

J. David Rives, P.E.

Vice President  
Fossil & Hydro

**Dominion Generation**

Innsbrook Technical Center  
5000 Dominion Boulevard, Glen Allen, VA 23060



**Dominion®**

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Oct 02 2019

June 11, 2007

Docket No. E-22, Sub 562

Public Staff Late Filed Exhibit 2

Mr. Keith Fowler  
Water Compliance Manager  
Virginia DEQ, Valley Regional Office  
P.O. Box 3000  
4411 Early Road  
Harrisonburg, VA 22801

Attachments to Company's Response to  
Public Staff Data Request 3-5 - Bremo

RE: Follow-up to pH incident at Dominion – Bremo Power Station

Dear Mr. Fowler:

This letter is a follow-up to an incident reported to Linda Ferguson Davie of your office on June 5<sup>th</sup>. On June 5, 2007, a pH sample from the discharge of the West Ash Pond (Outfall 002) showed a result of 9.4 standard units. The allowable range specified in the facility's VPDES permit is between 6 and 9 standard units (Condition A.2) based on 2 grab samples per month.

At the present time, the station believes that the rise in pH is a result, or partially a result, of a recent change in fuel supply, leading to a change in pH of the ash sluice. Station personnel are adjusting the pH of the pond by adding hydrochloric acid. This addition is slowly affecting the discharge pH. In addition, for safety reasons, the station is looking into other strategies for reducing the pH. One option is to dilute the pond with river water, whose pH is approximately 7.

Once the station has fully evaluated its options and decides on a corrective action plan, Dominion will follow up with additional communication.

If you have any questions regarding this submittal, please contact Alice Corey of Dominion's Electric Environmental Services group at (804) 273-2920.

Sincerely,

  
J. David Rives, P.E.

CC: via electronic mail

Keith Fowler  
bkfowler@deq.virginia.gov

Linda Ferguson Davie  
ljfergusondavie@deq.virginia.gov

Scan and name "BR ltr to DEQ on high pH at ash pond 06-07"

eBc:

Pam Faggert

Cathy Taylor

Bob Bisha

Alice Corey

Jean Tribull

Harry Miller

Mindy Wayland

Ron Birkhead

Bremo

ENV 55

Environmental Incident



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### VALLEY REGIONAL OFFICE

4411 Early Road, P.O. Box 3000, Harrisonburg, Virginia 22801

(540) 574-7800 Fax (540) 574-7878

[www.deq.virginia.gov](http://www.deq.virginia.gov)

L. Preston Bryant, Jr.  
Secretary of Natural Resources

David K. Paylor  
Director

Amy Thatcher Owens  
Regional Director

November 10, 2009

Ms. Pamela Faggert  
Vice President and Chief Environmental Officer  
Dominion Resources Services, Inc.  
5000 Dominion Boulevard  
Glen Allen, VA 23060

Re: Response to Warning Letter No. W2009-08-V-1006  
Bremo Power Station, VPDES Permit VA0004138

Dear Ms. Faggert:

Thank you for your August 21, 2009, letter in response to the August 3, 2009, Warning Letter. DEQ staff have completed their review of your letter and find Dominion Virginia Power's response adequately addresses the observations in the Warning Letter, with one item needing further attention. DEQ notes that in response to item 4., the O&M Manual has been modified on page 7 for Outfall 004 North Ash Disposal Facility. The modification requires revision of the SWP3 if truck hauling of fly ash is necessitated but it does not include the procedure you described of notifying DEQ of the change. The Permit requires DEQ be advised of changes to the O&M Manual, and the change has already been made requiring SWP3 modification. The Permit does not, however, require similar notification of DEQ for SWP3 revisions. To ensure the DEQ is notified in the event of Dominion – Bremo Power Station developing and implementing truck hauling procedures, we are requesting that this notification requirement be included in the O&M Manual. Please advise me if this is satisfactory with you, and provide a copy (an e-copy would suffice if that is convenient for you) of the modified page of the O&M Manual.

Please direct all replies or inquiries regarding this letter to me at the DEQ Valley Regional Office, at (540) 574-7825, or by email at [lisa.kelly@deq.virginia.gov](mailto:lisa.kelly@deq.virginia.gov).

Sincerely,

Lisa M. Kelly  
Environmental Specialist II

Enclosures

c. Gary Flory, Rick Woolard, Jean Tribull – e-copies  
File: ECM

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Oct 02 2019

**OVERNIGHT**  
**RETURN RECEIPT REQUESTED**

May 5, 2010

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

**Re: Bremono Power Station – Response to DEQ Inspection Report – VPDES Permit No. VA0004138**

Dear Ms. Kelly:

This letter is in response to DEQ inspection report dated April 15, 2010, regarding the site inspection that occurred in March of this year at Dominion's Bremono Power Station. For clarification, we are providing the statements from the April 15<sup>th</sup> DEQ inspection report and Dominion's response to each item identified as "Required Action", Dominion's response is provided in italic text. Please note, Dominion received DEQ's inspection report on April 20<sup>th</sup>.

1. Describe the nature of the water discharged from the NAP toe drains, and the treatment and ultimate disposal of the wastewater.

*Response: Based upon your telephone conversation with Mr. Rick Woolard, within the next 60 days, Dominion will be conducting a fluorescein dye test on the water in the ditch at the toe of the North Ash Pond (NAP) to verify the flow path of water from the toe drains. Based upon the results of this test, we will determine if additional characterization of the discharge is necessary to delineate the treatment and ultimate disposal of the wastewater. The results of the test will be included in the station's Storm Water Pollution Prevention Plan (SWP3).*

2. Clarify or correct the SWP3 Section 3.2.2. statement that the discharge permit VA0004138 is classified as a Minor permit.

*Response: The station's SWP3 has been revised to indicate the proper classification of the permit.*

3. Correct SWP3 Section 3 references for SW Pond outfall number, which is 204 not 203 (which is sewage treatment plant).

*Response: The station's SWP3 has been revised to reflect the correct outfall number.*

4. Notify the DEQ Valley Regional Office for approval prior to hauling fly ash/solids by truck from the WAP to the NAP.



*Response: As agreed in your telephone conversation with Mr. Rick Woolard, Dominion will provide a one-time notification to the DEQ Valley Regional Office prior to hauling fly ash/solids by truck from the West Ash Pond (WAP) to the NAP. Additionally, the station's Operation and Maintenance (O&M) Manual contains a provision to notify DEQ prior to commencing fly ash/solids hauling by truck from the WAP to the NAP.*

5. Prevent solids from being tracked out of the NAP onto the access road by truck traffic.

*Response: Within the next 60 days, the entrance road to the North Ash Pond will be evaluated for additional gravel and other Best Management Practices.*

6. Submit closure plans for the NAP, related to hauling top soil and dumping for spreading on the NAP fill ash.

*Response: The observed soil was unintentionally placed in the NAP. Upon learning of its presence, the station took action to have it analyzed and removed. The analysis determined the soil to be "clean fill" and has been removed from the North Ash Pond.*

7. Inspect the NAP emergency overflow drainage way to and including the unidentified pond for industrial impact or solids.

