plant
9802	Sewer Line Maintenance

Staff Recommendation: Staff recommends approving as presented.

UniFirst Corporation

325 Lenoir Drive,
Winchester, VA 22603

Cost Comparison for:

Front Royal Sourcwell renewal page one

VIP Cost Analysis Program

Date: 2/15/24

★	* Reduction in Total Cost of Ownership:					22%	
★	* Your Potential Total Annual Savings:					\$8,269.31	
★	* Your Potential 60-Month Savings:					\$41,346.53	
#	Uniform Rental Item Descriptions	Qty.	Current \$.ea	Current Total	UniFirst \$.ea		UniFirst Total
1	010105 LS Cotton shirt	44	\$0.45	\$19.66	\$0.26		\$11.44
2	0102 LS 65x35 blend shirt	11	\$0.28	\$3.03	\$0.18		\$1.98
3	020105 SS cotton shirt	11	\$0.27	\$2.98	\$0.22		\$2.42
4	020205 SS 65s35 blend shirt	44	\$0.24	\$10.35	\$0.16		\$7.04
5	427705 SS Tee shirt moisture wicking 100% poly	304	\$0.16	\$48.91	\$0.11		\$33.44
6	021YHT high vis SS tee shirt	57	\$0.44	\$25.22	\$0.44		\$25.08
7	06HXHT SS tee shirt class 3 high vis	142	\$0.44	\$62.82	\$0.84		\$119.28
8	03UMFW LS microcheck shirt	50	\$0.40	\$19.99	\$0.24		\$12.00
★	Total weekly savings:	-	\$19.73		\$192.95		\$212.68
#	Facility Services Item Descriptions	Qty.	Current \$.ea	Current Total	UniFirst \$.ea		UniFirst Total
1	3x5 scrapper mats	4	\$2.44	\$9.76	\$2.00		\$8.00
2	4x6 scraper mats	2	\$3.89	\$7.78	\$3.20		\$6.40
3	3x5 GI mats	11	\$5.20	\$57.20	\$2.00		\$22.00
4	4x6 GI mats	7	\$3.89	\$27.23	\$3.20		\$22.40
5	3x10Gi mats	3	\$5.46	\$16.38	\$4.00		\$12.00
6	24" dust mops	1	\$0.73	\$0.73	\$0.60		\$0.60
7	wipers	330	\$0.12	\$39.17	\$0.08		\$27.39
8	fender covers	4	\$1.06	\$4.24	\$0.58		\$2.32
9	DEFE	11	\$12.31	\$135.41	\$7.00		\$77.00
10	Garment Maintanance program	1340	\$0.17	\$233.16	\$0.13		\$174.20
11							
★	Total weekly savings:		\$178.75		\$531.06		\$352.31
★	Combined weekly savings:		\$159.03		\$724.02		\$564.99

**Pricing valid for 30 days from date listed. Our calculated cost is a good faith estimate and may vary if any products have been overlooked or quantities miscounted. Please allow a 5% +/- variance in your review.

Sales Representative:

540 662 0202

UniFirst Corporation

325 Lenoir Drive,
Winchester, VA 22603

Cost Comparison for:

Front Royal Sourcewell renewal page two

VIP Cost Analysis Program

Date: 2/15/24

★	* Reduction in Total Cost of Ownership:				31%	
★	* Your Potential Total Annual Savings:				\$5,534.51	
★	* Your Potential 60-Month Savings:				\$27,672.53	
#	Uniform Rental Item Descriptions	Qty.	Current \$.ea	Current Total	UniFirst \$.ea	UniFirst Total
1	100105 pants 100% cotton	44	\$0.56	\$24.84	\$0.31	\$13.64
2	pants 65x35 blend	19	\$0.34	\$6.48	\$0.24	\$4.56
3	12UH05 carpenter Jeans	163	\$0.46	\$74.30	\$0.42	\$68.46
4	10AI31 Cargo pants	393	\$0.50	\$194.93	\$0.31	\$121.83
5	10A405 womens cargo pants	6	\$0.50	\$2.98	\$0.31	\$1.86
6	10HD69 100% cotton relax fit jeans	30	\$0.58	\$17.29	\$0.32	\$9.60
7	150605 uniform jackets	32	\$0.58	\$18.44	\$0.46	\$14.72
8	300205 65x35 blend coveralls	10	\$0.58	\$5.76	\$0.39	\$3.90
★	Total weekly savings:	\$106.43		\$345.00		\$238.57
#	Facility Services Item Descriptions	Qty.	Current \$.ea	Current Total	UniFirst \$.ea	UniFirst Total
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
★	Total weekly savings:					
★	Combined weekly savings:	\$106.43		\$345.00		\$238.57

**Pricing valid for 30 days from date listed. Our calculated cost is a good faith estimate and may vary if any products have been overlooked or quantities miscounted. Please allow a 5% +/- variance in your review.

Sales Representative:

540 662 0202



Regular Work Session Agenda Statement

Item # 3A

Meeting Date: March 11, 2024

Agenda Item: ACES Appalachian Trail Head Project

Summary: ACES has been working on a project to connect the Appalachian Trail head with the Town of Front Royal over the past several months. They have been able to meet with the larger "landowners" along the proposed route, including VDOT, the Smithsonian, Shenandoah National Park, and the Town of Front Royal. They are currently working with Brock Lowery and Matt White and their team at Ironwood Outdoors to discuss their involvement in conducting a formal Trail Corridor Analysis and Feasibility Study.

Justin Proctor will discuss the next steps, including partner involvement, logistics of the trail's proposed route, possible trail easements needed, and fundraising.

Budget/Funding: N/A

Staff Direction: Information Only



February 16, 2024

Town of Front Royal - Advisory Committee on Environmental Sustainability
c/o Justin Proctor
102 E. Main Street
Front Royal, VA 22630

Re: Trail Corridor Analysis and Feasibility Study

Dear Mr. Proctor,

We are pleased to provide this proposal to you for the corridor analysis and feasibility study of the envisioned new trail joining the Town of Front Royal to the Appalachian Trail junction at Chester Gap. Services to be provided under this task include review of existing site conditions, recommendations for preferred alignment, rendered base maps, an order of magnitude cost estimate, and guidance for next steps towards design and construction. This letter shall confirm our recent conversations and serve as a definite agreement for professional services as outlined below.

Ironwood Outdoors, Inc. has over 35-years of combined experience designing and constructing outdoor recreation infrastructure with a specialization in hiking trails, mountain biking trails, multi-use paths, and associated bridges and timber framed technical features. We have completed hundreds of projects over that time. Our clients include the Army Corps of Engineers, United States Forest Service, Northern Virginia Regional Park Authority, the International Mountain Bicycling Association, Massanutten Resort, Sky Meadows State Park, and numerous private landowners. We have a long list of satisfied customers and many return clients. We take great pride in our work and strive to deliver the highest quality projects on-schedule and on-budget. We specialize in providing cohesive project scoping and site analysis, custom plan layouts, and professional trail building services that are directly tailored to your project goals and unique landscape. Locally, our work on trail systems that support both recreational use and expanded public access to open spaces includes the Potomac Heritage National Scenic Trail, the Bull Run Occoquan Trail and the Occoquan Greenway.

PROJECT UNDERSTANDING

The area under evaluation includes the land near and adjacent to Sloan Creek and Happy Creek extending approximately 3.2-miles along the Hwy. 522 corridor between E. Crisers Road and the Appalachian Trail junction at Chester Gap. The Advisory Committee on Environmental Sustainability is considering options to facilitate safe connectivity for hikers and cyclists via unpaved trail between these two locations. Trail specifications under consideration will be tread surfacing of compacted stable soils or imported

compacted stone aggregate with width ranging between 36-inches and 72-inches. Proposed trail alignments shall comply with the U.S. Access Board ABA Accessibility Standards for outdoor recreational trails. Coordination for any proposed trail routing will involve a number of stakeholders including private landowners, Smithsonian Conservation Biology Institute, National Parks Service, the Town of Front Royal, and VDOT.

SCOPE OF WORK

Services will include:

1. Review of existing plans and local precedence.
2. Mapping analysis.
3. Investigation of soil types and flood zones.
4. Field investigations and inventory.
5. Feasibility Report
 - a. Lands, soils, and flood zones.
 - b. Trail networks, connections, and destinations summary.
 - c. Design standards and implementation considerations.
 - d. Trail alignment options.
 - e. Estimated project cost and potential funding sources.
6. Meetings
 - a. Attend up to two (2) design meetings during creation of Feasibility Report.
 - b. Attend up to one (1) community stakeholder meeting.

ASSUMPTIONS

1. Permission for land access and/or landowner notifications required to gain access to the site for our field investigation will be completed by others prior to our mobilization to the site.
2. Project limits are defined by client on provided renderings or aerial image.
3. Ironwood will need access to the project site during regular working hours (Monday-Friday, 8:00 AM – 5:00 PM) or as scheduled.

SCHEDULE

Assuming Notice to Proceed in March 2024, Ironwood will complete services by May 2024. Interim milestones are as follows:

NTP.....	March 1, 2024
Design Meeting #1.....	March 22, 2024
Design Meeting #2.....	April 12, 2024
Feasibility Study.....	May 3, 2024
Stakeholder Meeting.....	May 10, 2024

FEES

Ironwood Outdoors, Inc. will provide the services listed above for the lump sum fee of **Eight Thousand Two Hundred Dollars (\$8,200.00)**.

A retainer of **One Thousand Five Hundred Dollars (\$1,500.00)** is due upon execution of this agreement. It will be reflected as a credit on the final billing statement.

The following items remain the responsibility of the Advisory Committee on Environmental Sustainability and are not included in the above mentioned services or fees:

- A. Legal advice as may be required in connection with the project.
- B. The services of a civil, structural, or geotechnical engineer and/or arborist including, but not limited to, topographic and boundary surveys, clearing plan, grading plan, or plats.
- C. Test borings or soil analysis, if required.
- D. The services or cost of obtaining rights-of-way, easement, leases, or real estate.
- E. The cost of obtaining permits and permit fees.
- F. Surveys for the presence of threatened and endangered species are excluded, as well as any archaeological services, Phase 1 Environmental services, or cultural surveys.

Payments are due monthly in proportion to the services rendered for the prior month within thirty (30) days of receipt of statement. If this proposal is satisfactory, please sign and return the original document to us accompanied by the referenced retainer. This will serve as a definite agreement for the trail corridor analysis as outlined within and constitutes the agreement in its entirety. This proposal expires if not accepted within thirty (30) days.

It was wonderful to meet you and learn about the exciting vision for this new trail segment. Thank you for your confidence in our business and we look forward to working with you. We appreciate the opportunity to submit this task proposal for your consideration.

Regards,



Brock Lowery



Matt White

Accepted By:

Sign

Date

Printed Name and Title



Regular Work Session Agenda Statement

Item # 3B

Meeting Date: March 11, 2024

Agenda Item: Water Supply Plan – Excess Volume Determination (CHA)

Summary: The Town Municipal Code (Code), section 134.1. C, states that the Town will annually determine the “anticipated excess volume” of water and sewer that is available for residential, commercial, or industrial use. The Code establishes excess volume as the “current and projected volume required by the Town subtracted from the current permitted plant capacities.” The Code also requires all utility extensions to include detailed information demonstrating no impact to existing users and that all construction will meet established Town standards.

This report seeks to fulfill the Code requirement for determining anticipated excess volume within the water and sewer systems. This report takes the approach that “excess volume” refers to capacity available for future development. Thus, the “excess volume” is assumed to be annual average treatment, conveyance and/or distribution capacity available to support new, permanent development.

Budget/Funding: N/A

Staff Direction: Information Only

TOWN OF FRONT ROYAL

EXCESS VOLUME DETERMINATION

March 2024

Prepared for:
Town of Front Royal
102 E Main Street
Front Royal, VA 22630

Prepared by:
CHA Consulting, Inc.
1341 Research Center Drive, Suite 2100
Blacksburg, VA 24060
Phone: (540) 552-5548
CHA Project Number: 086180



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Appendix A	Virginia DEQ Water Protection Permit (Withdrawal Permit)
Appendix B	Water Treatment Plant Operating Permit
Appendix C	Wastewater Treatment Plant Discharge Permit

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1.0 INTRODUCTION

The Town of Front Royal owns and operates a potable water system that withdraws and treats water from the South Fork Shenandoah River and supplies it to residential, commercial, and industrial customers within Town limits as well as portions of Warren County. The Town also owns and operates a sanitary sewer system, which collects and treats sanitary and industrial waste from the Town and portions of Warren County.

The Town Municipal Code (Code), section 134.1. C, states that the Town will annually determine the “anticipated excess volume” of water and sewer that is available for residential, commercial, or industrial use. The Code establishes excess volume as the “current and projected volume required by the Town subtracted from the current permitted plant capacities.” The Code also requires all utility extensions to include detailed information demonstrating no impact to existing users and that all construction will meet established Town standards.

This report seeks to fulfill the Code requirement for determining anticipated excess volume within the water and sewer systems. This report takes the approach that “excess volume” refers to capacity available for future development. Thus, the “excess volume” is assumed to be annual average treatment, conveyance and/or distribution capacity available to support new, permanent development.

While the code refers to “projected volume”, this report does not attempt to make projections for future development but provides estimates of available capacity based upon the most recent available sanitary flow and water demand data.

2.0 POTABLE WATER SYSTEM

The Town owns and operates a Water Treatment Plant (WTP) that provides potable water for the Town and County. The WTP's main source of supply is the South Fork of the Shenandoah River, where both an old and new Raw Water Pump Station are available. The Town owns four distribution system tanks: 100,000 gallon 4H Tank, the 1-million-gallon Fairgrounds Road tank, the 3-million-gallon Jamestown tank and the 3-million-gallon Guard Hill tank. The Guard Hill tank operates in conjunction with the two clearwells at the WTP that total 1 million gallons. The Town also has three water pump stations: 4H, Jamestown and Guard Hill. An additional pump station is currently under construction, the Manassas Ave pump station. Figure 2.1 shows the existing water system and associated pressure zones, as well as the major waterline and pump station currently under construction.

2.1 Water System Capacity

Source water capacity, treatment capacity, and pumping and distribution capacity are all important when determining the capacity of the Town's water system. While storage capacity is also important, the Town currently does not have any storage related capacity limitations, and thus storage will not be addressed in this report. The other components are addressed in order in this section.

2.1.1 Source Water and Treatment Capacity

The Town's withdrawal permit from the Virginia Department of Environmental Quality (DEQ) limits the annual average withdrawal from the Shenandoah River to 3.49 million gallons per day (MGD), though larger daily (5.94 MGD) and monthly (4.27 MGD) peak withdrawals are allowed. The DEQ withdrawal permit is included in Appendix A. The raw water pump station that supplies the WTP has a firm capacity of 8 MGD. An older pump station was left in place during the last upgrade and can be used in an emergency, but both pump station's combined capacity is limited by the DEQ withdrawal permit, not by actual pumping capacity.

There are two additional permitted water sources, one on Happy Creek and one on Sloan Creek. These can supply water by gravity to the WTP's raw water reservoir, which flows directly into the plant. These intakes are permitted to supply up to a maximum of 100,000 gallons per day and are only kept in place as a backup source of supply should mechanical failure or source water quality be compromised at the main intake on the Shenandoah River.

The WTP's capacity is currently limited by an operating permit from VDH to 4.0 MGD. The permit was issued in 2014, and was only limited to 4 MGD by the more restrictive withdrawal permit that

was in place at the time. The operating permit is included in Appendix B. The plants design capacity is 5.94 MGD, and since the raw water permit was updated to allow higher daily flows, VDH would likely permit the plant for up to 5.94 MGD if requested.

2.1.2 Pump Station and Distribution System Capacity

Table 2.1 indicates the number of pumps in each water pump station and the pump stations firm capacity. Firm capacity is defined as the capacity of the pump station with one pump out of service. As a general note on the pump station design capacities, we have assumed that each water pump station should run 16 hours a day at maximum. This allows downstream tanks to cycle and to allow time for pump station maintenance, power outages or other disruptions.

Table 2.1 Water Pump Station Capacity

	Number of Pumps	Pump Station Firm Capacity (MGD)	Pump Station Capacity* (MGD)
Guard Hill PS	2	2.45	1.63
Future Manassas Ave PS	2	2.45	1.63
Jamestown PS	2	0.62	0.41
4H Pump Station	2	0.13	0.09

**Assuming 16 hrs/day run time*

Water flows by gravity from the WTP to the WTP pressure zone, generally made up of the Town proper, and fills the Guard Hill tank located on the other side of the Town near the Shenandoah River. As demand increases in the WTP pressure zone, it takes longer to fill the Guard Hill Tank from the plant. Therefore, in order to ensure proper function of the Guard Hill Tank, hydraulic modeling indicates that the overall distribution system carrying capacity is limited to 4 MGD without major waterline upgrades. The model indicates that the WTP pressure zone itself is limited to supplying approximately 2.2 MGD without major waterline upgrades.