*Response: This area was inspected for industrial impact and solids. It is confirmed that a storm water runoff pond is located at the location identified in DEQ's inspection report. The pond appears to receive flows from the hillside directly above the pond, which would include the recreation area and emergency spillway for the North Ash Pond. No evidence of industrial activity was observed.*

8. Identify and describe the ponds in the coal run-off and SW pond area, at least three were noted during the inspection, and the pond which appears to receive storm water and possibly solids from the NAP emergency overflow.

*Response: While the areas in discussion may appear to be three separate ponds, there are actually just two, the coal pile runoff and the storm water pond (Outfall 204). The coal pile run off collects in the Northeast corner of the coal pile, this area often has standing water and may appear as a "pond". The collected runoff from the coal pile drains into a impoundment located at the head of the storm water pond, this separated area is actually the coal pile runoff pond. The coal pile pond also receives storm water from the ditch locate between North Ash Pond and the closed East Ash Pond. A dye test will be conducted at a later date to verify the direction of the flow of water within the ditch located at the foot of the North Ash Pond.*

Laboratory Action Item:

1. Perform the thermometer calibration check on the sample refrigerator, with clear reference notations.

*Response: The station's chemist purchases calibrated thermometers annually instead of calibrating the existing thermometers. New thermometers had been ordered but had not been received*

*prior to the DEQ inspection. They are currently on site. The serial number is recorded on each thermometer and on the enclosed calibration documentation that accompany the thermometers.*

If you have any questions and/or comments regarding this information please contact Rick Woolard, at (804) 273-2991 or Jean Tribull (434) 842-4104.

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.

Cathy C. Taylor  
Name of Authorized Agent

Director, Electric Environmental Services  
Title

  
Signature of Authorized Agent

May 5, 2010  
Date

Cc: w/enclosure

Ms. Beverly Carver  
Virginia Department of Environmental Quality  
Valley Regional Office  
P.O. Box 3000,  
Harrisonburg, VA 22801-3000

Ms. Lisa Kelly  
May 5, 2010  
Page 4

bc: 1 Copy with enclosure sent to:  
**File: (w) Bremo PS/ENV 55 /Correspondence**

Please scan original copy and rename:  
**2010 ~~4-29~~ Response to Warning Ltr – BR**  
*5-5*

Please send electronic renamed copy to:

C.D. Holley  
P.F. Faggert  
K. Canody  
G.P. Johnson *-CS*  
O. Shehab  
R.A. Woolard *-RAW*  
F.N. Brayton  
J. Tribull *-Approved via phone*  
M. Wayland  
Documentum: Bremo PS/Water/NPDES/Correspondence

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# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### VALLEY REGIONAL OFFICE

Russell W. Baxter  
Secretary of Natural Resources

P.O. Box 3000, Harrisonburg, Virginia 22801  
(540) 574-7800 Fax (540) 574-7878  
located at 4411 Early Road, Harrisonburg, VA  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

David K. Paylor  
Director

Amy Thatcher Owens  
Regional Director

January 5, 2018

Mr. Rick Woolard  
Senior Environmental Compliance Coordinator  
Dominion Bremo Power Station  
1038 Bremo Bluff Road  
Bremo Bluff, VA 23022

### **WARNING LETTER**

Re: WL No. WS-17-VRO-11-013  
Dominion Bremo Power Station – Bremo Bluff, VA  
CCR Surface Impoundments – North Pond, East Pond, West Pond

Dear Mr. Woolard:

The Department of Environmental Quality (“DEQ” or “Department”) has reason to believe that the Dominion Bremo Power Station may be in violation of the Virginia Solid Waste Management Regulations, 9 VAC 20-81-10 *et seq.* (“Regulations”), which incorporates 40 CFR Part 257 Subpart D, which is the EPA’s Final Rule on the Disposal of CCR from Electric Utilities (“CCR Rule”).

This letter addresses conditions at the facility named above and also cites compliance requirements of the Regulations and CCR Rule. Pursuant to Va. Code § 10.1-1455 (G), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* (“APA”). DEQ requests that you respond **within 20 days of the date of this letter.**

### **OBSERVATIONS AND LEGAL REQUIREMENTS**

On November 9, 2017, DEQ Valley Regional Office (VRO) staff conducted an announced focused compliance inspection of the Dominion Bremo Power Station’s Coal Combustion Residuals (CCR) surface impoundments, specifically the North Pond, East Pond, and West Pond. Staff also reviewed documents provided to DEQ during the course of the inspection. Please note that although a solid waste permit for the impoundments has not been issued, the purpose of this inspection was to evaluate the impoundments for compliance with applicable provisions of the Regulations, which incorporates the CCR Rule. A copy of the

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inspection checklist is attached. The following describe the staff's factual observations and identify the applicable legal requirements.

1. *Observations:* The following weekly inspections of the North Pond, East Pond, and West Pond were conducted eight days after the previous inspection:

North Pond	December, 8, 2016, January 19, 2017, January 27, 2017, March 2, 2017, April 28, 2017, June 9, 2017, and August 17, 2017
East Pond	April 28, 2017, June 9, 2017, and August 17, 2017
West Pond	April 28, 2017, May 11, 2017, June 9, 2017, and August 17, 2017

***Legal Requirements:*** 40 CFR §257.83(a) states “Inspections by a qualified person. (1) All CCR surface impoundments and any lateral expansion of a CCR surface impoundment must be examined by a qualified person as follows:

- (i) At intervals not exceeding seven days, inspect for any appearances of actual or potential structural weakness and other conditions which are disrupting or have the potential to disrupt the operation or safety of the CCR unit;
- (ii) At intervals not exceeding seven days, inspect the discharge of all outlets of hydraulic structures which pass underneath the base of the surface impoundment or through the dike of the CCR unit for abnormal discoloration, flow or discharge of debris or sediment;”

2. *Observations:* The initial 2016 Annual Engineering Inspection Report for the North Pond was certified on September 9, 2016 and placed in the facility's operating record on September 10, 2016. Therefore, the first subsequent inspection report should have been completed by September 10, 2017. However, the 2017 Annual Engineering Inspection Report for the North Pond was certified on October 16, 2017 and placed in the facility's operating record on October 19, 2017.