2.2 Existing Water Demand

In order to determine available capacity, two year's worth of production data for the raw water pump station and the WTP was analyzed to find the average daily flow and peak day flow for both facilities. The max day peaking factor for the system was determined using the WTP flow data and was found to be 1.48.

Water billing records for 2022 and 2023 were used to determine the current demand on the water distribution and treatment system. One of the Town's largest industrial users of potable water is the Dominion Power Generation plant. Demand from the plant has fluctuated between 50,000 and 500,000 gallons per day. The average demand from Dominion is approximately 0.15 MGD but the Town's agreement with Dominion requires up to 0.65 MGD to be available if needed. This significant demand has the potential to consume a large portion of the Town's permitted capacity. Rates charged to Dominion for water are scheduled to rise in the near future, and this may affect their overall usage.

2.3 Excess Capacity

Table 2.1 presents the excess capacity available for the water distribution system and water system components. Available excess capacity was determined by subtracting the average existing daily demand and Dominion's unused capacity from the permitted capacity. This number is further reduced if limitations upstream do not allow full usage of the facility. Generally, the DEQ raw water withdrawal permit is what is determining the available excess capacity for most of the system. Peak day usage was not considered in the table, because normal peak days and periods are built into the design capacity and generally allowed as excursions from the norm by the permits. Table 2.1 is discussed in detail in the sections below.

Table 2.1 Water System Excess Capacity

Water Element	Raw Water Intake & PS	Water Treatment Plant	Guard Hill PS	Future Manassas Ave PS	Jamestown PS	4H PS	WTP Pressure Zone Distribution System
Pressure Zone Served	All	All	Route 522 Corridor		Jamestown	4H	WTP
Average Day Demand (MGD)	2.10	2.10	0.42	-	0.24	0.01	1.10
Dominion Power Unused Capacity (MGD)	0.52	0.52	0.52	-	-	-	-
Permitted Capacity (MGD)	3.49*	4.00	-	-	-	-	
Design Capacity (MGD) **	8.00	5.94	1.63	1.63	0.41	0.09	2.20
Available Capacity (MGD)	5.38	3.32	0.71	1.63	0.17	0.08	1.10
Limiting Facility/Permit	Raw Water PS DEQ Permit	Raw Water PS DEQ Permit	Raw Water PS WTP Pressure Zone		Jamestown PS	4H PS	Raw Water PS DEQ Permit
Excess Capacity (MGD) ***	0.87	0.87	0.87		0.17	0.08	0.87

*Max day cannot exceed 5.94 MGD, max month is 4.27 MGD

** Distribution pump station capacity is based on 16 hours/day operation. WTP & Raw Water PS based on 24 hours/day operation.

*** Available Excess Capacity was calculated as the lowest available permitted capacity minus demand and unused capacity. The DEQ withdrawal permit limits most portions of the water system.

2.3.1 Raw Water Intake, Pump Station and Water Treatment Plant

The permitted capacity for both the Raw Water Intake and WTP limits their production below their design capacities. While the WTP permitted capacity could be updated to 5.94 MGD quickly and inexpensively (a letter to VDH would likely suffice), the Raw Water PS capacity cannot be increased without the Town undertaking significant permitting and construction effort. The permitting work would include a demonstration of need, backed by demand data, and construction would be required to upgrade the existing screens to meet current DEQ requirements for fish larvae protection.

The raw water intake limits excess capacity for much of the system. Since the permitted daily capacity of the raw water pump station is only 3.49 MGD and the average daily flow for 2023 was 2.10 MGD, the available excess capacity is 1.39 MGD. However, approximately 0.52 MGD of this capacity is intended to be available as needed by Dominion Power, thus the capacity that is available by contract for development is only 0.87 MGD. It is important to note that the raw water intake was originally designed for 8 MGD, but changing permitting conditions have limited this intakes capacity.

2.3.2 Route 522 Corridor (Guard Hill PS & Future Manassas Ave PS)

The future Manassas Ave Pump Station is included in Table 2.1, though this pump station will not be available for use until mid to late 2024. It shares a pressure zone with the Guard Hill pump station and is meant to act as a backup to this pump station, though it will be capable of supplying additional flow if needed.

Both pump stations have the same design capacity, but taken together they have about 2.19 MGD of excess capacity (1.63 MGD each minus 0.55 MGD of existing flow and 0.5 MGD of capacity dedicated to Dominion Power). However, overall they are limited to 0.87 MGD of excess capacity due to the limiting flow available from the Raw Water PS.

2.3.3 Jamestown and 4H Pump Stations

The pressure zones supplied by both of these pump stations are limited in capacity due to the pump stations themselves. These stations are currently being considered for upgrades, primarily due to aging equipment. The capacities of each one will be upgraded slightly, but in general the existing capacity has been more than adequate to serve their respective pressure zones. While the Jamestown pressure zone in particular may see additional growth, this pump station does have approximately 170,000 gallons per day available for development, allowing downstream usage to almost double. Plans are currently in place to add approximately 200,000 gallons per day of capacity at this pump station.

3.0 SANITARY SEWER SYSTEM

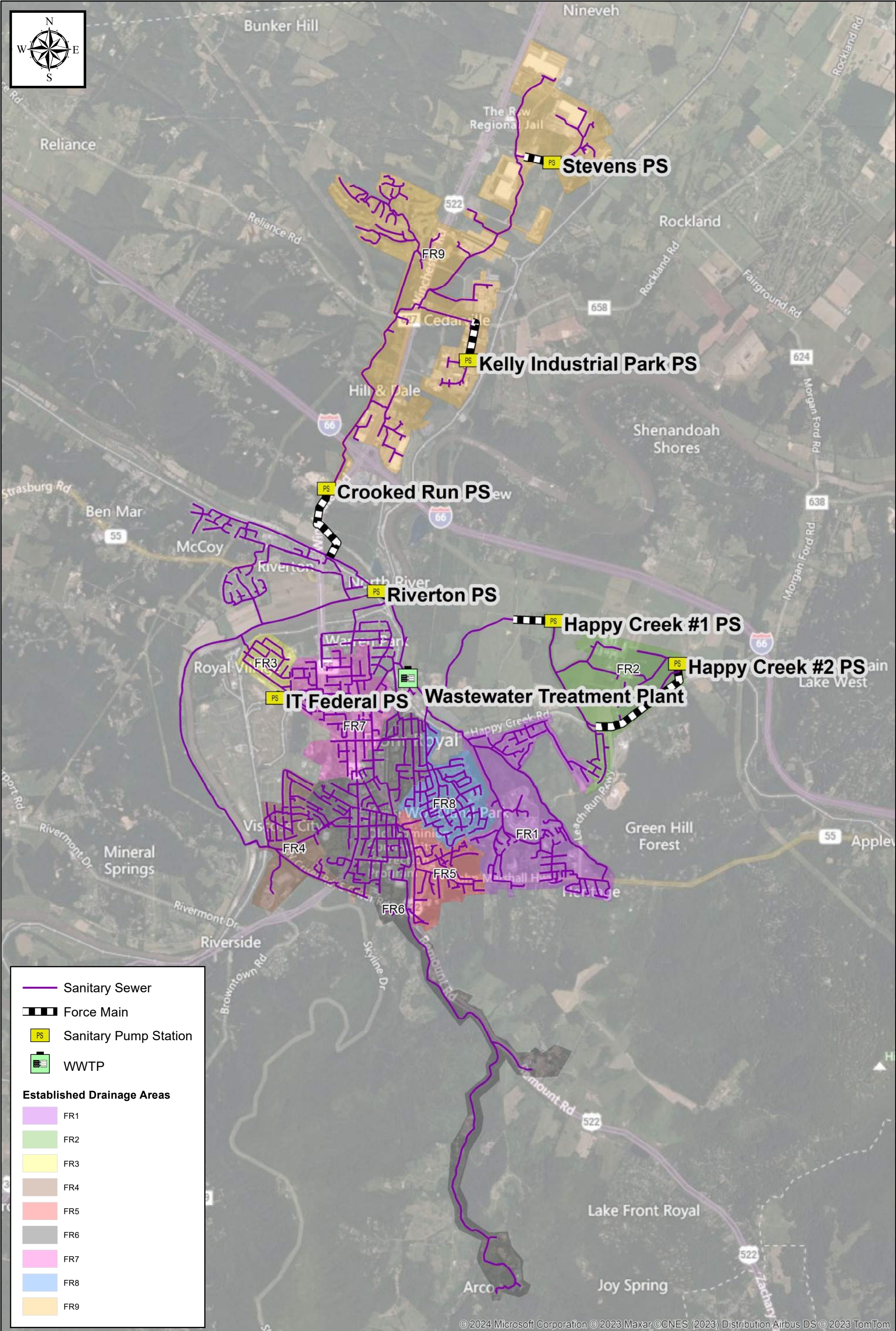
The Town also owns and operates the sanitary sewer collection system that serves the Town and parts of Warren County. This system includes gravity lines as well as seven pump stations. The collection system and all seven pump stations flow to the Wastewater Treatment Plant (WWTP), which treats and discharges water to the Shenandoah River. Figure 3.1 is a map of the existing wastewater system, including all pump stations, the wastewater treatment plant, gravity sewer lines and an outline of all the drainage basins (or metersheds) that have been delineated to date.

The Town's system has been operating under a consent order with DEQ for many years due to sanitary overflows in the system and at the WWTP. As part of this, the Town has invested heavily in infiltration and inflow reduction, and overflows have been significantly reduced and are now generally limited to the Crooked Run pump station and the WWTP. Equipment improvements currently underway at the plant are likely to reduce overflows at the plant in the next year.

3.1 WWTP and Sanitary Pump Stations Permitted and Design Capacity

The permitted design flow of the WWTP facility is 5.3 MGD. The facility, under VPDES Permit Number VA0062812, discharges to the Shenandoah River in the Potomac River Basin, well downstream of the water treatment plant intake. The most recent version of the permit, reissued on October 31, 2023, is included in Appendix C. The 5.3 MGD design capacity of the WWTP is based on the 2018 plant upgrade that included the use of magnetite, which has proven difficult to use and was recently abandoned. Treatment capacity without the use of magnetite is currently being formally evaluated and this evaluation may result in adjustments to the treatment capacity of the plant. The WWTP includes an equalization tank that assists with handling peak wet weather flows.

CHA requested pump station capacity numbers from Town staff, which were verified with information collected by CHA as part of the ongoing Infiltration and Inflow work and past construction work. This information was used to develop the number of pumps and the capacities of each pump station. Based on the Virginia Administrative Code for Sewage Collection and Treatment (SCAT) Regulations, the design or firm capacity of each of the pump stations is based on the largest pump out of service. Unlike the water pump stations, these pump stations were assumed to be able to run 24 hours a day, if required by inflows. The number of pumps and pump station capacities are indicated in Table 3.1.

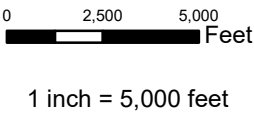


© 2024 Microsoft Corporation © 2023 Maxar ©CNES (2023) Distribution Airbus DS © 2023 TomTom



1341 Research Center Dr • Blacksburg, Va 24060
540-552-5548 • www.chasolutions.com

EXISTING SANITARY SEWER SYSTEM TOWN OF FRONT ROYAL, VIRGINIA



PROJECT NO. 86180
FEBRUARY 2024
FIGURE 3.1

Table 3.1 Wastewater Pump Station Capacity

	Number of Pumps	Pump Station Firm Capacity (MGD)
Riverton PS	2	2.74
Crooked Run PS	2	1.73
Kelly Industrial Park PS	2	0.28
Happy Creek #1 PS	2	0.32
Happy Creek #2 PS	2	0.32
IT Federal PS	2	0.19
Stevens PS	2	1.44

The wastewater collection system is sequential, with one pump station often draining to another, and this is particularly true in the Route 522 Corridor. The order of the pump stations can be derived from the physical layout shown in Figure 3.1, but a schematic representation is included below as Figure 3.2. Kelly Drive, Stevens, Crooked Run and Riverton pump stations all serve the Route 522 Corridor.

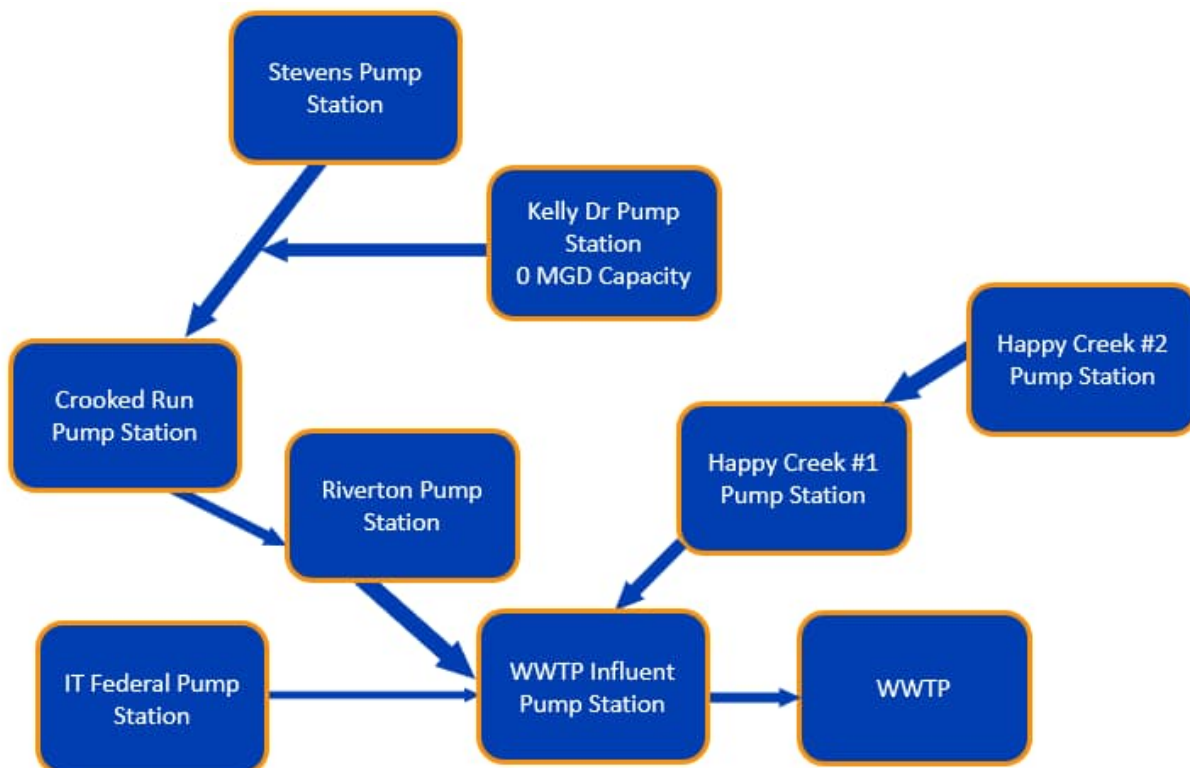


Figure 3.2 – Sanitary Pump Station Flow Schematic

3.2 Existing Flows

The Town has not performed a full study of existing sewer flows and does not have a sanitary sewer hydraulic model. The combination of these two items means that a detailed study of available sanitary sewer capacity at specific locations throughout the Town cannot be performed with accuracy. However, the Town does perform continuous flow monitoring at two pump stations (Crooked Run and Riverton) and the WWTP. Further, as part of monthly reporting to DEQ, pump run times at every sanitary pump station are recorded daily. Town staff estimate flows from the pump stations daily based on these numbers. The existing flow data reported for 2022 and 2023 in the monthly DEQ report was collected and summarized in Table 3.2 below.

In examining the table, it is important to note that flows into the sanitary sewer system are heavily influenced by rainfall. Ongoing infiltration and inflow reduction efforts have reduced the amount of rainwater entering the collection system but will never eliminate it. Average annual rainfall in the Town is approximately 42 inches. In 2022, the Town recorded 48 inches of rainfall (115% of average), and in 2023 drought conditions persisted over much of the year with a total rainfall of only 29 inches (70% of average). These rather different rainfall years influenced the sanitary flows in the Town's system significantly and this is reflected in Table 3.2.

3.3 Excess Capacity

Section 3.1 discussed the permitted and design capacity of the pump stations and plant. Section 3.2 described how the existing flows were determined. Both these sets of information were collected and tabulated in Table 3.2. From these sets of data, we can determine the excess capacity for each sanitary sewer facility by simply subtracting the 2022 peak day flow from the design or permitted capacity. The results of this calculation are also shown in Table 3.2.