***Legal Requirements:*** 40 CFR §257.83(b) states “(4) Frequency of inspections. (i) Except as provided for in paragraph (b)(4)(ii) of this section, the owner or operator of the CCR unit must conduct the inspection required by paragraphs (b)(1) and (2) of this section on an annual basis. The date of completing the initial inspection report is the basis for establishing the deadline to complete the first subsequent inspection...For purposes of this section, the owner or operator has completed an inspection when the inspection report has been placed in the facility's operating record as required by §257.105(g)(6).”

#### **ENFORCEMENT AUTHORITY**

Va. Code § 10.1-1455 of the Waste Management Act provides for an injunction for any violation of the Waste Management Act, Waste Management Board regulations, an order, or

permit condition, and provides for a civil penalty up to \$32,500 per day of each violation of the Waste Management Act, regulation, order or permit condition. In addition, Va. Code § 10.1-1455 (G) authorizes the Waste Management Board to issue orders to any person to comply with the Waste Management Act and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the Waste Management Act and regulations. Va. Code §§ 10.1-1455(D) and 10.1-1455(I) provide for other additional penalties.

### **FUTURE ACTIONS**

After reviewing this letter, please respond in writing to DEQ **within 20 days of the date of this letter** detailing actions you have taken or will be taking to ensure compliance with state law and regulations. If corrective action will take longer than 90 days to complete, you may be asked to sign a Letter of Agreement or enter into a Consent Order with the Department to formalize the plan and schedule. *It is DEQ policy that appropriate, timely, corrective action undertaken in response to a Warning Letter may avoid adversarial enforcement proceedings and the assessment of civil charges or penalties.*

Please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. Also, if informal discussions do not lead to a satisfactory conclusion, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred. For further information on the [Process for Early Dispute Resolution](http://www.deq.virginia.gov/Programs/Enforcement/Laws,Regulations,Guidance.aspx), please see Agency Policy Statement No. 8-2005 posted on the Department's website under "Programs," "Enforcement," and "Laws, Regulations, & Guidance" (<http://www.deq.virginia.gov/Programs/Enforcement/Laws,Regulations,Guidance.aspx>) or ask the DEQ contact listed below.

Your contact at DEQ in this matter is Greg Adamson. Please direct written materials to his attention. If you have questions or wish to arrange a meeting, you may reach him directly at (540) 574-7834 or [Gregory.Adamson@deq.virginia.gov](mailto:Gregory.Adamson@deq.virginia.gov).

Sincerely,



**Graham H. Simmerman, Jr., P.G.**

VRO Land Protection Program Manager

cc: Greg Adamson, VRO Solid Waste Compliance Inspector  
Priscilla Fisher, CO Solid Waste Compliance Coordinator  
ECM – SWP618 (pending)



# Compliance Inspection Report

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## Inspection Summary

**Facility:** Dominion - Brema Power Station

**Permit:** N/A

**Region:** Valley

**Inspection Type:** Focused Compliance Inspection

**Facility Staff:** Randy Montaperto, Dennis Slade, Kelly Hicks, Rick Woolard, Greg Searcy, Andrew North (Golder)

**Other DEQ Staff:** Geoff Christe (Solid Waste Groundwater Program Coordinator), Laura Stuart (Solid Waste Groundwater Permit Writer), Priscilla Fisher (Solid Waste Compliance Coordinator)

**Comments:** A solid waste permit for this facility has not been issued. The purpose of this focused compliance inspection was to evaluate the Dominion Brema Power Station's existing Coal Combustion Residuals (CCR) surface impoundment, the North Pond, and inactive CCR surface impoundments, the East Pond and West Pond, for compliance with applicable provisions of the Virginia Solid Waste Management Regulations (VSWMR), which incorporates 40 CFR Part 257 Subpart D, which is the EPA's Final Rule on the Disposal of CCR from Electric Utilities (CCR Rule).

**Inspector:** Gregory Adamson

**Inspection Date:** 11/9/2017

**Approximate Arrival Time:** 10:00 AM

**Inspection Method:** Announced

**Exit Interview:** Yes

**Weather Conditions:** Cloudy, drizzling rain, approximately 45°F

## Surface Impoundment, Existing/New CCR (Active) - North Pond

Reference	Description	SL	Result
<b>Compliance Area: Operator Information</b>			
10.1-1408.1	Disclosure Statement	I	
<b>Compliance Area: Recordkeeping, Reporting &amp; Permit</b>			
20-81-300.B	Compliance with the facility's permit	II	
20-81-530	Permittee recordkeeping and reporting	II	
<b>Compliance Area: Design, Construction &amp; Operation</b>			
20-81-610-660	Special Waste	II	
<b>Compliance Area: Closure &amp; Post-Closure Care</b>			
20-81-160	Closure requirements	II	
20-81-170	Post-closure care requirements	II	
20-81-370	Surface Impoundment Closure	II	
<b>Compliance Area: Groundwater Monitoring</b>			
20-81-250	Groundwater monitoring program	II	
20-81-260	Corrective action program	II	
<b>Compliance Area: CCR Requirements</b>			
20-81-800-810	Requirements for CCR Landfills and Surface Impoundments	II	✓
40 CFR 257.73(a)(1), 74(a)(1)	Permanent Identification Marker	I	✓
40 CFR 257.73(a)(2-3), 74(a)(2-3)	Hazard Potential Classification Assessments & Emergency Plan	II	✓
40 CFR 257.73(a)(4), 74(a)(4)	Slope Protection	I	✓
40 CFR 257.73(b-g), 74(b-g)	Construction, Structural Stability & Safety Factor Assessments	II	✓
40 CFR 257.80	Fugitive Dust Control, Plan, and Annual Reports	I	✓
40 CFR 257.82	Hydrologic and Hydraulic Capacity Requirements	II	✓
40 CFR 257.83(a)	Facility Inspections	I	✗
40 CFR 257.83(b)	Annual PE Inspections	II	✗
40 CFR 257.90-98	Groundwater Monitoring and Corrective Action Program	II	✓
40 CFR 257.101-103	Closure Standards	II	✓



40 CFR 257.104	Post-Closure Care	II	✓
40 CFR 257.105	Recordkeeping Requirements	II	✓
40 CFR 257.106	Notification Requirements	II	✓
40 CFR 257.107	Public Website	I	✓

SL = Severity Level

✓ = In Compliance

X = Alleged Violation

N/A = Not Applicable

Blank = Not Inspected

### Alleged Violations

Reference	Comments
40 CFR 257.83(a)	<p>Facility Inspections - The weekly inspections of the North Pond conducted on December, 8, 2016, January 19, 2017, January 27, 2017, March 2, 2017, April 28, 2017, June 9, 2017, and August 17, 2017 occurred eight days after the previous inspection. 40 CFR 257.83(a)(1) requires that the inspections be completed at intervals not exceeding seven days.</p> <p>General Comments: Weekly inspections were initiated on January 14, 2016. The inspection records for September 2, 2016 through November 2, 2017 were reviewed by DEQ staff. The facility maintains several qualified personnel who have been trained to recognize structural weakness and other conditions which are disrupting or have the potential to disrupt the operation or safety of the CCR unit by visual observation. An initial training for qualified personnel was conducted on December 16, 2015, and subsequent trainings were conducted on September 22, 2017 and September 28, 2017. The qualified personnel conduct regular CCR surface impoundment inspections for actual or potential weakness as well as inspect the discharge of each outlet. The outlet at the North Pond was plugged; therefore, there was no discharge, and there is currently no CCR unit instrumentation in use. Water from the North Pond is pumped to an onsite Centralized Source Water Treatment System for treatment and discharge.</p>
40 CFR 257.83(b)	<p>Annual PE Inspections - The initial 2016 Annual Engineering Inspection Report for the North Pond was certified by Daniel McGrath, P.E. Lic. No. 040703, on September 9, 2016, and placed in the facility's operating record on September 10, 2016. Therefore, the first subsequent inspection report should have been completed by September 10, 2017. However, the 2017 Annual Engineering Inspection Report for the North Pond was certified by Daniel McGrath, P.E. Lic. No. 040703, on October 16, 2017, and placed in the facility's operating record on October 19, 2017.</p>

### General Comments

Reference	Comments
20-81-800-810	<p>Requirements for CCR Landfills and Surface Impoundments - A solid waste permit for the North Pond has not been issued. According to facility records, the facility previously initiated movement of CCR from the West Pond to the North Pond on July 6, 2016. The receipt of CCR into the North Pond changed the status of the North Pond from an inactive CCR surface impoundment to an existing CCR surface impoundment, as defined by 40 CFR 257.53. The North Pond is subject to the EPA's final rule on the Disposal of CCR from Electric Utilities (CCR Rule) (as amended) and as incorporated into the VSWMR.</p> <p>The Liner Documentation for the North Pond was certified by James R. DiFrancesco, P.E., Lic. No. 025260 on October 13, 2016. The report concluded that the North Pond was not constructed with a liner meeting the requirements of the CCR Rule. Dominion notified the Department on November 14, 2016 that the liner documentation had been placed in the operating record and posted on the Dominion Energy website.</p>
40 CFR 257.73(a)(1),74(a)(1)	<p>Permanent Identification Marker - The facility installed the permanent identification marker for the North Pond immediately adjacent to the CCR unit on May 13, 2016. The marker was observed during this inspection. It was observed to be 6 ft. high with the required information, including the permit number, the name of the unit, and the name of the owner.</p>
40 CFR 257.73(a)(2-3),74(a)(2-3)	<p>Hazard Potential Classification Assessments &amp; Emergency Plan - The initial Hazard Potential Classification Assessment for the North Pond was certified by James R. DiFrancesco, P.E. Lic. No. 025260 on October 13, 2016. The North Pond was classified as having significant hazard potential, "where failure or mis-operation of the dam results in no probable loss of human life, but can cause economic loss, environmental damage, disruption of lifeline facilities, or impact other concerns" (Periodic Hazard Potential Classification Assessment - Section 4.0). Dominion notified the Department on November 14, 2016, that the initial Hazard Potential Classification Assessment had been placed in the operating record and posted on the Dominion Energy website. A periodic hazard potential classification assessment is required to be completed every 5 years.</p> <p>The Emergency Action Plan (EAP) for the North Pond was certified by Daniel McGrath, P.E. Lic. No. 040703 on April 13, 2017. Dominion notified the Department on May 1, 2017, that the EAP had been placed in the operating record on April 17, 2017, and posted on the Dominion Energy website. The written EAP is required to be evaluated every 5 years.</p> <p>The EAP Annual Face-to-Face Meeting between representatives of the owner or operator of the CCR unit and the local emergency responders was held on December 11, 2017. Dominion notified the Department on January 3, 2018, that documentation of the meeting had been placed in the operating record on January 2, 2018, and posted on the Dominion Energy website.</p>