There are two items to note about the excess capacity calculation method used for the sanitary pump stations:

1. Virginia regulations require that sewage pump stations be able to pump the peak flow with one pump out of service, thus we used the more conservative 2022 peak day flows recorded for these pump stations to determine the peak existing flow.
2. The use of 2022 peak day flow data resulted in less excess capacity than would be available if the 2023 sanitary flow data was used. We believe that the 15% higher than average rainfall that produced the 2022 flow data provides a better overall reflection of available sanitary sewer capacity than the flow data generated 2023, which reflects a major drought, with rainfall approximately 30% below normal.

A slightly different approach was taken for the wastewater plant excess capacity. Because Virginia regulations only require a wastewater plant's capacity to be upgraded if the average flow over a three-month period exceeds 95% of the plant capacity, the average flowrate to the plant was utilized, instead of the peak day. As with the pump stations, 2022 flow data was evaluated to ensure drought conditions did not affect the excess capacity numbers.

Table 3.2 Sanitary Sewer System Excess Capacity

Wastewater Element	WWTP	Riverton PS	Crooked Run PS	Kelly Industrial Park PS	Stevens PS	Happy Creek #1 PS	Happy Creek #2 PS	IT Federal PS
2022 Average Day Flow (MGD)	4.82	1.03	0.36	0.003	0.01	0.07	0.018	0.0002
2022 Peak Day Flow (MGD)	11.6	3.60	0.85	0.041	0.07	0.63	0.179	0.006
2023 Average Day Flow (MGD)	4.12	0.89	0.37	0.003	0.01	0.05	0.011	0.0007
2023 Peak Day Flow (MGD)	9.74	1.7	0.67	0.019	0.07	0.36	0.128	0.016
Design Capacity (MGD)	5.3	2.74	1.73	0.281	1.44	0.32	0.324	0.189
Average Daily Excess Capacity* (MGD)	0.48	-	0.88	0.240	1.37	-	0.15	0.18
Limiting Facility	-	Riverton PS	Riverton PS	Riverton PS	Riverton PS	Happy Creek #1 PS	Happy Creek #1 PS	-
Downstream Excess Capacity*** (MGD)	0.48	-	-	-	-	-	-	0.18

* Calculated as design capacity minus 2022 Peak Day for all pump stations, for the WWTP 2022 the Average Day was used

** Excess capacity is only available if supported by downstream facilities. This numbers reflects the lowest available capacity downstream.

3.3.1 Route 522 Corridor – Limited by Riverton Pump Station

Flow in the Route 522 Corridor drains by gravity through a central interceptor with contributions from the Stevens and Kelly Industrial Park pump stations. The interceptor drains to the Crooked Run Pump Station which discharges to a short run of gravity sewer that flows to the Riverton Pump Station. While the Crooked Run PS has available capacity, the Riverton PS is operating above its regulatory ability. Peak flows in 2022 exceeded what one pump can achieve, and this is demonstrated by the 2022 Peak Day flow of 3.60 MGD, which is higher than Riverton's design capacity of 2.74 MGD. While under normal conditions the backup can pump the additional peak flow, at times the incoming flow has exceeded the capacity of both pumps.

While upgrading the pumping capacity of Riverton would seem to be all that is needed to allow greater development in the Route 522 Corridor, the capacity of the receiving sewer downstream would also have to be considered in any upgrade.

An important item to keep in mind is that approximately 0.5 MGD of water demand is not being used by Dominion Power but is available as needed. We have assumed that much of the water demand from Dominion would NOT return to the sewer system but would be discharged through Dominion's own permit or evaporated. However, if Dominion were to drain the full 0.5 MGD of unused capacity to the sanitary sewer system on a regular basis, Riverton's capacity would be further reduced.

The Stevens PS stands out as oversized for the current flow to the pump station and to the available capacity downstream. This 1.44 MGD facility would have 1.37 MGD of available pumping capacity if not limited by downstream bottlenecks. With a peak day flow of only 0.07 MGD, this pump station is operating at less than 5% of its capacity and may have operational challenges because of this.

3.3.2 Happy Creek #1 and #2 Pump Stations

These two pump stations are limited by high peak flows into the #1 pump station. If capacity in this area is needed it appears that some amount of infiltration and inflow abatement could yield positive results as the daily flows to this pump station are quite low.

3.3.3 Wastewater Treatment Facility

The average flow into the facility in 2022 was 4.82 MGD. This is below the permitted capacity of 5.3 MGD, and still below 95% of the permitted capacity (5.04 MGD) that requires a new discharge permit. In the current flow regime and permitting, this plant has available capacity, but the treatment study currently in progress may result in changes to this situation.

4.0 CONCLUSIONS & RECOMMENDATIONS

The potable water system has slightly less than 1 MGD of available excess capacity available throughout most of the distribution system. While the Jamestown and 4H pressure zones are limited by their respective pump station capacities, the Jamestown area has room to almost double demand, and 4H also appears to have enough capacity for any development likely to occur in the next few years.

The wastewater system in the Route 522 Corridor has no available excess capacity due to a bottleneck at the Riverton pump station. This situation will likely not be resolved without improvements associated with this pump station. This appears to be a significant restriction that could limit development in the fast growing Route 522 Corridor.

Excess capacity is also limited in the Happy Creek areas due to sanitary pump station capacity, though this situation appears to be related to heavy infiltration and inflow in the area, and would not likely require pump station upgrades, but rather collection system improvements to reduce rainfall influenced flows.

It does not appear that the wastewater plant will limit development within the Town proper and the associated gravity collection system, with 0.48 MGD of excess capacity available. This could change based upon the currently ongoing treatment study.

APPENDIX A

Virginia DEQ Water Protection Permit (Withdrawal Permit)





Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482 FAX (804) 698-4178

www.deq.virginia.gov

Matthew J. Strickler
Secretary of Natural and Historic Resources

David K. Paylor
Director
(804) 698-4000

VWP Individual Permit Number 17-1316

Effective Date: September 1, 2021

Expiration Date: August 31, 2036

**VIRGINIA WATER PROTECTION PERMIT ISSUED PURSUANT TO THE STATE
WATER CONTROL LAW AND SECTION 401 OF THE CLEAN WATER ACT**

In compliance with § 401 of the Clean Water Act, as amended (33 USC § 1341) and the State Water Control Law and regulations adopted pursuant thereto, the board has determined that there is a reasonable assurance that this VWP permit, if complied with, will protect instream beneficial uses, will not violate applicable water quality standards, and will not cause or contribute to a significant impairment of state waters or fish and wildlife resources. In issuing this VWP permit, the board has not taken into consideration the structural stability of any proposed activities.

Permittee: Town of Front Royal

Facility: Town of Front Royal Surface Water Withdrawal System

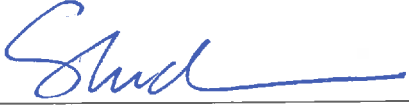
Address: Western terminus of Luray Avenue, Front Royal, VA 22630

Activity Location: The project is located within and near the Town of Front Royal, Virginia; at the Town's Main Pumping Station located at the western end of Luray Avenue within the Town, at the Happy Creek intake located approximately 1.5 miles southeast of the Town, and at the Sloan Creek intake located approximately 2 miles southeast of the Town.

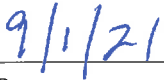
Activity Description: The permit authorizes the continued operation of a surface water withdrawal system from five existing intakes for public water supply. The three main intakes are interconnected and located adjacent to each other on the South Fork of the Shenandoah River (South Fork). A fourth existing intake is located on Sloan Creek, a tributary to the South Fork, approximately 2 miles southeast of the Town; and the fifth intake is located on Happy Creek approximately 0.9 mile upstream of its confluence with Sloan Creek. Permitted activities shall be conducted as described in the Joint Permit Application dated July 25, 2017 and received on July 31, 2017, and supplementary materials, revisions and clarifications received through July 16, 2020. No surface water impacts are proposed.

The permitted withdrawal will be used to provide a public water supply. Other uses are not authorized by this permit.

The permitted activity shall be in accordance with this Permit Cover Page, Part I - Special Conditions, and Part II - General Conditions.



Director, Office of Water Supply



Date

Part I – Special Conditions**A. Authorized Activities**

1. This permit authorizes the continued operation of an existing surface water withdrawal system to withdraw surface water for a public water supply from three existing interconnected intakes located on the South Fork of the Shenandoah River.
2. This permit authorizes the withdrawal of surface water for public water supply emergency purposes only, from an existing intake on Happy Creek and from an existing intake on Sloan Creek.
3. The permittee shall conduct authorized activities as described in the Joint Permit Application received July 31, 2017, and supplemental materials, revisions and clarifications received through July 16, 2020. Any changes to the authorized activities that affect permitted areas shall be submitted to DEQ immediately upon determination that changes are necessary, and DEQ approval shall be required prior to implementing the changes.
4. The permittee shall notify the DEQ of any changes in authorized impacts to surface waters, of any modifications of the intake structure, or any changes to the design or type of construction activities in surface waters authorized by this permit. DEQ approval shall be required prior to implementing the changes. Any additional impacts, modifications, or changes shall be subject to individual permit review and/or modification of this permit.

B. Permit Term

1. This permit is valid for fifteen (15) years from the date of issuance. An extension of this permit term or a new permit may be necessary for the continuance of the authorized activities, including water withdrawals, or any permit requirement that has not been completed, including compensation provisions. The permit term, including any granted extensions, shall not exceed 15 years.
2. The permittee shall notify DEQ in writing at least 270 calendar days prior to the expiration of this permit if reissuance will be requested. The permittee shall submit a new permit application at least 270 days before the expiration date of this permit (*December 5, 2035*), unless permission for a later date has been granted by the board.

C. Standard Project Conditions

1. The activities authorized by this permit shall be executed in such a manner that any impacts to beneficial uses are minimized. As defined in § 62.1-44.3 of the Code of Virginia, "beneficial use" means both instream and off-stream uses. Instream beneficial uses include, but are not limited to, the protection of fish and wildlife habitat, maintenance of waste assimilation, recreation, navigation, and cultural and aesthetic

values. The preservation of instream flows for purposes of the protection of navigation, maintenance of waste assimilation capacity, the protection of fish and wildlife resources and habitat, recreation, cultural and aesthetic values is an instream beneficial use of Virginia's waters. Off-stream beneficial uses include, but are not limited to, domestic (including public water supply), agricultural uses, electric power generation, commercial, and industrial uses.

2. No activity shall substantially disrupt the movement of aquatic life indigenous to the water body, including those species that normally migrate through the area, unless the primary purpose of the activity is to impound water.
3. Flows downstream of the project area shall be maintained to protect all uses.
4. No activity shall cause more than minimal adverse effect on navigation, and no activity shall block more than half of the width of the stream at any given time.
5. The activity shall not impede the passage of normal or expected high flows, and any associated structure shall withstand expected high flows.
6. All required notifications and submittals shall include project name and permit number and be submitted electronically to Withdrawal.permitting@deq.virginia.gov or mailed to the DEQ office stated below, unless directed in writing by DEQ subsequent to the issuance of this permit: Department of Environmental Quality, Attn: Water Withdrawal Permitting & Compliance Manager, Office of Water Supply, P.O. Box 1105, Richmond VA 23218.
7. All reports required by this permit and other information requested by DEQ shall be signed by the permittee or a person acting in the permittee's behalf, with the authority to bind the permittee. A person is a duly authorized representative only if *both* criteria below are met. If a representative authorization is no longer valid because of a change in responsibility for the overall operation of the facility, a new authorization shall be immediately submitted to DEQ.
 - a. The authorization is made in writing by the permittee.
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, superintendent, or position of equivalent responsibility. A duly authorized representative may thus be either a named individual or any individual occupying a named position.
8. All submittals shall contain the following signed certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that

qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

9. Any fish kills or spills of fuels or oils shall be reported to DEQ immediately upon discovery at (804) 527-5020. If DEQ cannot be reached, the spill shall or fish kill shall be reported to the Virginia Department of Emergency Management (VDEM) at 1-800-468-8892 or the National Response Center (NRC) at 1-800-424-8802. Any oil spill as defined in § 62.1-44.34:14 of the Code of Virginia that is less than 25 gallons and that reaches, or that is expected to reach, land only is not reportable, if recorded per § 62.1-44.34:19.2 of the Code of Virginia and if properly cleaned up.
10. DEQ shall be notified in writing within 24 hours or as soon as possible on the next business day when potential environmentally threatening conditions are encountered which require debris removal or involve potentially toxic substances. Measures to remove the obstruction, material, or toxic substance or to change the location of any structure are prohibited until approved by DEQ.
11. Virginia Water Quality Standards shall not be violated in any surface waters as a result of the project activities.

D. Surface Water Withdrawals

1. Surface water withdrawn from the South Fork of the Shenandoah River, Happy Creek, and Sloan Creek and authorized under this permit shall only be used for public water supply.
2. The withdrawal of water from the South Fork of the Shenandoah River shall not exceed the limits listed below:
 - a. The maximum daily withdrawal volume shall not exceed 5.94 million gallons (Mgal);
 - b. The maximum monthly withdrawal volume shall not exceed 130 Mgal; and
 - c. The maximum annual withdrawal volume per calendar year shall not exceed 1,274 Mgal.
3. The combined daily withdrawal of water from Happy Creek and Sloan Creek for public supply emergency purposes shall not exceed 0.1 Mgal.

4. The safe yield of the surface water withdrawal project as authorized under this permit is the lowest mean daily withdrawal rate of 6.55 million gallons per day (Mgal/d) based on the drought of record.
5. The surface water withdrawals from the South Fork of the Shenandoah River shall not exceed 10% of the estimated flow in the river as estimated in compliance with Part I.D.6 below.
6. The permittee shall estimate flow in the South Fork of the Shenandoah River in units of Mgal/d on a daily basis by monitoring the recorded mean daily flow at stream gaging Station No. [01631000](#) (South Fork Shenandoah River at Front Royal) published by the U.S. Geologic Survey (USGS) on the National Water Information System (NWIS) website, and by applying the following equation

“ $Q_{\text{SYSTEM}} = Q_{\text{SF}} / 1.547$, where

- a. Q_{SYSTEM} = the flow in the South Fork of the Shenandoah River at the combined intake location in Mgal/d;
 - b. Q_{SF} = the previous day’s provisional mean daily flow at Station 01631000 in cubic feet per second (cfs); and
 - c. 1.547 = the conversion factor to convert from cfs to Mgal/d.
7. The permittee shall prepare and submit for DEQ review and approval a plan for installing new screens on the existing intakes on the South Fork of the Shenandoah River. A draft plan shall be submitted to DEQ no later than ten years after issuance of this permit (*August 31, 2031*). The permittee shall revise the draft plan in response to DEQ comments and submit a final plan no later than 180 days after receipt of comments from DEQ. The plan shall include, at a minimum, the following:
 - a. A design for new intake screens at each existing intake with openings no larger than 1 mm in width and height for mesh screens or a slot size of 1 mm in width for wedgewire screens. The permittee shall ensure that the maximum screen face approach velocity at each intake does not exceed 0.25 feet per second;
 - b. A schedule for installing the screens no later than 270 days prior to the end of the permit term (*December 5, 2035*) and
 - c. The plan may include designs for existing intakes that have larger openings than 1 mm. However, if screen openings larger than 1 mm are proposed, the plan must include a detailed description and schedule for a proposed site-specific Impingement and Entrainment (I&E) monitoring study. Any proposed I&E study must include the following:

- i. Documentation of the density of eggs, larvae, and juvenile fish species at the intake location(s) at which an alternate screen is proposed and 2) monitor any effect the existing and proposed intake screens may have upon noted fish species;
- ii. A baseline component that includes I&E monitoring for at least two years prior to installation of new screens;
- iii. A post-installation component with monitoring at for at least two years after installation of the proposed screens;
- iv. Both components (baseline and after-construction) must include weekly monitoring between March 1st - June 30th and October 1st - November 30th of each monitoring year; and
- v. A schedule for the submittal, for DEQ review and approval, of draft and final reports of the results of the study. After review of the results, DEQ will provide written notice of any modifications to the intake requirements specified in Part I.D.7.a.

If the I&E study demonstrates that the installed screens with openings larger than 1 mm are not protective of aquatic species, screens with openings no larger than 1 mm shall be installed no later than one year after completion of the I&E monitoring study.