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Oct 02 2019



	website.
40 CFR 257.73(a)(4),74(a)(4)	Slope Protection - The side slopes of the CCR surface impoundment were protected by vegetation.
40 CFR 257.73(b-g),74(b-g)	<p>Construction, Structural Stability &amp; Safety Factor Assessments - The history of construction for the North Pond was compiled with the required information and certified by James R. DiFrancesco, P.E., Lic. No. 025260 on October 13, 2016. The requirements of 40 CFR 257.73(c)(1)(i) through (xii) are addressed in Sections 3.1 - 3.10. Dominion notified the Department on November 14, 2016, that the document had been placed in the operating record and posted on the Dominion Energy website. If there is a significant change to any information compiled, the history of construction is required to be updated.</p> <p>The initial Structural Stability Assessment for the North Pond was certified by James R. DiFrancesco, P.E. on October 13, 2016. The structural stability assessment requirements of 40 CFR 257.73(d)(1)(i) through (vii) are addressed in Sections 3.1 - 3.6. The assessment concluded that the North Pond "surface impoundment design, construction, operations, and maintenance procedures are consistent with good engineering practices for the volume of CCR and CCR wastewater that is impounded" within the North Pond. Dominion notified the Department on November 14, 2016, that the assessment had been placed in the operating record and posted on the Dominion Energy website. A periodic structural stability assessment is required to be conducted every five years.</p> <p>The initial Safety Factor Assessment for the North Pond was prepared with supporting engineering calculations and certified by James R. DiFrancesco, P.E. on October 13, 2016. The factor of safety requirements of 40 CFR 257.73(e)(1)(i) through (iv) are summarized in Table 1 (Page 3) with supporting calculations located in Appendix A. The assessment concluded that the North Pond meets or exceeds the minimum factors of safety. Dominion notified the Department on November 14, 2016, that the assessment had been placed in the operating record and posted on the Dominion Energy website. A periodic safety factor assessment is required to be conducted every five years.</p>
40 CFR 257.80	<p>Fugitive Dust Control, Plan, and Annual Reports - The initial CCR Fugitive Dust Control Plan (FDCP) was certified on April 29, 2016 by James R. DiFrancesco, P.E. Lic. No. 025260. On June 21, 2016, the facility provided notification to DEQ that the Plan had been placed in its operating record and posted on Dominion Energy website.</p> <p>The facility has completed two Annual CCR Fugitive Dust Control Reports since the last inspection. The initial Annual CCR Fugitive Dust Control Report was dated December 15, 2016, and documents actions taken to control fugitive dust during the annual period from October 15, 2015 to October 14, 2016. Dominion notified the Department on December 21, 2016 that the Report had been placed in the operating record on December 17, 2016, and posted on the Dominion Energy website.</p> <p>The facility's most recent Annual CCR Fugitive Dust Control Report is dated December 15, 2017, and documents actions taken to control fugitive dust during the annual period from October 15, 2016 to October 14, 2017. Dominion notified the Department on December 21, 2017 that the Report had been placed in the operating record on December 15, 2017, and posted on the Dominion Energy website.</p> <p>Fugitive dust control measures (e.g. watering of roads, posted speed limits, and stabilizing inactive areas) were observed at the facility in accordance with the FDCP during the inspection, and the facility indicated that one citizen complaint was received on December 12, 2016 and addressed appropriately.</p>
40 CFR 257.82	Hydrologic and Hydraulic Capacity Requirements - The initial Inflow Design Flood Control System Plan for the North Pond was certified by James R. DiFrancesco, P.E. on October 13, 2016. The plan concluded that the North Pond "inflow design flood control system has sufficient capacity for the 1000-year storm event, as required by 40 CFR 257.82." Dominion notified the Department on November 14, 2016, that the plan had been placed in the operating record and posted on the Dominion Energy website. A periodic Inflow Design Flood Control System Plan is required to be prepared every five years.
40 CFR 257.90-98	<p>Groundwater Monitoring and Corrective Action Program - Prior to October 17, 2017, the facility developed the groundwater sampling and analysis program, initiated monitoring, and began evaluating data. Dominion notified the Department on November 15, 2017, that the Groundwater Monitoring System Certification and Groundwater Statistical Method Certification had been placed in the operating record on October 17, 2017, and posted on the Dominion Energy website. The groundwater monitoring system and statistical methods were certified by James DiFrancesco, P.E., Lic. No. 025260 on October 16, 2017.</p> <p>All upgradient and downgradient groundwater monitoring wells were observed to be in place and in good condition during the inspection.</p>
40 CFR 257.101-103	Closure Standards - The initial written Closure Plan for the North Pond was certified by James R. DiFrancesco, P.E. on October 13, 2016. Dominion notified the Department on November 14, 2016 that the Closure Plan had been placed in the operating record and posted on the Dominion Energy website. The revised Closure Plan was certified by James R. DiFrancesco, P.E. on December 14, 2016. Dominion notified the Department on December 15, 2016 that the Closure Plan had been placed in the operating record on December 15, 2016 and posted on the Dominion Energy website.
40 CFR 257.104	Post-Closure Care - The written Post-Closure Care Plan for the North Pond was certified by James R. DiFrancesco, P.E. on October 13, 2016. Dominion notified the Department on November 14, 2016, that the Post-Closure Care Plan had been placed in the operating record and posted on the Dominion Energy website.



40 CFR 257.105	Recordkeeping Requirements - Appropriate records, to date, were maintained in the facility's operating record and provided for review as requested during the inspection.
40 CFR 257.106	Notification Requirements - The facility has provided timely notifications of the required records, plans, and reports, to date.
40 CFR 257.107	Public Website - The facility has established and continues to maintain a publicly accessible CCR website ( <a href="https://www.dominionenergy.com/ccr">https://www.dominionenergy.com/ccr</a> ). The website is to provide CCR Rule compliance data and information on CCR units, and all applicable records have been posted online as required. The website was reviewed as part of this inspection.

### Surface Impoundment, Inactive CCR (Inactive) - East Pond

Reference	Description	SL	Result
<b>Compliance Area: Operator Information</b>			
10.1-1408.1	Disclosure Statement	I	
<b>Compliance Area: Recordkeeping, Reporting &amp; Permit</b>			
20-81-300.B	Compliance with the facility's permit	II	
20-81-530	Permittee recordkeeping and reporting	II	
<b>Compliance Area: Closure &amp; Post-Closure Care</b>			
20-81-160	Closure requirements	II	
20-81-170	Post-closure care requirements	II	
20-81-370	Surface Impoundment Closure	II	
<b>Compliance Area: Groundwater Monitoring</b>			
20-81-250	Groundwater monitoring program	II	
20-81-260	Corrective action program	II	
<b>Compliance Area: CCR Requirements</b>			
20-81-800-810	Requirements for CCR Landfills and Surface Impoundments	II	
20-81-820	Inactive CCR Surface Impoundments	II	✓
40 CFR 257.73(a)(1),74(a)(1)	Permanent Identification Marker	I	✓
40 CFR 257.73(a)(2-3),74(a)(2-3)	Hazard Potential Classification Assessments & Emergency Plan	II	
40 CFR 257.73(a)(4),74(a)(4)	Slope Protection	I	✓
40 CFR 257.73(b-g),74(b-g)	Construction, Structural Stability & Safety Factor Assessments	II	
40 CFR 257.80	Fugitive Dust Control, Plan, and Annual Reports	I	✓
40 CFR 257.82	Hydrologic and Hydraulic Capacity Requirements	II	
40 CFR 257.83(a)	Facility Inspections	I	X
40 CFR 257.83(b)	Annual PE Inspections	II	✓
40 CFR 257.90-98	Groundwater Monitoring and Corrective Action Program	II	
40 CFR 257.101-103	Closure Standards	II	
40 CFR 257.104	Post-Closure Care	II	
40 CFR 257.105	Recordkeeping Requirements	II	✓
40 CFR 257.106	Notification Requirements	II	✓
40 CFR 257.107	Public Website	I	✓