8. No later than twelve (12) years after the issuance of this permit (*August 31, 2033*), or at least one year prior to beginning any construction activities, whichever occurs first, final plans for modification or replacement of screens at the existing intakes on the South Fork of the Shenandoah River shall be submitted to DEQ. Construction shall be performed in accordance with the final plans submitted to the Department, which shall be in compliance with the permit. Any changes to the final plans shall be submitted to the Department immediately upon determination that changes are necessary. Department approval shall be required prior to implementing the change.
9. If intake modification or replacement requires surface water impacts, the permittee shall submit a request for modification of the permit (in accordance with 9VAC25-210-180 and 9VAC25-210-380) or a request for reissuance of a new permit, in addition to the plans submitted in accordance with Parts I.D.7 and I.D.8.
10. The permittee shall notify DEQ within 30 days of completion of the screen and system modification or replacement.
11. The permittee shall submit a draft Drought Management Plan for review by DEQ within 180 days of the issuance of this permit (*February 28, 2022*). The draft Drought Management Plan shall be revised according to the DEQ review and the Final Drought

Management Plan shall be submitted no later than 90 days after receipt by the permittee of DEQ comments. Once approved, the plan shall be incorporated by reference and become an enforceable part of this permit. Any revisions to the approved final plan shall be submitted to DEQ for review and approval prior to implementing the change. The plan shall include, at a minimum, the following:

- a. Development of drought stages, including when and how each stage will be implemented.
 - b. A description of the conservation measures to be implemented during each drought stage.
12. When a drought emergency is declared by the Commonwealth of Virginia in the Shenandoah Drought Evaluation Region or by Warren County in accordance with the Northern Shenandoah Regional Water Supply Plan, the permittee shall implement either the provisions directed by the Commonwealth, the Drought Management Plan required by Part I.D.11 of this permit, or the mandatory conservation measures as detailed in Attachment A of this permit, whichever is the most restrictive. The permittee shall be responsible for determining when drought emergencies are declared. The permittee shall retain records documenting that mandatory conservation measures were implemented during declared drought emergencies.
13. The permittee shall submit a draft Monitoring and Operations Plan for DEQ review within 180 days of permit issuance (*February 28, 2022*). The draft Monitoring and Operations Plan shall be revised according to the DEQ review and the Final Monitoring and Operations Plan shall be submitted no later than 90 days after receipt by the permittee of DEQ comments. Once approved, the plan shall be incorporated by reference and become an enforceable part of this permit. Any revisions to the approved plan shall be submitted to DEQ for review and approval prior to implementing the change. The plan shall include, at a minimum, the following:
 - a. Procedures for operating the authorized intakes to ensure compliance with all water withdrawal conditions of this permit;
 - b. Procedures for estimating stream flow in accordance with Part I.D.6, including the time of day that the estimates will be made;
 - c. Procedures for estimating stream flow in accordance with Parts I.D.6 in the event that gaging Station No. 01631000 is damaged, disabled, or discontinued;
 - d. A monitoring report data table for use in recording and reporting all information required by this permit; and
 - e. Procedures for estimating and recording withdrawals as well as all other monitoring and reporting requirements in Part I F, including a sample of the reporting form or table that will be used.

E. Alternative Source Development

1. No later than twelve (12) years after issuance of this permit (*August 31, 2033*), the permittee shall submit for DEQ review, a draft Alternative Source Development Assessment Plan (Plan). The goal of the Plan shall be to evaluate the availability of future alternative sources of water supply for supplemental use during low river flow conditions. The permittee shall revise the draft plan in response to DEQ comments and submit a final plan no later than 180 days after receipt of comments from DEQ. The plan shall include, at a minimum, the following:
 - a. A detailed summary of all alternatives reviewed, identifying the primary challenges for each;
 - b. Estimates of projected costs for all alternatives identified and determined to be practicable; and
 - c. A description of the alternative determined to be the most practicable and an estimated schedule for implementation of the alternative during the next permit term.

F. Water Withdrawal Monitoring, Recordation and Reporting Conditions

1. On each day that surface water withdrawals occur, the permittee must monitor and record the following:
 - a. Date and time;
 - b. Total amount of water withdrawn each day;
 - c. The maximum rate of withdrawal that occurred each date in gallons per minute (gpm);
 - d. The provisional stream flow in cfs and Mgal/d as measured at Gaging station No. 01631000; and
 - e. The flow in the South Fork of the Shenandoah River as estimated in accordance with Part I D.6, and the required flow-by as measured in cfs and Mgal/d.
2. The permittee shall monitor withdrawals from the South Fork of the Shenandoah River, and from Happy Creek and Sloan Creek when in use, on a daily basis using flow totalizer technology to confirm that the withdrawals are in compliance with this permit. Such meters shall produce volume determinations within plus or minus 10 percent of actual flows. A defective meter or other device must be repaired or replaced within 60 days. A defective meter is not grounds for not reporting the withdrawals. During any period when a meter is defective, generally accepted engineering practice shall be used to estimate withdrawals and the period during which the meter was defective must be clearly identified in the withdrawal report.
3. The permittee shall report any withdrawal not in compliance with Part I.D by the fifth (5th) day of the month following the month in which the withdrawal occurred. Failure to report may result in compliance or enforcement activities.

4. The permittee shall submit a water withdrawal monitoring report to DEQ semi-annually. The semi-annual monitoring period shall be as follows: January through June and July through December. The daily records shall be tabulated by month. The reports shall be submitted to DEQ by February 10th and August 10th of every year within the permit term. Submittal of the report may take the form of electronic reporting or another form determined to be acceptable by DEQ. In the event the electronic reporting system is not available, the permittee may submit the report by electronic mail to **Withdrawal.Permitting@deq.virginia.gov**. The report shall include the following information:
 - a. The permittee's name and address;
 - b. The permit number;
 - c. The source(s) from which water is withdrawn;
 - d. The location (latitude and longitude) of the water withdrawal;
 - e. Information contained in Part I.F.1;
 - f. The cumulative volume (Mgal) of water withdrawn each month and for the calendar year;
 - g. The average daily withdrawal rate (Mgal/d) of water withdrawn as calculated the last day of the monitoring period;
 - h. In the last report for the calendar year, the largest single daily withdrawal rate (Mgal/d) that occurred in the year and the month in which it occurred;
 - i. The method of measuring each withdrawal;
 - j. A summary of the dates on which the withdrawals did not meet the required volumes as determined in accordance with I.D.5; and
 - k. If during a semi-annual reporting period a drought emergency is declared, a summary of mandatory conservation measures implemented during the drought event.
5. Water withdrawal monitoring and reporting activities shall comply with this section, Part I.C, and Part II. All records and information that result from the monitoring and reporting activities required by this permit, including any records of maintenance activities to the withdrawal system, shall be retained for the life of the permit. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or as requested by the State Water Control Board.

Part II – General Conditions

A. Duty to Comply

The permittee shall comply with all conditions and limitations of the VWP permit. Nothing in this chapter shall be construed to relieve the permittee of the duty to comply with all applicable federal and state statutes, regulations, toxic standards, and prohibitions. Any VWP permit violation or noncompliance is a violation of the Clean Water Act and State Water Control Law and is grounds for enforcement action, VWP permit termination, VWP permit revocation, VWP permit modification, or denial of an application for a VWP permit extension or reissuance.

Nothing in this VWP permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

B. Duty to Cease or Confine Activity

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the activity for which a VWP permit has been granted in order to maintain compliance with the conditions of the VWP permit.

C. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any impacts in violation of the VWP permit that may have a reasonable likelihood of adversely affecting human health or the environment.

D. VWP Permit Actions

A VWP permit may be modified in whole or in part, revoked and reissued, extended, transferred, or terminated in accordance with 9VAC25-210-180 of the Virginia Administrative Code.

1. During the drafting and authorization of a permit modification, only those conditions to be modified shall be addressed with preparing a draft modified permit. VWP permit terms and conditions of the existing permit shall remain in full force and effect during the modification of the permit.
2. This VWP permit may be modified upon the request of the permittee or upon board initiative when any of the following developments occur:
 - a. When new information becomes available about the project or activity covered by the VWP permit, including project additions or alterations, that was not available at VWP permit issuance and would have justified the application of different VWP permit conditions at the time of VWP permit issuance;

- b. When a change is made in the promulgated standards or regulations on which the VWP permit was based;
 - c. When changes occur that are subject to "reopener clauses" in the VWP permit; or
 - d. When developments applicable to surface water withdrawals occur as specified in 9VAC25-210-380 of the Virginia Administrative Code.
3. When this VWP permit authorizes surface water withdrawals, it may be modified when any of the following developments occur:
- a. When the board determines that minimum instream flow levels resulting directly from the permittee's withdrawal of surface water are detrimental to the instream beneficial use, existing at the time of permit issuance, and the withdrawal of surface water should be subject to further net limitations or when an area is declared a surface water management area pursuant to §§ 62.1-242 through 62.1-253 of the Code of Virginia, during the term of the VWP permit.
 - b. Significant changes to the location of the surface water withdrawal system are proposed such that the Department of Environmental Quality determines a new review is warranted due to the potential effect of the surface water withdrawal to existing beneficial uses of the new location.
 - c. Changes to the permitted project or the surface water withdrawal, including increasing the storage capacity for the surface water withdrawal, that propose an increase in the maximum permitted withdrawal volumes or rate of withdrawal or that cause more than a minimal change to the instream flow requirements with potential to result in a detrimental effect to existing beneficial uses.
 - d. A revision to the purpose of the surface water withdrawal that proposes to include a new use or uses that were not identified in the permit application or a modification of the existing authorized use or uses such that the use description in the permit application and permit is no longer applicable. Examples of uses include, but are not limited to agricultural irrigation, golf course irrigation, public water supply, manufacturing, and electricity generation.
4. When the permittee has submitted a timely and complete application for reissuance of an existing VWP individual permit, but through no fault of the permittee, the board does not reissue or reissue with conditions a VWP individual permit or the board does not provide notice of its tentative decision to deny the application before an existing VWP individual permit expires, the conditions of the expiring VWP individual permit shall be administratively continued in full force and effect until the effective date of a reissued permit or the date on which the board denies the application. Timely application shall be a minimum of 180 days for an individual permit or a minimum of 270 days for an individual permit for a surface water withdrawal, unless otherwise specified in the existing permit.

5. Any permittee desiring to continue a previously permitted activity after the expiration date of this VWP permit shall apply for and obtain a new permit or, if applicable, shall request an extension in accordance with 9VAC25-210-180 of the Virginia Administrative Code. Any permittee with an effective VWP permit for an activity that is expected to continue after the expiration date of the VWP permit, without any change in the activity authorized by the VWP permit other than as may be allowed under 9VAC25-210-180, shall submit written notification requesting an extension. The permittee must file the request 90 days prior to the expiration date of the VWP permit. VWP permit modifications shall not be used to extend the term of a VWP permit beyond 15 years from the date of original issuance. When a permit term, other than that of an Emergency Virginia Water Protection Permit, is less than 15 years, an extension of the permit terms and conditions may be granted in accordance with 9VAC25-210-180. Emergency Virginia Water Protection Permits shall not exceed a duration of one year or shall expire upon the issuance of a regular Virginia Water Protection Permit, whichever comes first.
6. This VWP permit may be transferred to a new permittee only by modification to reflect the transfer, by revoking and reissuing the permit, or by automatic transfer. Automatic transfer to a new permittee shall occur if the current permittee: a) Notifies the board of the proposed transfer of the permit and provides a written agreement between the current and proposed permittees containing the date of transfer of VWP permit responsibility, authorization, and liability to the new permittee; and b) the board does not within 15 days notify the existing permittee of its intent to modify the VWP permit.
7. After notice and opportunity for a formal hearing pursuant to § 62.1-44.15:02 of the Code of Virginia, a VWP permit can be terminated for cause. Reasons for termination for cause are as follows:
 - a. Noncompliance by the permittee with any condition of the VWP permit;
 - b. The permittee's failure in the application or during the VWP permit process to disclose fully all relevant facts or the permittee's misrepresentation of any relevant facts at any time;
 - c. The permittee's violation of a special or judicial order;
 - d. A determination by the board that the permitted activity endangers human health or the environment and can be regulated to acceptable levels by VWP permit modification or termination;
 - e. A change in any condition that requires either a temporary or permanent reduction or elimination of any activity controlled by the VWP permit; and
 - f. A determination that the permitted activity has ceased and that the compensation for unavoidable adverse impacts has been successfully completed.
8. The board may terminate this permit without cause when the permittee is no longer a legal entity due to death, dissolution, or when a company is no longer authorized to conduct business in the

Commonwealth. The termination shall be effective 30 days after notice of the proposed termination is sent to the last known address of the permittee or registered agent, unless the permittee objects within that time. If the permittee does object during that period, the board shall follow the applicable procedures for termination under § 62.1-44.15:25 of the Code of Virginia and 9VAC25-230 of the Virginia Administrative Code.

9. This VWP permit may be terminated by consent, as initiated by the permittee. The permittee shall submit a request for termination by consent within 30 days of completing or canceling all permitted activities and all required compensatory mitigation requirements. When submitted for project completion, the request for termination by consent shall constitute a notice of project completion. The director may accept this termination on behalf of the board. The permittee shall submit the following information:
 - a. Name, mailing address, and telephone number;
 - b. Name and location of the activity;
 - c. The VWP permit number; and
 - d. One of the following certifications:
 - i. For project completion: "I certify under penalty of law that all activities and any required compensatory mitigation authorized by a VWP permit have been completed. I understand that by submitting this notice of termination that I am no longer authorized to perform activities in surface waters in accordance with the VWP permit, and that performing activities in surface waters is unlawful where the activity is not authorized by a VWP permit, unless otherwise excluded from obtaining a permit. I also understand that the submittal of this notice does not release me from liability for any violations of this VWP permit."
 - ii. For project cancellation: "I certify under penalty of law that the activities and any required compensatory mitigation authorized by this VWP permit will not occur. I understand that by submitting this notice of termination that I am no longer authorized to perform activities in surface waters in accordance with the VWP permit, and that performing activities in surface waters is unlawful where the activity is not authorized by a VWP permit, unless otherwise excluded from obtaining a permit. I also understand that the submittal of this notice does not release me from liability for any violations of this VWP permit, nor does it allow me to resume the permitted activities without reapplication and issuance of another permit."
 - iii. For events beyond permittee control, the permittee shall provide a detailed explanation of the events, to be approved by DEQ, and the following certification statement: "I certify under penalty of law that the activities or the required compensatory mitigation authorized by this VWP permit have changed as the result of events beyond my control (see attached). I understand that by submitting this notice of termination that I am no longer authorized to

perform activities in surface waters in accordance with the VWP permit, and that performing activities in surface waters is unlawful where the activity is not authorized by a VWP permit, unless otherwise excluded from obtaining a permit. I also understand that the submittal of this notice does not release me from liability for any violations of this VWP permit, nor does it allow me to resume the permitted activities without reapplication and issuance of another permit.

E. Inspection and Entry

Upon presentation of credentials, the permittee shall allow the board or any duly authorized agent of the board, at reasonable times and under reasonable circumstances, to conduct the actions listed in this section. For the purpose of this section, the time for inspection shall be deemed reasonable during regular business hours. Nothing contained herein shall make an inspection time unreasonable during an emergency.

1. Enter upon any permittee's property, public or private, and have access to, inspect and copy any records that must be kept as part of the VWP permit conditions;
2. Inspect any facilities, operations or practices (including monitoring and control equipment) regulated or required under the VWP permit; and
3. Sample or monitor any substance, parameter, or activity for the purpose of ensuring compliance with the conditions of the VWP permit or as otherwise authorized by law.

F. Duty to Provide Information

The board may request (i) such plans, specifications, and other pertinent information as may be necessary to determine the effect of an applicant's discharge on the quality of state waters or (ii) such other information as may be necessary to accomplish the purposes of this chapter. Any owner, permittee, or person applying for a VWP permit or general permit coverage shall provide the information requested by the board.

G. Monitoring and Records Requirements

1. Monitoring of parameters, other than pollutants, shall be conducted according to approved analytical methods as specified in the VWP permit. Analysis of pollutants will be conducted according to 40 CFR Part 136 (2017), Guidelines Establishing Test Procedures for the Analysis of Pollutants.
2. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
3. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart or electronic recordings for continuous monitoring instrumentation, copies of all reports required by the VWP permit, and records of all data used to

complete the application for the VWP permit, for a period of at least three years from the date of permit expiration. This period may be extended by request of the board at any time.

4. Records of monitoring information shall include:

- a. The date, exact place and time of sampling or measurements;
- b. The name of the individuals who performed the sampling or measurements;
- c. The date and time the analyses were performed;
- d. The name of the individuals who performed the analyses;
- e. The analytical techniques or methods supporting the information such as observations, readings, calculations and bench data used;
- f. The results of such analyses; and
- g. Chain of custody documentation.

H. Property rights

The issuance of a VWP permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize injury to private property or any invasion of personal rights or any infringement of federal, state or local laws or regulations.

I. Reopener

This VWP permit may be reopened for the purpose of modifying the conditions of the VWP permit to meet new regulatory standards duly adopted by the board. Cause for reopening VWP permits includes, but is not limited to when the circumstances on which the previous VWP permit was based have materially and substantially changed, or special studies conducted by the board or the permittee show material and substantial change, since the time the VWP permit was issued and thereby constitute cause for VWP permit modification or revocation and reissuance.

J. Compliance with State and Federal Law

As to the permitted activity(ies), compliance with a VWP permit constitutes compliance with the VWP permit requirements of the Law and regulations.

K. Severability

The provisions of this VWP permit are severable.

L. Oil and Hazardous Substance Liability

Nothing in this VWP permit shall be construed to preclude the institution of legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under § 311 of the Clean Water Act or §§ 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

M. Unauthorized Discharge of Pollutants

Except in compliance with a VWP permit, unless the activity is otherwise exempted or excluded, no person shall dredge, fill, or discharge any pollutant into, or adjacent to surface waters; withdraw surface water; otherwise alter the physical, chemical, or biological properties of state waters regulated under this chapter and make them detrimental to the public health, to animal or aquatic life, or to the uses of such waters for domestic or industrial consumption, for recreation, or for other uses; excavate in wetlands; or on or after October 1, 2001, conduct the following activities in a wetland:

1. New activities to cause draining that significantly alters or degrades existing wetland acreage or functions;
2. Filling or dumping;
3. Permanent flooding or impounding; or
4. New activities that cause significant alteration or degradation of existing wetland acreage or functions.

Attachment A – Water Conservation**Mandatory Non-Essential Water Use Restrictions
Virginia Drought Assessment and Response Plan**

The following non-essential water uses will be prohibited during periods of declared drought emergencies. Please note the exceptions that follow each prohibited use. These prohibitions and exceptions will apply to uses from all sources of water and will only be effective when the Governor of Virginia or the Virginia Drought coordinator declares a Drought Emergency. Water use restrictions shall not apply to the agricultural production of food or fiber, the maintenance of livestock including poultry, nor the commercial production of plant materials, *provided that best management practices are applied to assure the minimum amount of water is utilized.*

1. *Unrestricted irrigation of lawns is prohibited.*

- Newly sodded and seeded areas may be irrigated to establish cover on bare ground at the minimum rate necessary for no more than a period of 60 days. Irrigation rates may not exceed one inch of applied water in any 7-day period.
- Gardens, bedding plants, trees, shrubs and other landscape materials may be watered with hand held containers, hand held hoses equipped with an automatic shutoff device, sprinklers or other automated watering devices at the minimum rate necessary but in no case more frequently than twice per week. Irrigation should not occur during the heat of the day.
- All allowed lawn irrigation must be applied in a manner to assure that no runoff, puddling or excessive watering occurs.
- Irrigation systems may be tested after installation, routine maintenance or repair for no more than ten minutes per zone.

2. *Unrestricted irrigation of golf courses is prohibited.*

- Tees and greens may be irrigated between the hours of 9:00 p.m. and 10:00 a.m. at the minimum rate necessary.
- Localized dry areas may be irrigated with a hand held container or hand held hose equipped with an automatic shutoff device at the minimum rate necessary.
- Greens may be cooled by syringing or by the application of water with a hand held hose equipped with an automatic shutoff device at the minimum rate necessary.
- Fairways may be irrigated between the hours of 9:00 p.m. and 10:00 a.m. at the minimum rate necessary not to exceed one inch of applied water in any ten-day period.

- Fairways, tees and greens may be irrigated during necessary overseeding or resodding operations in September and October at the minimum rate necessary. Irrigation rates during this restoration period may not exceed one inch of applied water in any seven-day period.
- Newly constructed fairways, tees and greens and areas that are re-established by sprigging or sodding may be irrigated at the minimum rate necessary not to exceed one inch of applied water in any seven-day period for a total period that does not exceed 60 days.
- Fairways, tees and greens may be irrigated without regard to the restrictions listed above so long as:
 - The only water sources utilized are water features whose primary purpose is stormwater management;
 - Any water features utilized do not impound permanent streams;
 - During declared Drought Emergencies these water features receive no recharge from other water sources such as ground water wells, surface water intakes, or sources of public water supply; and,
 - All irrigation occurs between 9:00 p.m. and 10:00 a.m.
- All allowed golf course irrigation must be applied in a manner to assure that no runoff, puddling or excessive watering occurs.
- Rough areas may not be irrigated.

3. ***Unrestricted irrigation of athletic fields is prohibited.***

- Athletic fields may be irrigated between the hours of 9:00 p.m. and 10:00 a.m. at a rate not to exceed one inch per application or more than a total of one inch in multiple applications during any ten-day period. All irrigation water must fall on playing surfaces with no outlying areas receiving irrigation water directly from irrigation heads.
- Localized dry areas that show signs of drought stress and wilt (curled leaves, foot-printing, purpling) may be syringed by the application of water for a cumulative time not to exceed fifteen minutes during any twenty-four hour period. Syringing may be accomplished with an automated irrigation system or with a hand held hose equipped with an automatic shutoff device at the minimum rate necessary.
- Athletic fields may be irrigated between the hours of 9:00 p.m. and 10:00 a.m. during necessary overseeding, sprigging or resodding operations at the minimum rate necessary for a period that does not exceed 60 days. Irrigation rates during this restoration period may not exceed one inch of applied water in any seven-day period. Syringing is permitted during signs of drought stress and wilt (curled leaves, foot-printing, purpling).

- All allowed athletic field irrigation must be applied in a manner to assure that no runoff, puddling or excessive watering occurs.
 - Irrigation is prohibited on athletic fields that are not scheduled for use within the next 120-day period.
 - Water may be used for the daily maintenance of pitching mounds, home plate areas and base areas with the use of hand held containers or hand held hoses equipped with an automatic shutoff device at the minimum rate necessary.
 - Skinned infield areas may utilize water to control dust and improve playing surface conditions utilizing hand held containers or hand held hoses equipped with an automatic shutoff device at the minimum rate necessary no earlier than two hours prior to official game time.
4. ***Washing paved surfaces such as streets, roads, sidewalks, driveways, garages, parking areas, tennis courts, and patios is prohibited.***
- Driveways and roadways may be pre-washed in preparation for recoating and sealing.
 - Tennis courts composed of clay or similar materials may be wetted by means of a hand-held hose equipped with an automatic shutoff device at the minimum rate necessary for maintenance. Automatic wetting systems may be used between the hours of 9:00 p.m. and 10:00 a.m. at the minimum rate necessary.
 - Public eating and drinking areas may be washed using the minimum amount of water required to assure sanitation and public health.
 - Water may be used at the minimum rate necessary to maintain effective dust control during the construction of highways and roads.
5. ***Use of water for washing or cleaning of mobile equipment including automobiles, trucks, trailers and boats is prohibited.***
- Mobile equipment may be washed using hand held containers or hand held hoses equipped with automatic shutoff devices provided that no mobile equipment is washed more than once per calendar month and the minimum amount of water is utilized.
 - Construction, emergency or public transportation vehicles may be washed as necessary to preserve the proper functioning and safe operation of the vehicle.
 - Mobile equipment may be washed at car washes that utilize reclaimed water as part of the wash process or reduce water consumption by at least 10% when compared to a similar period when water use restrictions were not in effect.

- Automobile dealers may wash cars that are in inventory no more than once per week utilizing hand held containers and hoses equipped with automatic shutoff devices, automated equipment that utilizes reclaimed water as part of the wash process, or automated equipment where water consumption is reduced by at least 10% when compared to a similar period when water use restrictions were not in effect.
 - Automobile rental agencies may wash cars no more than once per week utilizing hand held containers and hoses equipped with automatic shutoff devices, automated equipment that utilizes reclaimed water as part of the wash process, or automated equipment where water consumption is reduced by at least 10% when compared to a similar period when water use restrictions were not in effect.
 - Marine engines may be flushed with water for a period that does not exceed 5 minutes after each use.
6. ***Use of water for the operation of ornamental fountains, artificial waterfalls, misting machines, and reflecting pools is prohibited.***
- Fountains and other means of aeration necessary to support aquatic life are permitted.
7. ***Use of water to fill and top off outdoor swimming pools is prohibited.***
- Newly built or repaired pools may be filled to protect their structural integrity.
 - Outdoor pools operated by commercial ventures, community associations, recreation associations, and similar institutions open to the public may be refilled as long as:
 - Levels are maintained at mid-skimmer depth or lower;
 - Any visible leaks are immediately repaired;
 - Backwashing occurs only when necessary to assure proper filter operation;
 - Deck areas are washed no more than once per calendar month (except where chemical spills or other health hazards occur);
 - All water features (other than slides) that increase losses due to evaporation are eliminated; and
 - Slides are turned off when the pool is not in operation.
 - Swimming pools operated by health care facilities used in relation to patient care and rehabilitation may be filled or topped off.

- Indoor pools may be filled or topped off.
 - Residential swimming pools may be filled only to protect structural integrity, public welfare, safety and health and may not be filled to allow the continued operation of such pools.
8. *Water may be served in restaurants, clubs, or eating-places only at the request of customers.*

APPENDIX B

Water Treatment Plant Operating Permit



Commonwealth of Virginia
Department of Health
Office of Drinking Water

Waterworks Operation Permit

Town of Front Royal is hereby granted permission to operate a Class I community waterworks having a design capacity of 4 million gallons per day at the Town of Front Royal located in Warren County in accordance with Title 32.1 of the Code of Virginia, and the *Waterworks Regulations* of the Virginia Department of Health (12 VAC 5-590). This permit is issued in accordance with previously issued Operation Permit No. 2187406 dated April 23, 2001 and Construction Permit Nos. 201206 dated April 11, 2006 and 201613 dated July 23, 2013 and with the understanding that this owner will operate the waterworks in accordance with Part II, "Operation Regulations for Waterworks," of the *Waterworks Regulations* of the Virginia Department of Health and any variances or special requirements noted below. This permit does not suspend, minimize, or otherwise alter this owner's obligation to comply with applicable federal, state, or local laws and regulations or permits.

Variances, Exemptions, or Special Permit Requirements issued: (x) None () See Attached

An Engineering Description Sheet is attached dated June 6, 2014

PERMIT NO.: 2187406

EFFECTIVE DATE: June 6, 2014

APPROVED


John J. Aulbach II, P.E., Director, Office of Drinking Water
for the State Health Commissioner pursuant to VA Code § 2.2-604

APPENDIX C

Wastewater Treatment Plant Discharge Permit





Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

VALLEY REGIONAL OFFICE

P.O. Box 3000, Harrisonburg, Virginia 22801

(540) 574-7800

Located at 4411 Early Road, Harrisonburg, Virginia

www.deq.virginia.gov

Travis A. Voyles
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

October 31, 2023

VIA ELECTRONIC MAIL

Mr. Joseph Waltz
Town Manager
jwaltz@frontroyalva.com

Re: Permit Reissuance – Front Royal WWTP, VPDES Permit No. VA0062812

Dear Mr. Waltz:

The enclosed permit has been approved. This permit action involved reissuing an existing permit to discharge treated wastewater. Please continue to use the e-DMR program to submit the effluent data electronically.

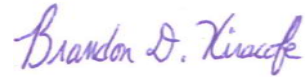
As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Alternatively, any owner under §§ 62.1 - 44.16, 62.1 - 44.17, and 62.1 - 44.19 of the State Water Control Law aggrieved by any action of the Department of Environmental Quality (Department) taken without a formal hearing, or by inaction of the Department, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Department. Said petition must meet the requirements set forth in 9VAC25-230-130 of the State Water Control Board's Procedural Rule No. 1. In cases involving actions of the Department, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

VPDES Permit No. VA0062812
Front Royal WWTP
Page 2

Please contact me at brandon.kiracofe@deq.virginia.gov or (540) 217-7479 if you have any questions.

Sincerely,



Brandon D. Kiracofe
Water Permitting and Compliance Manager

Attachment Permit No. VA0062812
c:

Nathan Ruggles, Wastewater Manager, nruggles@frontroyalva.com
Linda Ferguson-Davie, Water Program Compliance Auditor, linda.ferguson-davie@deq.virginia.gov
Keith Showman, Water Permit Writer – Technical Reviewer, keith.showman@deq.virginia.gov
Megan O’Gorek, Water Permit Writer, megan.ogorek@deq.virginia.gov
ECM – VA0062812

Permit Required Special Condition and e-DMR Due Dates*

Facility Name: Front Royal WWTP	Permit No: VA0062812
--	-----------------------------

Special Condition	Due Date
GENERAL SPECIAL CONDITIONS	
Submit Attachment A WQC Monitoring	11/30/2027
Submit VPDES Permit Application	5/4/2028
PRETREATMENT SPECIAL CONDITIONS	
Submit 1st Year Pretreatment Annual Report	1/31/2024
Submit 1st Year Public Notice for SIUs in SNC	3/31/2024
Submit Significant Discharger Waste Survey	4/29/2024
Submit Reevaluation of Pretreatment Local Limits	11/1/2024
Submit 2nd Year Pretreatment Annual Report	1/31/2025
Submit 2nd Year Public Notice for SIUs in SNC	3/31/2025
Submit 3rd Year Pretreatment Annual Report	1/31/2026
Submit 3rd Year Public Notice for SIUs in SNC	3/31/2026
Submit 4th Year Pretreatment Annual Report	1/31/2027
Submit 4th Year Public Notice for SIUs in SNC	3/31/2027
Submit 5th Year Pretreatment Annual Report	1/31/2028
Submit 5th Year Public Notice for SIUs in SNC	3/31/2028
WET SPECIAL CONDITIONS	
Submit 1st Quarterly Chronic Toxicity Test, Cd	4/10/2024
Submit 2nd Quarterly Chronic Toxicity Test, Cd	7/10/2024
Submit 3rd Quarterly Chronic Toxicity Test, Cd	10/10/2024
Submit 4th Quarterly Chronic Toxicity Test, Cd	1/10/2025
Submit 1st Year Annual Chronic and Acute Toxicity Test, Cd, Pp	1/10/2025
Submit 5th Quarterly Chronic Toxicity Test, Cd	4/10/2025
Submit 6th Quarterly Chronic Toxicity Test, Cd	7/10/2025
Submit 7th Quarterly Chronic Toxicity Test, Cd	10/10/2025
Submit 8th Quarterly Chronic Toxicity Test, Cd	1/10/2026
Submit 2nd Year Annual Chronic and Acute Toxicity Test, Cd, Pp	1/10/2026
Submit 9th Quarterly Chronic Toxicity Test, Cd	4/10/2026
Submit 10th Quarterly Chronic Toxicity Test, Cd	7/10/2026
Submit 11th Quarterly Chronic Toxicity Test, Cd	10/10/2026
Submit 12th Quarterly Chronic Toxicity Test, Cd	1/10/2027
Submit 3rd Year Annual Chronic and Acute Toxicity Test, Cd, Pp	1/10/2027
Submit 13th Quarterly Chronic Toxicity Test, Cd	4/10/2027
Submit 14th Quarterly Chronic Toxicity Test, Cd	7/10/2027
Submit 15th Quarterly Chronic Toxicity Test, Cd	10/10/2027
Submit 16th Quarterly Chronic Toxicity Test, Cd	1/10/2028
Submit 4th Year Annual Chronic and Acute Toxicity Test, Cd, Pp	1/10/2028
Submit 17th Quarterly Chronic Toxicity Test, Cd	1/10/2028
Submit 18th Quarterly Chronic Toxicity Test, Cd	4/10/2028
Submit 19th Quarterly Chronic Toxicity Test, Cd	7/10/2028
Submit 5th Year Annual Chronic and Acute Toxicity Test, Cd, Pp	7/10/2028

*This list is intended to assist the permittee; however, it is not intended to supersede any permit requirements.

e-DMR Monitoring Periods and Due Dates Based on Calendar Reporting				
Permit Effective Date	Monitoring Start Date	Reporting Frequency	1st DMR Due Date	Monitoring Period Example
11/1/2023	11/1/2023	Monthly	12/10/2023	11/1/2023 - 11/30/2023
11/1/2023	11/1/2023	Quarterly	4/10/2024	1/1/2024 - 3/31/2024
11/1/2023	1/1/2024	Annual	1/10/2025	1/1/2024 - 12/31/2024



COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

Permit No. VA0062812

Effective Date: November 1, 2023
Expiration Date: October 31, 2028

**AUTHORIZATION TO DISCHARGE UNDER THE
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM
AND**

THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the information submitted with the permit application, and with this permit cover page, Part I - Effluent Limitations and Monitoring Requirements, and Part II – Conditions Applicable To All VPDES Permits, as set forth herein.

Owner: **Town of Front Royal**
Facility Name: **Front Royal WWTP**
County: **Warren**
Facility Location: **1100 Manassas Avenue, Front Royal, VA 22630**

The owner is authorized to discharge to the following receiving stream:

Stream: Shenandoah River
River Basin: Potomac
River Subbasin: Shenandoah
Section: 1c
Class: IV
Special Standards: pH

A handwritten signature in blue ink that reads "Brandon D. Kiracofe".

Brandon D. Kiracofe, Regional Director
Valley Regional Office

Date: October 31, 2023

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from Outfall 001.