SL = Severity Level

✓ = In Compliance

X = Alleged Violation

N/A = Not Applicable

Blank = Not Inspected

### Alleged Violations

Reference	Comments
40 CFR 257.83(a)	<p>Facility Inspections - The weekly inspections of the East Pond conducted on April 28, 2017, June 9, 2017, and August 17, 2017 occurred eight days after the previous inspection. 40 CFR 257.83(a)(1) requires that the inspections be completed at intervals not exceeding seven days.</p> <p>General Comments: The weekly inspections of the East Pond conducted on January 19, 2017, January 27, 2017, and March 9, 2017, also occurred eight days after the previous inspection; however, these inspections were conducted before the CCR Rule implementation</p>



date for this requirement (April 18, 2017). Weekly inspections were initiated on January 14, 2016. The inspection records for September 2, 2016 through November 2, 2017 were reviewed by DEQ staff during this inspection. The facility maintains several qualified personnel who have been trained to recognize structural weakness and other conditions which are disrupting or have the potential to disrupt the operation or safety of the CCR unit by visual observation. An initial training for qualified personnel was conducted on December 16, 2015, and subsequent trainings were conducted on September 22, 2017 and September 28, 2017. The qualified personnel conduct regular CCR surface impoundment inspections for actual or potential weakness as well as inspect the discharge of each outlet. There is currently no CCR unit instrumentation in use, and water is pumped to an onsite Centralized Source Water Treatment System for treatment and discharge.

### General Comments

Reference	Comments
20-81-820	Inactive CCR Surface Impoundments - The notification of intent (NOI) to initiate closure of the East Pond was certified by James R. DiFrancesco, P.E., Lic. No. 025260 on December 15, 2015, and DEQ was notified that the NOI had been placed in the operating record and posted on the CCR website on December 17, 2015. The NOI was certified as being updated on December 14, 2016, by James R. DiFrancesco, P.E. Dominion notified DEQ that the updated NOI was placed in the operating record and on the CCR website on December 15, 2016. The NOI requirements were completed before the specified deadlines; therefore, the inactive CCR surface impoundment is eligible for the alternative timeframes specified in 40 CFR 257.100(e)(2) through (e)(6).
40 CFR 257.73(a)(1),74(a)(1)	Permanent Identification Marker - The facility installed the permanent identification marker for the East Pond immediately adjacent to the CCR unit on May 13, 2016. The marker was observed during this inspection. It was observed to be 6 ft. high with the required information, including the permit number, the name of the unit, and the name of the owner.
40 CFR 257.73(a)(4),74(a)(4)	Slope Protection - The side slopes of the CCR surface impoundment were vegetated and mowed at the time of this inspection.
40 CFR 257.80	<p>Fugitive Dust Control, Plan, and Annual Reports - The initial CCR Fugitive Dust Control Plan (FDCP) was certified on April 29, 2016 by James R. DiFrancesco, P.E. Lic. No. 025260. On June 21, 2016, the facility provided notification to DEQ that the Plan had been placed in its operating record and posted on Dominion Energy website.</p> <p>The facility has completed two Annual CCR Fugitive Dust Control Reports since the last inspection. The initial Annual CCR Fugitive Dust Control Report was dated December 15, 2016, and documents actions taken to control fugitive dust during the annual period from October 15, 2015 to October 14, 2016. Dominion notified the Department on December 21, 2016 that the Report had been placed in the operating record on December 17, 2016, and posted on the Dominion Energy website.</p> <p>The facility's most recent Annual CCR Fugitive Dust Control Report is dated December 15, 2017, and documents actions taken to control fugitive dust during the annual period from October 15, 2016 to October 14, 2017. Dominion notified the Department on December 21, 2017 that the Report had been placed in the operating record on December 15, 2017, and posted on the Dominion Energy website.</p> <p>Fugitive dust control measures (e.g. watering of roads, posted speed limits, and stabilizing inactive areas) were observed at the facility in accordance with the FDCP during the inspection, and the facility indicated that one citizen complaint was received on December 12, 2016 and addressed appropriately.</p>
40 CFR 257.83(b)	Annual PE Inspections - The initial annual PE inspection was conducted on June 23, 2017, and the Annual PE Inspection Report was certified by Daniel P. McGrath, P.E., Lic. No. 040703 on July 13, 2017. On July 19, 2017, the facility provided notification to DEQ that the Report had been placed in its operating record on July 18, 2017 and posted on its CCR website.
40 CFR 257.105	Recordkeeping Requirements - Appropriate records, to date, were maintained in the facility's operating record and provided for review as requested during the inspection.
40 CFR 257.106	Notification Requirements - The facility has provided timely notifications of the required records, plans, and reports, to date.
40 CFR 257.107	Public Website - The facility has established and continues to maintain a publicly accessible CCR website ( <a href="https://www.dominionenergy.com/ccr">https://www.dominionenergy.com/ccr</a> ). The website is to provide CCR Rule compliance data and information on CCR units, and all applicable records have been posted online as required. The website was reviewed as part of this inspection.

### Surface Impoundment, Inactive CCR (Inactive) - West Pond

Reference	Description	SL	Result
<b>Compliance Area: Operator Information</b>			
10.1-1408.1	Disclosure Statement	I	
<b>Compliance Area: Recordkeeping, Reporting &amp; Permit</b>			
20-81-300.B	Compliance with the facility's permit	II	
20-81-530	Permittee recordkeeping and reporting	II	
<b>Compliance Area: Closure &amp; Post-Closure Care</b>			



20-81-160	Closure requirements	II	
20-81-170	Post-closure care requirements	II	
20-81-370	Surface Impoundment Closure	II	
<b>Compliance Area: Groundwater Monitoring</b>			
20-81-250	Groundwater monitoring program	II	
20-81-260	Corrective action program	II	
<b>Compliance Area: CCR Requirements</b>			
20-81-800-810	Requirements for CCR Landfills and Surface Impoundments	II	
20-81-820	Inactive CCR Surface Impoundments	II	✓
40 CFR 257.73(a)(1),74(a)(1)	Permanent Identification Marker	I	✓
40 CFR 257.73(a)(2-3),74(a)(2-3)	Hazard Potential Classification Assessments & Emergency Plan	II	
40 CFR 257.73(a)(4),74(a)(4)	Slope Protection	I	✓
40 CFR 257.73(b-g),74(b-g)	Construction, Structural Stability & Safety Factor Assessments	II	
40 CFR 257.80	Fugitive Dust Control, Plan, and Annual Reports	I	✓
40 CFR 257.82	Hydrologic and Hydraulic Capacity Requirements	II	
40 CFR 257.83(a)	Facility Inspections	I	X
40 CFR 257.83(b)	Annual PE Inspections	II	✓
40 CFR 257.90-98	Groundwater Monitoring and Corrective Action Program	II	
40 CFR 257.101-103	Closure Standards	II	
40 CFR 257.104	Post-Closure Care	II	
40 CFR 257.105	Recordkeeping Requirements	II	✓
40 CFR 257.106	Notification Requirements	II	✓
40 CFR 257.107	Public Website	I	✓

SL = Severity Level

✓ = In Compliance

X = Alleged Violation

N/A = Not Applicable

Blank = Not Inspected

### Alleged Violations

Reference	Comments
40 CFR 257.83(a)	<p>Facility Inspections - The weekly inspections of the West Pond conducted on April 28, 2017, May 11, 2017, June 9, 2017, and August 17, 2017 occurred eight days after the previous inspection. 40 CFR 257.83(a)(1) requires that the inspections be completed at intervals not exceeding seven days.</p> <p>General Comments: The weekly inspections of the East Pond conducted on December 8, 2016, January 6, 2017, January 19, 2017, January 27, 2017, and March 9, 2017, also occurred eight days after the previous inspection; however, these inspections were conducted before the CCR Rule implementation date for this requirement (April 18, 2017). Weekly inspections were initiated on January 14, 2016. The inspection records for August 26, 2016 through November 2, 2017 were reviewed by DEQ staff. The facility maintains several qualified personnel who have been trained to recognize structural weakness and other conditions which are disrupting or have the potential to disrupt the operation or safety of the CCR unit by visual observation. An initial training for qualified personnel was conducted on December 16, 2015, and subsequent trainings were conducted on September 22, 2017 and September 28, 2017. The qualified personnel conduct regular CCR surface impoundment inspections for actual or potential weakness as well as inspect the discharge of each outlet. There is currently no CCR unit instrumentation in use, and water is pumped to an onsite Centralized Source Water Treatment System for treatment and discharge.</p>

### General Comments

Reference	Comments
20-81-820	Inactive CCR Surface Impoundments - The notification of intent (NOI) to initiate closure of the West Pond was certified by James R. DiFrancesco, P.E., Lic. No. 025260 on December 15, 2015, and DEQ was notified that the NOI had been placed in the operating record and posted on the CCR website on December 17, 2015. The NOI was certified as being updated on December 14, 2016, by James R. DiFrancesco, P.E. Dominion notified DEQ that the updated NOI was placed in the operating record and on the CCR website on December 15, 2016. The NOI requirements were completed before the specified deadlines; therefore, the inactive CCR surface impoundment is eligible for the alternative timeframes specified in 40 CFR 257.100(e)(2).

	through (e)(6).
40 CFR 257.73(a)(1),74(a)(1)	Permanent Identification Marker - The facility installed the permanent identification marker for the West Pond immediately adjacent to the CCR unit on May 13, 2016. The marker was observed during this inspection. It was observed to be 6 ft. high with the required information, including the permit number, the name of the unit, and the name of the owner.
40 CFR 257.73(a)(4),74(a)(4)	Slope Protection - The side slopes of the CCR surface impoundment were vegetated and mowed at the time of this inspection.
40 CFR 257.80	<p>Fugitive Dust Control, Plan, and Annual Reports - The initial CCR Fugitive Dust Control Plan (FDCP) was certified on April 29, 2016 by James R. DiFrancesco, P.E. Lic. No. 025260. On June 21, 2016, the facility provided notification to DEQ that the Plan had been placed in its operating record and posted on Dominion Energy website.</p> <p>The facility has completed two Annual CCR Fugitive Dust Control Reports since the last inspection. The initial Annual CCR Fugitive Dust Control Report was dated December 15, 2016, and documents actions taken to control fugitive dust during the annual period from October 15, 2015 to October 14, 2016. Dominion notified the Department on December 21, 2016 that the Report had been placed in the operating record on December 17, 2016, and posted on the Dominion Energy website.</p> <p>The facility's most recent Annual CCR Fugitive Dust Control Report is dated December 15, 2017, and documents actions taken to control fugitive dust during the annual period from October 15, 2016 to October 14, 2017. Dominion notified the Department on December 21, 2017 that the Report had been placed in the operating record on December 15, 2017, and posted on the Dominion Energy website.</p> <p>Fugitive dust control measures (e.g. watering of roads, posted speed limits, and stabilizing inactive areas) were observed at the facility in accordance with the FDCP during the inspection, and the facility indicated that one citizen complaint was received on December 12, 2016 and addressed appropriately.</p>
40 CFR 257.83(b)	Annual PE Inspections - The initial annual PE inspection was conducted on June 23, 2017, and the Annual PE Inspection Report was certified by Daniel P. McGrath, P.E., Lic. No. 040703 on July 13, 2017. On July 19, 2017, the facility provided notification to DEQ that the Report had been placed in its operating record on July 18, 2017 and posted on its CCR website.
40 CFR 257.105	Recordkeeping Requirements - Appropriate records, to date, were maintained in the facility's operating record and provided for review as requested during the inspection.
40 CFR 257.106	Notification Requirements - The facility has provided timely notifications of the required records, plans, and reports, to date.
40 CFR 257.107	Public Website - The facility has established and continues to maintain a publicly accessible CCR website ( <a href="https://www.dominionenergy.com/ccr">https://www.dominionenergy.com/ccr</a> ). The website is to provide CCR Rule compliance data and information on CCR units, and all applicable records have been posted online as required. The website was reviewed as part of this inspection.

PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding any alleged violations.

PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act (VA Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.



**Follow-up to a June 2, 2018 Verbal Notification of a TRC Exceedence at Outfall 002**

The following information is being provided in follow-up to a verbal notification made to you on June 2, 2018 at approximately 11:57 AM concerning an exceedance of Total Residual Chlorine (TRC) at Bremono Power Station's Outfall 002.

Under the current Cold Reserve status, the storm water pond is the only influent to Outfall 002 and the only routine waste water discharge that remains to the storm water pond is from the station's sewage treatment plant (STP). Discharge from the Storm Water Pond is manually controlled and samples are collected from the pond prior to the initiation of discharge to ensure compliance.