This discharge shall be limited and monitored as specified below:

<u>EFFLUENT CHARACTERISTICS</u>			<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS</u>		
	<u>Monthly Average</u>		<u>Weekly Average</u>		<u>Minimum</u>	<u>Maximum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD) ^a	NL		NA		NA	NL	Continuous	TIRE
pH (standard units)	NA		NA		6.5	9.0	1/Day	Grab
CBOD ₅ ^c	18 mg/L	360 kg/d	27 mg/L	540 kg/d	NA	NA	5/Week	24 HC
Total Suspended Solids (TSS) ^c	22 mg/L	440 kg/d	33 mg/L	660 kg/d	NA	NA	5/Week	24 HC
<i>E. coli</i> (N/100 mL) ^b	126						1/Day	
	Geometric Mean		NA		NA	NA	10 a.m. to 4 p.m.	Grab
Dissolved Oxygen (mg/L)	NA		NA		5.0	NA	1/Day	Grab
Ammonia-N (Jun-Dec) (mg/L) ^c	3.4		4.3		NA	NA	5/Week	24 HC
Ammonia-N (Jan-May) (mg/L) ^c	6.5		8.3		NA	NA	5/Week	24 HC
Total Nitrogen – Year to Date (mg/L) ^c	NL		NA		NA	NA	1/Month	Calculated
Total Nitrogen – Calendar Year (mg/L) ^{c, e}	3.0		NA		NA	NA	1/Year	Calculated
Total Phosphorus – Year to Date (mg/L) ^c	NL		NA		NA	NA	1/Month	Calculated
Total Phosphorus – Calendar Year (mg/L) ^{c, e}	0.22		NA		NA	NA	1/Year	Calculated
Influent CBOD ₅ (mg/L) ^d	NL		NA		NA	NA	5/Week in any month of each calendar year	Grab
Influent TSS (mg/L) ^d	NL		NA		NA	NA	5/Week in any month of each calendar year	Grab
CBOD ₅ Percent Removal (%) ^d	NA		NA		85	NA	1/Year	Calculated
TSS Percent Removal (%) ^d	NA		NA		85	NA	1/Year	Calculated

NL = No Limitation, monitoring required

NA = Not Applicable

TIRE = Totalizing, Indicating, and Recording Equipment

24 HC = 24-Hour Composite

5/Week = 5 samples taken, one per day, during the calendar week

1/Year = Annual sampling with the results submitted with the DMR due January 10th of each year

- The design flow of this treatment facility is 5.3 MGD. See Part I.F.1 for additional requirements related to facility flows.
- See Part I.B for disinfection requirements.
- See Part I.C for additional monitoring and reporting instructions.
- At least 85% removal for CBOD₅ and TSS shall be attained for this effluent. Influent shall be sampled 5/Week for 1 month of each calendar year. See Part I.C.3 for additional requirements related to demonstration of secondary treatment.
- In addition to the Total Nitrogen or Total Phosphorus concentration limits listed above, this facility has Total Nitrogen and Total Phosphorus calendar year load limits associated with this outfall included in the current Registration List under registration number VAN010010, enforceable under the General VPDES Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Watershed in Virginia.
- There shall be no discharge of floating solids or visible foam in other than trace amounts.

B. TOTAL RESIDUAL CHLORINE (TRC) AND *E. COLI* LIMITATIONS AND MONITORING REQUIREMENTS

If chlorination is chosen as a disinfection method, the requirements in Part I.B.1-5 below shall substitute for the *E. coli* requirements specified in Part I.A.1.

1. Effluent TRC shall be monitored, following dechlorination, 12/Day by grab sample and limited as specified below. Samples shall be taken with a minimum time separation of 90 minutes and a maximum time separation of 150 minutes.

	<u>Monthly Average</u>	<u>Weekly Average</u>
TRC (mg/L)	0.017	0.018

2. TRC shall be monitored at the outlet of each operating chlorine contact tank, prior to dechlorination, 12/day by grab sample with a minimum time separation of 90 minutes and a maximum time separation of 150 minutes.
3. No more than 36 samples for TRC taken after each operating chlorine contact tank, prior to dechlorination, shall be less than 1.0 mg/L for any one calendar month.
4. No TRC sample collected at the outlet of any operating chlorine contact tank, prior to dechlorination, shall be less than 0.6 mg/L.
5. *E. coli* limitations and monitoring:

	<u>Discharge Limit</u>	<u>Monitoring Requirements</u>	
	<u>Monthly Average</u>	<u>Frequency</u>	<u>Sample Type</u>
<i>E. coli</i> (N/100 mL)	126 (Geometric Mean)	4/Month in any month of each calendar quarter * 10 a.m. to 4 p.m.	Grab

* 4/Month in any month of each calendar quarter = 4 samples taken, with at least 1 sample taken each calendar week, in any calendar month of each quarter and reported no later than January 10th, April 10th, July 10th and October 10th of each year

C. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - ADDITIONAL INSTRUCTIONS

1. The quantification levels (QLs) shall be less than or equal to the following concentrations:

<u>Effluent Characteristic</u>	<u>QL</u>
CBOD ₅	2 mg/L
TSS	1.0 mg/L
Chlorine	0.10 mg/L
Ammonia-N	0.20 mg/L

The QL is defined as the lowest concentration used to calibrate a measurement system in accordance with the procedures published for the method. It is the responsibility of the permittee to ensure that proper quality assurance/quality control (QA/QC) protocols are followed during the sampling and analytical procedures. QA/QC information shall be documented to confirm that appropriate analytical procedures have been used and the required QLs have been attained. The permittee shall use any method in accordance with Part II.A of this permit.

2. Compliance Reporting

- a. **Monthly Average** – Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in Part I.C.1 shall be determined as follows: All concentration data below the QL used for the analysis shall be treated as zero. All concentration data equal to or above the QL used for the analysis shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL used for the analysis, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported monthly average concentration is <QL, then report "<QL" for the quantity. Otherwise use the reported concentration data (including the defined zeros) and flow data for each sample day to determine the daily quantity and report the monthly average of the calculated daily quantities.
- b. **Weekly Average** – Compliance with the weekly average limitations and/or reporting requirements for the parameters listed in Part I.C.1 shall be determined as follows: All concentration data below the QL used for the analysis shall be treated as zero. All concentration data equal to or above the QL used for the analysis shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each complete calendar week and entirely contained within the reporting month. The maximum value of the weekly averages thus determined shall be reported on the DMR. If all data are below the QL used for the analysis, then the weekly average shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported weekly average concentration is <QL, then report "<QL" for the quantity. Otherwise use the reported concentration data (including the defined zeros) and flow data for each sample day to determine the daily quantity and report the maximum weekly average of the calculated daily quantities.
- c. **Single Datum** – Any single datum required shall be reported as "<QL" if it is less than the QL used for the analysis. Otherwise the numerical value shall be reported.
- d. The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used (i.e., 5 always rounding up or to the nearest even number) by the permittee, the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.
- e. **Nutrient reporting calculations** – The reporting calculations below shall be performed using the concentration monitoring required by the general permit, VAN010010.

For each calendar month, the DMR shall show the calendar year-to-date average concentration (mg/L) calculated in accordance with the following formula:

$$AC_{avg}\text{-YTD} = (\sum_{(Jan\text{-current month})} MC_{avg}) \div (\# \text{ of months})$$

where:

$AC_{avg}\text{-YTD}$ = calendar year-to-date average concentration (mg/L)

MC_{avg} = monthly average concentration (mg/L)

The Total Nitrogen (TN) and Total Phosphorus (TP) average concentrations (mg/L) for each calendar year (AC) shall be shown on the December DMR due January 10th of the following year. These values shall be calculated in accordance with the following formula:

$$AC_{avg} = (\sum_{(Jan\text{-Dec})} MC_{avg}) \div 12$$

where:

AC_{avg} = calendar year average concentration (mg/L)

MC_{avg} = monthly average concentration (mg/L)

For TP, all daily concentration data below the QL for the analytical method used shall be treated as half the QL. All daily concentration data equal to or above the QL for the analytical method used shall be treated as it is reported.

For TN, if none of the daily concentration data for the respective species (i.e., TKN, Nitrates/Nitrites) are equal to or above the QL for the respective analytical methods used, the daily TN concentration value reported shall equal one half of the largest QL used for the respective species. If one of the data is equal to or above the QL, the daily TN concentration value shall be treated as that data point is reported. If more than one of the data is above the QL, the daily TN concentration value shall equal the sum of the data points as reported.

3. Demonstration of Secondary Treatment

- a. The permittee shall monitor and report the influent CBOD₅ and TSS concentrations and calculated percent removal on an annual basis. The annual monitoring periods shall be January – December.
- b. During the month(s) that influent sampling is performed for percent removal reporting purposes, influent sampling shall be performed at the same sample frequency as the corresponding effluent samples.
- c. Monthly average influent and effluent concentrations shall be used to calculate monthly average percent removal values. The monthly average removal values shall be reported on the DMR by the 10th day of the month following the monitoring period.

D. PRETREATMENT PROGRAM REQUIREMENTS

1. The permittee's pretreatment program has been approved. The program is an enforceable part of this permit. The permittee shall:
 - a. Implement a pretreatment program that complies with the Clean Water Act, Water Control Law, State regulations and the approved program.
 - b. Submit to the DEQ-Valley Regional Office, an annual report that describes the permittee's program activities over the previous year. The annual report shall be submitted no later than January 31st of each year and shall include:
 - (1) An updated list of the Significant Industrial Users (SIUs)* noting all of the following:
 - (a) Facility address, phone number, and contact name;
 - (b) Explanation of SIUs deleted from the previous year's list;
 - (c) Identify which Industrial Users (IUs) are subject to Categorical Standards and note which Standard (e.g., metal finishing);
 - (d) Specify which 40 CFR Part(s) is/are applicable;
 - (e) Indicate which IUs are subject to local standards that are more stringent than Categorical Pretreatment Standards;
 - (f) Indicate which IUs are subject only to local requirements;
 - (g) Identify which IUs are subject to Categorical Pretreatment Standards that are subject to reduced reporting requirements under 9 VAC 25-31-840 E.3; and
 - (h) Identify which IUs are non-significant Categorical Industrial Users.
 - (2) A summary of the compliance status of each SIU with pretreatment standards and permit requirements;

- (3) A summary of the number and types of SIU sampling and inspections performed by the POTW;
 - (4) All information concerning any interference, upset, VPDES permit or Water Quality Standards violations directly attributable to SIUs and enforcement actions taken to alleviate said events;
 - (5) A description of all enforcement actions taken against SIUs over the previous 12 months;
 - (6) A summary of any changes to the submitted pretreatment program that have not been previously reported to the DEQ-Valley Regional Office;
 - (7) A summary of the permits issued to SIUs since the last annual report;
 - (8) POTW and self-monitoring results for SIUs determined to be in significant non-compliance during the reporting period;
 - (9) Results of the POTW's influent/effluent/sludge sampling, not previously submitted to DEQ;
 - (10) Copies of newspaper publications of all SIUs in significant non-compliance during the reporting period. This is due no later than March 31st of each year; and
 - (11) Signature of an authorized representative.
- c. Within 180 days of the effective date of this permit, submit to the DEQ-Valley Regional Office a survey of all IUs discharging to the POTW. The DEQ Discharger Survey Form or an equivalent form that includes the quantity and quality of the wastewater shall be used. Survey results shall include the identification of SIUs of the POTW.
- In lieu of the survey, the permittee may elect to develop, submit for approval and implement a plan to continuously survey the industrial community in their jurisdiction.
- d. Submit any changes to the approved pretreatment program to the DEQ-Valley Regional Office and obtain approval before implementation of the changes.
- e. Ensure all SIUs' permits are issued and reissued in a timely manner and that the permits issued by the POTW are effective and enforceable.
- f. Inspect and sample all SIUs at a minimum of once a year.
- (1) Sampling shall include all regulated parameters, and shall be representative of the wastewater discharged.
 - (2) Inspection of the SIUs shall cover all areas which could result in wastewater discharge to the treatment works including manufacturing, chemical storage, pretreatment facilities, spill prevention and control procedures, hazardous waste generation and SIUs' self-monitoring and records.
- g. Implement the reporting requirements of Part VII of the VPDES Permit Regulation.
- h. Review the Enforcement Response Plan (ERP) and ensure it meets state and federal regulatory requirements. The approved ERP is an enforceable part of this permit and shall be implemented.
- i. Develop local limits or reevaluate local limits using current influent, effluent and sludge monitoring data and submit the data and results of the evaluation to the DEQ-Valley Regional Office within one year of the effective date of this permit. All SIUs shall be sampled at the end of any categorical process and at the entrance to the treatment works.
- j. Ensure that adequate resources are available to implement the approved program.
- k. Meet all public participation requirements and annually public notice SIUs in significant non-compliance with pretreatment standards and requirements for the previous 12 months.

2. The DEQ may require the POTW to institute changes to its pretreatment program:
 - a. If the approved program is not implemented in a way satisfying the requirements of the Clean Water Act, Water Control Law or State regulations;
 - b. If problems such as pass-through, interference, water quality standards violations or sludge contamination develop or continue; or
 - c. If federal, state or local requirements change.
- * A SIU is one that:
 - (a) Has an average flow of 25,000 gallons or more per average day of process wastewater**;
 - (b) Contributes a process wastestream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW;
 - (c) Is subject to the categorical pretreatment standards; or
 - (d) Has significant impact, either singularly or in combination with other Significant Dischargers, on the treatment works or the quality of its effluent.

** Process wastewater excludes sanitary wastewater, noncontact cooling water and boiler blowdown.

E. WHOLE EFFLUENT TOXICITY (WET) REQUIREMENTS

1. In accordance with the schedule in Part I.E.7 and Part I.E.8, the permittee shall conduct chronic and acute toxicity tests using 24-hour flow-proportioned composite samples of final effluent from Outfall 001.
 - a. The quarterly chronic test shall be a Chronic 3-Brood Static Renewal Survival and Reproduction Test using *Ceriodaphnia dubia*. Each test shall be performed with a minimum of 5 dilutions, derived geometrically, in order to determine the No Observed Effect Concentration (NOEC) for survival and reproduction. Results which cannot be determined (i.e. a "less than" or "zero" NOEC value) are not acceptable, and a retest requiring further dilution must be performed. Any retest of an unacceptable test must be performed within the same testing period as the unacceptable test. Such "less than" or "zero" results must be submitted and will be regarded as evidence of effluent toxicity. Express the results as Chronic Toxicity Units (TU_c) by dividing 100/NOEC. Report the LC₅₀ for each chronic test at the 48-hour point, and the IC₂₅, if calculable, with the NOEC in the required test report. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3. Any retest of an unacceptable test must be performed within the same testing period as the unacceptable test.
 - b. The annual chronic test shall be a Chronic 7-Day Static Renewal Survival and Growth Test using *Pimephales promelas*. Each test shall be performed with a minimum of 5 dilutions, derived geometrically, in order to determine the No Observed Effect Concentration (NOEC) for survival and growth. Results which cannot be determined (i.e. a "less than" or "zero" NOEC value) are not acceptable, and a retest requiring further dilution must be performed. Any retest of an unacceptable test must be performed within the same testing period as the unacceptable test. Such "less than" or "zero" results must be submitted and will be regarded as evidence of effluent toxicity. Express the results as chronic Toxicity Units (TU_c) by dividing 100/NOEC. Report the LC₅₀ for each chronic test at the 48-hour point, and the IC₂₅, if calculable, with the NOECs in the required test report. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3. Any retest of an unacceptable test must be performed within the same testing period as the unacceptable test.

- c. The annual acute test shall be a 48-Hour Static Acute test using *Ceriodaphnia dubia*. The test shall be performed with a minimum of 5 dilutions, derived geometrically, with a minimum of 4 replicates per dilution and a minimum of 5 organisms per replicate for calculation of a valid No Observed Adverse Effect Concentration (NOAEC). The NOAEC should be determined by hypothesis testing. The LC₅₀ should also be determined, noted, and submitted in the required test report. Tests in which control survival is less than 90% are not acceptable. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3. Any retest of an unacceptable test must be performed within the same testing period as the unacceptable test.
3. During the term of the permit, the permittee may provide additional samples to address data variability. These data shall be reported and may be included in the evaluation of effluent toxicity.
4. The test dilutions shall be able to determine compliance with the following endpoints:
 - a. Acute NOAEC of 100%
 - b. Chronic NOEC of 39%, equivalent to 2.56 TU_c
5. The test data will be evaluated for reasonable potential at the conclusion of the permit term. The data may be evaluated sooner if requested by the permittee, or if toxicity has been noted. Should evaluation of the data indicate that a limit is needed, a WET limit and compliance schedule may be required and the toxicity tests of Part I.E.1 may be discontinued. If the data indicate that no limit is needed, the permittee shall continue acute and chronic toxicity testing of the outfall as specified in Part I.E.1.
6. The permit may be modified or, alternatively, revoked and reissued to include pollutant-specific limits in lieu of a WET limit should it be demonstrated that toxicity is due to specific parameters. The pollutant-specific limits must control the toxicity of the effluent.
7. The permittee shall report the results on the DMR and supply 1 copy of the test report for the toxicity tests specified in Part I.E.1.a in accordance with the following schedule:

<u>Monitoring Period</u>	<u>Testing Period</u>	<u>Report Submittal Date</u>
1 st Quarter	January 1 – March 31, 2024	April 10, 2024
Quarterly thereafter	Every calendar quarter following the previous quarter	By the 10 th of the month following the testing period

8. The permittee shall supply 1 copy of the test report for the toxicity tests specified in Parts I.E.1.b and I.E.1.c in accordance with the following schedule:

<u>Monitoring Period</u>	<u>Testing Period</u>	<u>Report Submittal Date</u>
1 st Annual	January 1 – December 31, 2024	January 10, 2025
2 nd Annual	January 1 – December 31, 2025	January 10, 2026
3 rd Annual	January 1 – December 31, 2026	January 10, 2027
4 th Annual	January 1 – December 31, 2027	January 10, 2028
5 th Annual	January 1 – June 30, 2028	July 10, 2028

F. OTHER REQUIREMENTS AND SPECIAL CONDITIONS

1. **95% Capacity Reopener** – A written notice and a plan of action for ensuring continued compliance with the terms of this permit shall be submitted to the DEQ-Valley Regional Office when the monthly average influent flow to the wastewater treatment facility reaches 95 percent of the design capacity authorized in this permit for each month of any three consecutive month period. The written notice shall be submitted within 30 days and the plan of action shall be received at the DEQ-Valley Regional Office no later than 90 days from the third consecutive month for which the flow reached 95 percent of the design capacity. The plan shall include the necessary steps and a prompt schedule of implementation for controlling any current or reasonably anticipated problem resulting from high influent flows. Failure to submit an adequate plan in a timely manner shall be deemed a violation of this permit.
2. **Indirect Dischargers** – The permittee shall provide adequate notice to the DEQ-Valley Regional Office of the following:
 - a. Any new introduction of pollutants into the treatment works from an indirect discharger which would be subject to Section 301 or 306 of the Clean Water Act and the State Water Control Law if it were directly discharging those pollutants; and
 - b. Any substantial change in the volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of this permit.

Adequate notice shall include information on 1) the quality and quantity of effluent introduced into the treatment works, and 2) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the treatment works.

3. **Materials Handling/Storage** – Any and all product, materials, or wastes shall be handled, disposed of, and/or stored in such a manner and consistent with Best Management Practices, so as not to permit a discharge of such product, materials, or other wastes to State waters, except as expressly authorized.
4. **Operation and Maintenance (O&M) Manual Requirement** – The permittee shall maintain a current O&M Manual for the treatment works that is in accordance with Virginia Pollutant Discharge Elimination System Regulations, 9VAC25-31 and Sewage Collection and Treatment Regulations, 9VAC25-790.

The O&M Manual and subsequent revisions shall include the manual effective date and meet Part II.K.2 and Part II.K.4 Signatory Requirements of the permit. Any changes in the practices and procedures followed by the permittee shall be documented in the O&M Manual within 90 days of the effective date of the changes. The permittee shall operate the treatment works in accordance with the O&M Manual and shall make the O&M Manual available to DEQ personnel for review during facility inspections. Within 30 days of a request by DEQ, the current O&M Manual shall be submitted to the DEQ-Valley Regional Office for review and approval.

The O&M Manual shall detail the practices and procedures which will be followed to ensure compliance with the requirements of this permit. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

- a. Permitted outfall locations and techniques to be employed in the collection, preservation, and analysis of effluent, stormwater, and sludge samples;
- b. Procedures for measuring and recording the duration and volume of treated wastewater discharged;
- c. Discussion of Best Management Practices, if applicable;
- d. Procedures for handling, storing, and disposing of all wastes, fluids, and pollutants characterized in Part I.F.3 that will prevent these materials from reaching state waters. List type and quantity of wastes, fluids, and pollutants (e.g. chemicals) stored at this facility;

- e. Discussion of treatment works design, treatment works operation, routine preventative maintenance of units within the treatment works, critical spare parts inventory and record keeping;
 - f. Plan for the management and/or disposal of waste solids and residues;
 - g. Hours of operation and staffing requirements for the plant to ensure effective operation of the treatment works and maintain permit compliance;
 - h. List of facility, local, and state emergency contacts; procedures for reporting and responding to any spills/overflows/treatment works upsets; and
 - i. Procedures for documenting compliance with the permit requirement that there shall be no discharge of floating solids or visible foam in other than trace amounts.
5. Certificate to Construct (CTC) / Certificate to Operate (CTO) Requirement – The permittee shall, in accordance with the DEQ Sewage Collection and Treatment Regulation (9VAC25-790), obtain a CTC and a CTO prior to constructing and operating the wastewater treatment works. Noncompliance with the CTC or CTO shall be deemed a violation of the permit.
 6. Sludge Management Plan (SMP) Requirement – The permittee shall conduct all sludge use or disposal activities in accordance with the SMP approved with the reissuance of this permit. Any proposed changes in the sludge use or disposal practices or procedures followed by the permittee shall be documented and submitted for DEQ approval 90 days prior to the effective date of the changes. Upon approval, the SMP becomes an enforceable part of the permit. This permit may be modified or, alternatively, revoked and reissued to incorporate limitations/conditions necessitated by substantive changes in sludge use or disposal practices.
 7. Licensed Operator Requirement – The permittee shall employ or contract at least one Class I licensed wastewater works operator for this facility. The license shall be issued in accordance with Title 54.1 of the Code of Virginia and the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Regulations. The permittee shall notify the DEQ-Valley Regional Office in writing whenever he is not complying, or has grounds for anticipating he will not comply with this requirement. The notification shall include a statement of reasons and a prompt schedule for achieving compliance.
 8. Reliability Class – The permitted treatment works shall meet Reliability Class II.
 9. Water Quality Criteria Monitoring – The permittee shall monitor the effluent at Outfall 001 for the substances noted in Attachment A of this permit according to the quantification level and sample type. Monitoring shall be performed once between November 1, 2026, and October 31, 2027. The data shall be submitted by November 30, 2027, using Attachment A or a form provided by DEQ. Quality control and quality assurance information (i.e. laboratory certificates of analysis) shall be submitted to document that the required quantification level has been attained. Monitoring and analyses shall be conducted in accordance with 40 CFR Part 136 or alternative EPA approved methods. Methods other than those specified in Attachment A may be used with prior notification to and approval from DEQ. It is the responsibility of the permittee to ensure that proper QA/QC protocols are followed during the sample gathering and analytical procedures. DEQ will use these data for making specific permit decisions in the future. This permit may be modified or, alternatively, revoked and reissued to incorporate limits for any of the substances listed in Attachment A.
 10. Treatment Works Closure Plan – If the permittee plans an expansion or upgrade to replace the existing treatment works, or if the facility is permanently closed, the permittee shall submit to the DEQ-Valley Regional Office a closure plan for the existing treatment works. The plan shall address the following information as a minimum: Verification of elimination of sources and/or alternate treatment scheme; treatment, removal and final disposition of residual wastewater and solids; removal/demolition/disposal of structures, equipment, piping and appurtenances; site grading, and erosion and sediment control; restoration of site vegetation; access control; fill materials; and proposed land use (post-closure) of the site. The plan should contain proposed dates for beginning and completion of the work. The plan must be approved by the DEQ prior to implementation. Once approved, the plan shall become an enforceable part of this permit and closure

shall be implemented in accordance with the approved plan. The permittee may continue discharging until the effluent no longer meets the permit limits or the permit expires, whichever occurs first. No later than 14 days following closure completion, the permittee shall submit to the DEQ-Valley Regional Office written notification of the closure completion date and a certification of closure in accordance with the approved plan.

11. Reopeners – This permit may be modified or, alternatively, revoked and reissued:
 - a. If any approved waste load allocation procedure, pursuant to Section 303(d) of the Clean Water Act, imposes waste load allocations, limits or conditions on the facility that are not consistent with the permit requirements; or
 - b. To incorporate technology-based effluent concentration limitations for nutrients in conjunction with the installation of nutrient control technology, whether by new construction, expansion or upgrade; or
 - c. To include new or alternative nutrient limitations and/or monitoring requirements, should:
 - (1) The State Water Control Board adopt nutrient standards for the water body receiving the discharge, or
 - (2) A future water quality regulation or statute require new or alternative nutrient control; or
 - d. If any applicable standard for sewage sludge use or disposal promulgated under Section 405(d) of the Clean Water Act is more stringent than any requirements for sludge use or disposal in this permit, or controls a pollutant or practice not limited in this permit.
12. Permit Maintenance Fees – Any owner whose permit is effective as of April 1st of a given calendar year (including permits that have been administratively continued) shall pay the applicable permit maintenance fee(s) to the Department by October 1st of that same calendar year. No permit will be reissued or administratively continued without payment of the required fee(s).
13. The annual average concentration limitations for TN and/or TP are suspended during any calendar year in which the facility is considered by DEQ to be a participant in the Virginia Environmental Excellence Program in good standing at either the Exemplary Environmental Enterprise (E3) level or the Extraordinary Environmental Enterprise (E4) level, provided that the following conditions have also been met:
 - a. The facility has applied for (or renewed) participation, been accepted, maintained a record of sustained compliance and submitted an annual report according to the program guidelines;
 - b. The facility has demonstrated that they have in place a fully implemented environmental management system (EMS) with an alternative compliance method that includes operation of installed nutrient removal technologies to achieve the annual average concentration limitations; and
 - c. The E3/E4 designation from DEQ and implementation of the EMS has been in effect for the full calendar year.

The annual average concentration limitations for TN and/or TP, as applicable, are not suspended in any calendar year following a year in which the facility failed to achieve the annual average concentration limitations as required by Part I.F.13.b.

DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY MONITORING

OUTFALL NO. 001

All analyses shall be in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

A listing of Virginia Environmental Laboratory Accreditation Program (VELAP) certified and/or accredited laboratories can be found at the following website:

<http://dgs.virginia.gov/DivisionofConsolidatedLaboratoryServices/Services/EnvironmentalLaboratoryCertification2/tabid/1503/Default.aspx>

A specific analytical method is not specified; however, an appropriate method to meet the QL shall be selected from (i) any approved method presented in 40 CFR Part 136 or (ii) any alternative EPA approved method, provided that all analyses are in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

Units for the quantification level are micrograms/liter unless otherwise specified.

Quality control and quality assurance information (i.e. laboratory certificates of analysis) shall be submitted to document that the required quantification level has been attained.

Please be advised that additional water quality analyses may be necessary and/or required for permitting purposes.

CASRN	PARAMETER	QUANTIFICATION LEVEL ⁽¹⁾	REPORTING RESULTS ⁽²⁾	RESULTS UNIT	SAMPLE TYPE ⁽³⁾
METALS					
7440-36-0	Antimony, Dissolved	3030 ug/L			C
7440-38-2	Arsenic, Dissolved	216 ug/L			C
7440-43-9	Cadmium, Dissolved	1.86 ug/L			C
16065-83-1	Chromium III, Dissolved ⁽⁵⁾	538 ug/L			C
18540-29-9	Chromium VI, Dissolved ⁽⁵⁾	10.2 ug/L			C
7440-50-8	Copper, Dissolved	14 ug/L			C
7439-92-1	Lead, Dissolved	86.8 ug/L			C
7439-97-6	Mercury, Dissolved	0.89 ug/L			C
7440-02-0	Nickel, Dissolved	149 ug/L			C
7782-49-2	Selenium, Total Recoverable	12.7 ug/L			C
7440-22-4	Silver, Dissolved	5.41 ug/L			C
7440-28-0	Thallium, Dissolved	2.25 ug/L			C
7440-66-6	Zinc, Dissolved	116 ug/L			C
PESTICIDES/PCBs					
309-00-2	Aldrin	0.05 ug/L			G or C
63-25-2	Carbaryl	(4)			G or C
57-74-9	Chlordane	0.2 ug/L			G or C
2921-88-2	Chlorpyrifos (synonym = Dursban)	(4)			G or C
72-54-8	DDD	0.1 ug/L			G or C

DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY MONITORING

OUTFALL NO. 001

CASRN	PARAMETER	QUANTIFICATION LEVEL ⁽¹⁾	REPORTING RESULTS ⁽²⁾	RESULTS UNIT	SAMPLE TYPE ⁽³⁾
72-55-9	DDE	0.1 ug/L			G or C
50-29-3	DDT	0.1 ug/L			G or C
8065-48-3	Demeton (synonym = Dementon-O,S)	(4)			G or C
333-41-5	Diazinon	(4)			G or C
60-57-1	Dieldrin	0.1 ug/L			G or C
959-98-8	Alpha-Endosulfan (synonym = Endosulfan I)	0.1 ug/L			G or C
33213-65-9	Beta-Endosulfan (synonym = Endosulfan II)	0.1 ug/L			G or C
1031-07-8	Endosulfan Sulfate	0.1 ug/L			G or C
72-20-8	Endrin	0.1 ug/L			G or C
7421-93-4	Endrin Aldehyde	(4)			G or C
86-50-0	Guthion (synonym = Azinphos Methyl)	(4)			G or C
76-44-8	Heptachlor	0.05 ug/L			G or C
1024-57-3	Heptachlor Epoxide	(4)			G or C
319-84-6	Hexachlorocyclohexane Alpha-BHC	(4)			G or C
319-85-7	Hexachlorocyclohexane Beta-BHC	(4)			G or C
58-89-9	Hexachlorocyclohexane Gamma-BHC (synonym = Lindane)	(4)			G or C
143-50-0	Kepone	(4)			G or C
121-75-5	Malathion	(4)			G or C
72-43-5	Methoxychlor	(4)			G or C
2385-85-5	Mirex	(4)			G or C
56-38-2	Parathion (synonym = Parathion Ethyl)	(4)			G or C
1336-36-3	PCB, total	7.0 ug/L			G or C
8001-35-2	Toxaphene	5.0 ug/L			G or C
BASE NEUTRAL EXTRACTABLES					
83-32-9	Acenaphthene	10.0 ug/L			C
120-12-7	Anthracene	10.0 ug/L			C
92-87-5	Benzidine	(4)			C
56-55-3	Benzo(a)anthracene	10.0 ug/L			C
205-99-2	Benzo(b)fluoranthene (synonym = 3,4-Benzofluoranthene)	10.0 ug/L			C
207-08-9	Benzo(k)fluoranthene	10.0 ug/L			C

DEPARTMENT OF ENVIRONMENTAL QUALITY
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CASRN	PARAMETER	QUANTIFICATION LEVEL ⁽¹⁾	REPORTING RESULTS ⁽²⁾	RESULTS UNIT	SAMPLE TYPE ⁽³⁾
50-32-8	Benzo(a)pyrene	10.0 ug/L			C
111-44-4	Bis 2-Chloroethyl Ether	(4)			C
117-81-7	Bis 2-Ethylhexyl Phthalate (synonym = Di-2-Ethylhexyl Phthalate)	10.0 ug/L			C
85-68-7	Butyl Benzyl Phthalate	10.0 ug/L			C
91-58-7	2-Chloronaphthalene	(4)			C
218-01-9	Chrysene	10.0 ug/L			C
53-70-3	Dibenzo(a,h)anthracene	20.0 ug/L			C
95-50-1	1,2-Dichlorobenzene	10.0 ug/L			C
541-73-1	1,3-Dichlorobenzene	10.0 ug/L			C
106-46-7	1,4-Dichlorobenzene	10.0 ug/L			C
91-94-1	3,3-Dichlorobenzidine	(4)			C
84-66-2	Diethyl Phthalate	10.0 ug/L			C
131-11-3	Dimethyl Phthalate	(4)			C
84-74-2	Di-n-butyl Phthalate (synonym = Dibutyl Phthalate)	10.0 ug/L			C
121-14-2	2,4-Dinitrotoluene	10.0 ug/L			C
122-66-7	1,2-Diphenylhydrazine	(4)			C
206-44-0	Fluoranthene	10.0 ug/L			C
86-73-7	Fluorene	10.0 ug/L			C
118-74-1	Hexachlorobenzene	(4)			C
87-68-3	Hexachlorobutadiene	(4)			C
77-47-4	Hexachlorocyclopentadiene	(4)			C
67-72-1	Hexachloroethane	(4)			C
193-39-5	Indeno(1,2,3-cd)pyrene	20.0 ug/L			C
78-59-1	Isophorone	10.0 ug/L			C
98-95-3	Nitrobenzene	10.0 ug/L			C
62-75-9	N-Nitrosodimethylamine	(4)			C
86-30-6	N-Nitrosodiphenylamine	(4)			C
621-64-7	N-Nitrosodi-n-propylamine	(4)			C
108-60-1	2,2'-oxybis(1-chloropropane) (synonym = Bis(2-chloro-1-methylethyl) ether)	(4)			C
608-93-5	Pentachlorobenzene	(4)			C

DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY MONITORING

OUTFALL NO. 001

CASRN	PARAMETER	QUANTIFICATION LEVEL ⁽¹⁾	REPORTING RESULTS ⁽²⁾	RESULTS UNIT	SAMPLE TYPE ⁽³⁾
129-00-0	Pyrene	10.0 ug/L			C
95-94-3	1,2,4,5-Tetrachlorobenzene	(4)			C
120-82-1	1,2,4-Trichlorobenzene	10.0 ug/L			C
VOLATILES					
107-02-8	Acrolein	(4)			G
107-13-1	Acrylonitrile	(4)			G
71-43-2	Benzene	10.0 ug/L			G
75-25-2	Bromoform	10.0 ug/L			G
56-23-5	Carbon Tetrachloride	10.0 ug/L			G
108-90-7	Chlorobenzene (synonym = Monochlorobenzene)	50.0 ug/L			G
124-48-1	Chlorodibromomethane	10.0 ug/L			G
67-66-3	Chloroform	10.0 ug/L			G
75-27-4	Dichlorobromomethane	10.0 ug/L			G
107-06-2	1,2-Dichloroethane	10.0 ug/L			G
75-35-4	1,1-Dichloroethylene	10.0 ug/L			G
156-60-5	1,2-trans-dichloroethylene	(4)			G
78-87-5	1,2-Dichloropropane	(4)			G
542-75-6	1,3-Dichloropropene	(4)			G
100-41-4	Ethylbenzene	10.0 ug/L			G
74-83-9	Methyl Bromide (synonym = Bromomethane)	(4)			G
75-09-2	Methylene Chloride (synonym = Dichloromethane)	20.0 ug/L			G
79-34-5	1,1,2,2-Tetrachloroethane	(4)			G
127-18-4	Tetrachloroethylene (synonym = Tetrachloroethene)	10.0 ug/L			G
10-88-3	Toluene	10.0 ug/L			G
71-55-6	1,1,1-Trichloroethane	(4)			G
79-00-5	1,1,2-Trichloroethane	(4)			G
79-01-6	Trichloroethylene (synonym = Trichloroethene)	10.0 ug/L			G
75-01-4	Vinyl Chloride	10.0 ug/L			G
ACID EXTRACTABLES					
95-57-8	2-Chlorophenol	10.0 ug/L			G or C

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WATER QUALITY MONITORING

OUTFALL NO. 001

CASRN	PARAMETER	QUANTIFICATION LEVEL ⁽¹⁾	REPORTING RESULTS ⁽²⁾	RESULTS UNIT	SAMPLE TYPE ⁽³⁾
120-83-2	2,4 Dichlorophenol	10.0 ug/L			G or C
105-67-9	2,4 Dimethylphenol	10.0 ug/L			G or C
51-28-5	2,4-Dinitrophenol	(4)			G or C
534-52-1	2-Methyl-4,6-Dinitrophenol (synonym = 4,6-Dinitro-o-cresol)	(4)			G or C
59-50-7	3-Methyl-4-Chlorophenol (synonym = p-Chloro-m-cresol)	(4)			G or C
84852-15-3	Nonylphenol	(4)			G or C
87-86-5	Pentachlorophenol	50.0 ug/L			G or C
108-95-2	Phenol	10.0 ug/L			G or C
95-95-4	2,4,5-Trichlorophenol	(4)			G or C
88-06-2	2,4,6-Trichlorophenol	10.0 ug/L			G or C
MISCELLANEOUS					
16887-00-6	Chloride (mg/L)	(4)			C
57-12-5	Total Cyanide ⁽⁶⁾	10.0 ug/L			G
18496-25-8	Total Sulfide ⁽⁷⁾	100 ug/L			G or C
60-10-5	Tributyltin ⁽⁸⁾	(4)			G or C
471-34-1	Hardness (mg/L as CaCO ₃)	(4)			C

Name of Principal Executive Officer or Authorized Agent/Title

Signature of Principal Executive Officer or Authorized Agent/Date

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. See 18 U.S.C. Sec. 1001 and 33 U.S.C. Sec. 1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)

Footnotes to Water Quality Monitoring Attachment A

- (1) Quantification level (QL) means the minimum levels, concentrations, or quantities of a target variable (e.g. target analyte) that can be reported with a specified degree of confidence in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

The quantification levels indicated for the metals are actually Specific Target Values developed for this permit. The Specific Target Value is the approximate value that may initiate a wasteload allocation analysis. Target values are not wasteload allocations or effluent limitations. The Specific Target Values are subject to change based on additional information such as hardness data, receiving stream flow, and design flows.

- (2) If the reporting result is greater than or equal to the QL, then include the reporting result. If the reporting result is less than the QL, then report "< [lab QL]". For example, if the reporting result is below the QL with a QL of 25 micrograms/liter, then report "<25".

- (3) Sample Type

G = Grab = An individual sample collected in less than 15 minutes. Substances specified with "grab" sample type shall only be collected as grabs. The permittee may analyze multiple grabs and report the average results provided that the individual grab results are also reported. For dissolved metals samples, the samples shall be filtered and preserved immediately upon collection.

C = Composite = A 24-hour composite unless otherwise specified. The composite shall be a combination of individual samples, taken proportional to flow, obtained at hourly or smaller time intervals. The individual samples may be of equal volume for flows that do not vary by +/- 10 percent over a 24-hour period. For dissolved metals, the sample must be filtered within 15 minutes after completion of collection and before adding preservatives. If it is known or suspected that dissolved sample integrity will be compromised during collection of a composite sample collected automatically over time (e.g., by interchange of a metal between dissolved and suspended forms), collect and filter grab samples to be composited in place of a composite sample collected automatically.

- (4) The QL is at the discretion of the permittee.
- (5) Both Chromium III and Chromium VI may be measured by the total chromium analysis. The total chromium analytical test QL shall be less than or equal to the lesser of the Chromium III or Chromium VI method QL listed above. If the result of the total chromium analysis is less than the analytical test QL, both Chromium III and Chromium VI can be reported as "<[QL]", where the actual analytical test QL is substituted for [QL].
- (6) The total cyanide analytical test QL shall be less than or equal to the QL listed above. If the result of the total cyanide analysis is greater than the analytical test QL, then the effluent must be retested for free cyanide with an analytical test QL less than or equal to the total cyanide QL listed above.
- (7) The total sulfide analytical test QL shall be less than or equal to the QL listed above. If the result of the total sulfide analysis is greater than the analytical test QL, then the effluent must be retested for dissolved sulfide with an analytical test QL less than or equal to the total sulfide QL listed above.
- (8) Analytical Methods: Analysis of Butyltins in Environmental Systems by the Virginia Institute of Marine Science, dated November 1996 or other method approved by DEQ.

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring

1. Samples and measurements required by this permit shall be taken at the permit designated or approved location and be representative of the monitored activity.
 - a. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
 - b. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.
 - c. Samples taken shall be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.
2. Any pollutant specifically addressed by this permit that is sampled or measured at the permit designated or approved location more frequently than required by this permit shall meet the requirements in Part II.A.1.a through c above and the results of this monitoring shall be included in the calculations and reporting required by this permit.
3. Operational or process control samples or measurements shall not be taken at the designated permit sampling or measurement locations. Operational or process control samples or measurements do not need to follow procedures approved under Title 40 Code of Federal Regulations Part 136 or be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

B. Records

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Department.

C. Reporting Monitoring Results

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after the required monitoring period, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

Department of Environmental Quality
Valley Regional Office
P.O. Box 3000
Harrisonburg, Virginia 22801

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.
3. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Department may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges

Except in compliance with this permit, or another permit issued by the Department, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II.F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II.F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II.I.2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
 - a. Any unanticipated bypass; and
 - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Department may waive the written report on a case-by-case basis for reports of noncompliance under Part II.I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II.I.1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II.I.2.

NOTE: The immediate (within 24 hours) reports required in Parts II.G, H and I shall be made to the Department's Valley Regional Office at VRO.SSO-UD@deq.virginia.gov. During normal working hours (8:30 am to 4:30 pm Monday through Friday), if email is unavailable, the reports may be made at 540-574-7800. Outside normal working hours, if email is unavailable, the reports may be made at 540-820-3449. For emergencies, the Virginia Department of Emergency Services maintains a 24-hour telephone service at 800-468-8892.

J. Notice of Planned Changes

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
 - (1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or
 - (2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements

1. Applications. All permit applications shall be signed as follows:
 - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the Department shall be signed by a person described in Part II.K.1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part II.K.1;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
 - c. The written authorization is submitted to the Department.
3. Changes to authorization. If an authorization under Part II.K.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II.K.2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.
4. Certification. Any person signing a document under Parts II.K.1 or 2 shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Department. The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II.U), and "upset" (Part II.V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II.U.2 and U.3.
2. Notice
 - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
 - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II.I.

3. Prohibition of bypass

- a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The permittee submitted notices as required under Part II.U.2.
- b. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in Part II.U.3.a.

V. Upset

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II.V.2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The permittee submitted notice of the upset as required in Part II.I; and
 - d. The permittee complied with any remedial measures required under Part II.S.
3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of Permits

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II.Y.2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
2. As an alternative to transfers under Part II.Y.1, this permit may be automatically transferred to a new permittee if:
 - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
 - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
 - c. The Department does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II.Y.2.b.

Z. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

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COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: March 11, 2024

Item# 3C

Agenda Item: Community Development Update

Summary: Providing Council with updated information about Tourism, Community Events, and other Development related items.

Budget/Funding:

Staff Recommendation:



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: March 11, 2024

Item#4A

Agenda Item: FY24-25 Proposed Budget Additional Discussion

Summary: Public hearings regarding the FY24-25 Budget Appropriation Ordinance, personal property/real estate tax rates, and 2.25% increase in sewer rates are intended to be held during Town Council's regular meeting scheduled for April 22nd, 2024. Advertisements for the public hearing will be placed in local news media prior to April 22, 2024.

Staff will request direction from Town Council during the April 1, 2024 work session regarding advertisements for the 2024 Real Estate and Personal Property tax rate advertisements to be placed.

Budget/Funding: N/A

Staff Recommendation: Staff recommends to discuss any questions related to the Town's FY24-25 Proposed Budget prior to approval of appropriation ordinance, real estate/personal property tax rates, and 2.25% sewer rate increase.



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: **March 11, 2024**

Item#4B

Agenda Item: Solid Waste Collection

Summary: During January 8th, 2024 work session, Council was provided with a presentation from MSW Consultant regarding recommended increases in solid waste rates. Part of the presentation recommended an increase in monthly rates for entry on to private property from \$5.00 per month to \$23.50 per month.

Currently, the Town has approximately 63 accounts that are paying \$5.00 per month for private collection. Upon further research staff determined that the current ordinance "85-6 ADDITIONAL CHARGE FOR ENTRY ONTO PRIVATE PROPERTY FOR COLLECTION" has resulted in some operational issues. Approximately 20 of the 63 accounts are being picked up due to medical reasons.

The proposed ordinance amendment would help with some of the operational issues and assist in re-evaluating applicants periodically.

Budget/Funding: 4203-3160802 Solid Waste Sales of Services

Current Private Collection Charge -	\$5.00 per month
Proposed Private Collection charge -	\$23.50 per month

Staff Recommendation: Staff's goal is to start dialogue, in advance, with customers that could be effected regarding changes in operations and have new ordinance effective July 1, 2024.

CURRENT

85-6 ADDITIONAL CHARGE FOR ENTRY ONTO PRIVATE PROPERTY FOR COLLECTION

When any person not less than sixty-five (65) years of age or permanently and totally disabled requests in writing that the Town solid waste collection equipment or personnel enter upon private property for the purpose of making such collection, the customer making such request shall pay an additional collection charge of five dollars (\$5.00) per month, which shall be added to and collected with the regular solid waste collection charge, and the Town solid waste collection personnel shall enter the private property for the purpose of such collection. In addition, at the discretion of the Director of Public Works, Town solid waste equipment and/or personnel may make curbside collection of the solid waste of any person, regardless of age or ability, whose property does not front on a Town-maintained street and who requests curbside solid waste collection in writing and pays the additional collection charge of five dollars (\$5.00) per month; provided that such person places such solid waste for collection at the front lot line at such non-Town-maintained road on the appropriate day and in the appropriate container provided in this Chapter.

(Amended 8-26-02-Effective Upon Passage ; Amended 3-14-05-Effective Upon Passage)

(Amended 11-27-06-Effective Upon Passage)

PROPOSED

85-6 ADDITIONAL CHARGE FOR SPECIAL LOCATION SOLID WASTE COLLECTION ONTO PRIVATE PROPERTY

Special location solid waste collection service is offered to Town of Front Royal households where all members of the household meet the following conditions: residents are at least 65 years old or have a doctor verified medical need; the account holder making such request shall pay an additional collection charge of \$23.50 per month, which shall be added to and collected with account holders monthly utility bill.

Special collection means that Town issued containers will be collected from **one** designated collection location that is mutually agreed upon, by the Director of Public Works (or designee) and account holder, within 25 feet of residence. Materials will only be collected at the designated location mutually agreed upon and will not be collected if there is heavy snow, ice, or other obstructions blocking the path to the designated collection location.

A written application must be completed and signed by all members of the household. A person with Power of Attorney may sign on a resident's behalf. If a resident is younger than 65 years old, a written medical need signed by a licensed doctor must be provided to the Town. Children under the age of 18 will be listed on the application, but are not required to sign.

Upon approval of the Director of Public Works (or designee) service will remain in effect for a period not exceeding three years, or upon termination of utility account; upon which reapplication may be made by account holder. Account holder may end special location solid waste collection at any time by providing Town written notification.



Regular Work Session Agenda Statement

Item # 4C

Meeting Date: March 11, 2024

Agenda Item: Alley Vacation Request at 225 East 7th Street/631 Kibler Street

Summary: The alley vacation request was discussed at our work session on Monday, February 12, 2024, and Council moved the item forwarded for a public hearing on Monday, March 25, 2024. During the meeting, Council also requested a viewing committee report to provide a third-party review of the request.

The purpose of the vacation is to “create a legally conforming lot. Lots are required to have a minimum of 7,500 sq. ft.” It appears that there are two single-family structures with one structure on a conforming lot. The other structure is situated partially on the first lot, and the rest on its own lot. The conforming lot faces E. Seventh Street. The non-conforming structure faces Kibler Street. If the vacation is approved, both lots will be conforming.

The viewing committee has reviewed the application and completed a site visit on the alley vacation request. Their report is attached, and the following is a summary:

After considering the request, the Viewing Committee unanimously recommends APPROVAL of the vacation as requested by the applicant. The Viewing Committee also recommends that the Town of Front Royal obtain a 15 ft. wide easement on the north side of E. Seventh Street to provide access to the remainder portion of E. Seventh Street to Happy Creek.

Budget/Funding: N/A

Staff Direction: Public Hearing scheduled/Information Only

FROM: Viewing Committee
TO: Front Royal Mayor and Town Council
DATE: March 5, 2024
SUBJ: VACATION OF STREETS AND ALLEY, ETC.

The Viewing Committee, printed names and signatures below, were asked to render an opinion to APPROVE or DENY the application of Property Correction, LLC requesting the vacation of a 43.83 ft. x 74.50 ft. section of East Seventh Street at its intersection with Kibler Street in the Town of Front Royal, Va.

The purpose of the vacation is to “create a legally conforming lot. Lots are required to have a minimum of 7,500 sq. ft.” It appears that there are two single-family structures with one structure on a conforming lot. The other structure is situated partially on the first lot, and the rest on its own lot. The conforming lot faces E. Seventh Street. The non-conforming structure faces Kibler Street. If the vacation is approved, both lots will be conforming.

We noted that portions of E. Seventh Street are used for parking by two or more commercial businesses. This appears to be a long-standing arrangement for this area. The current owner of one of the businesses spoke with the Viewing Committee to express his concern that not using the portion of E. Seventh Street next to his property for parking would pose a hardship on his business. It was also noted that if the vacation is approved, there would be no access to the remainder portion of E. Seventh Street to Happy Creek.

After considering the request, the Viewing Committee unanimously recommends APPROVAL of the vacation as requested by the applicant. The Viewing Committee also recommends that the Town of Front Royal obtain a 15 ft. wide easement on the north side of E. Seventh Street to provide access to the remainder portion of E. Seventh Street to Happy Creek.

Sincerely,

Ronald W. “Jay” Crawford
Staige F. Miller, Jr.
Robert R. North

Ronald W. “Jay” Crawford
Staige F. Miller, Jr.
Robert R. North



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: March 11, 2024

Item #5

Motion to go into Closed Meeting

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes]

I move that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose:

- 1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically, the Town Manager; and,
- 2) pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, Town of Front Royal v. Front Royal Limited Partnership.

Motion to Certify Closed Meeting at its Conclusion

[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.