On Saturday, June 2, 2018, the station acted proactively to draw down the storm water pond's level for the anticipated rainfall on Saturday night / Sunday. At 0839 hours on June 2<sup>nd</sup>, the Bear Garden Maintenance Operator (MO) collected the "control sample" from the storm water pond as required per the sampling procedure. The control sample yielded a result less than QL (<0.1 mg/L), which is the qualifier for turning the pumps on and generating the discharge to Outfall 002. A permit compliance sample for TRC was subsequently collected at 0916 hours from the filter skid discharge (Outfall 002) and a TRC concentration of 0.13 mg/L was measured in this sample. The pumps were turned off at 0926 hours stopping the discharge. Two additional control samples were then collected from the Storm Water Pond, which yielded results (0.16 mg/L and 0.15 mg/L) similar to the compliance results. No environmental impacts were observed or would be expected to have occurred given the relatively short duration of the discharge.

**Steps taken or planned to reduce, eliminate, and prevent reoccurrence of**

**noncompliance:** Prior to this event, the station was working to replace the existing chlorination system and an engineering firm was working to prepare the Certificate to Construct (CTC) and Certificate to Operate (CTO) a tablet feed de-chlorination system. Since the event, the CTC and CTO have been submitted and approved by DEQ. The de-chlorination system was placed into service on July 2, 2018.



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Environmental



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

VALLEY REGIONAL OFFICE

4411 Early Road, P.O. Box 3000, Harrisonburg, Virginia 22801

(540) 574-7800 Fax (540) 574-7878

[www.deq.virginia.gov](http://www.deq.virginia.gov)

L. Preston Bryant, Jr.  
Secretary of Natural Resources

David K. Paylor  
Director

Amy Thatcher Owens  
Regional Director

### WARNING LETTER

August 3, 2009

Ms. Pamela F. Faggert,  
Vice President and Chief Environmental Officer  
Dominion Resources Services, Inc.  
5000 Dominion Boulevard  
Glen Allen, VA 23060

Re: Warning Letter No. W2009-08-V-1006  
Dominion – Bremo Power Station  
VPDES Permit No. VA0004138

Dear Ms. Faggert:

The Department of Environmental Quality ("DEQ" or "the Department") has reason to believe that the Dominion Resources Services, Inc may be in violation of the State Water Control Law and Regulations for the month of **May 2009**.

This letter addresses conditions at the facility named above, and also cites compliance requirements of the State Water Control Law and Regulations. Pursuant to Va. Code § 62.1-44.15 (8a), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 et seq. The Department requests that you respond **within 20 days of the date of this letter**.

### OBSERVATIONS AND LEGAL REQUIREMENTS

#### Compliance Inspection

On May 27, 2009, the Department of Environmental Quality (DEQ), Valley Regional Office staff conducted an inspection of the Dominion – Bremo Power Station's Fly Ash Impoundments. The following describes the inspector's factual observations and identify the applicable legal requirements:

1. Evidence of a discharge to the North Ash Pond emergency spillway of fly ash commingled with storm water and /or wastewater (reference Part II.U.3. of the subject permit).
2. The Permittee did not submit notice of an unanticipated bypass (reference Part II.I. and Part II.U.2.b. of the subject permit).

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3. Permittee has not declared the emergency spillway in their O & M Manual or permit application (reference Code of Virginia § 62.1-44.16. Industrial wastes).
4. The Permittee has not included in the Storm Water Pollution Prevention Plan, measures to prevent or minimize contamination of storm water runoff from the North Ash Pond emergency spillway, including procedures to reduce vehicular tracking of ash residue [reference Part I.F.3.b(1)(l) of the subject permit].

#### **ENFORCEMENT AUTHORITY**

Va. Code § 62.1-44.23 of the State Water Control Law provides for an injunction for any violation of the State Water Control Law, any State Water Control Board rule or regulation, an order, permit condition, standard, or any certificate requirement or provision. Va. Code §§ 62.1-44.15 and 62.1-44.32 provide for a civil penalty up to \$32,500 per day of each violation of the same. In addition, Va. Code § 62.1-44.15 authorizes the State Water Control Board to issue orders to any person to comply with the State Water Control Law and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the State Water Control Law and regulations, and to impose a civil penalty of not more than \$10,000. Va. Code §§ 62.1-44.32 (b) and 62.1-44.32 (c) provide for other additional penalties.

The Court has the inherent authority to enforce its injunction, and is authorized to award the Commonwealth its attorneys' fees and costs.

#### **FUTURE ACTIONS**

After reviewing this letter, please respond in writing to DEQ **within 20 days of the date of this letter** detailing actions you have taken or will be taking to ensure compliance with state law and regulations. If corrective action will take longer than 90 days to complete, you may be asked to sign a Letter of Agreement or enter into a Consent Order with the Department to formalize the plan and schedule. *It is DEQ policy that appropriate, timely, corrective action undertaken in response to a Warning Letter will avoid adversarial enforcement proceedings and the assessment of civil charges or penalties.*

Please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. If you complete the Process for Early Dispute Resolution and are not satisfied with the resolution, you may request in writing that DEQ take all necessary steps to issue a case decision where appropriate. For further information on the Process for Early Dispute Resolution, please visit the Department's website under "Laws & Regulations" and "DEQ regulations" at: [http://www.deq.virginia.gov/regulations/pdf/Process\\_for\\_Early\\_Dispute\\_Resolution\\_8260532.pdf](http://www.deq.virginia.gov/regulations/pdf/Process_for_Early_Dispute_Resolution_8260532.pdf) or ask the DEQ contact listed below.

**Lisa Kelly is your contact at DEQ in this matter. Please direct written materials to her attention. If you have questions or wish to arrange a meeting, you may reach her directly at (540) 574-7825 or at [lisa.kelly@deq.virginia.gov](mailto:lisa.kelly@deq.virginia.gov).**

Sincerely,



Gary A. Flory  
Water Program Compliance Manager

/ljfd

cc: Compliance File  
Gary Flory  
Lisa Kelly

Pamela F. Faggert  
Vice President and Chief Environmental Officer  
Dominion Resources Services, Inc.  
5000 Dominion Boulevard, Glen Allen, VA 23060  
Phone: 804-273-3467



**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

August 21, 2009

Mr. Gary A. Flory  
Virginia Department of Environmental Quality  
Valley Regional Office  
P.O. Box 3000,  
Harrisonburg, VA 22801-3000

**Re: Bremono Power Station – Response to Warning Letter – VPDES Permit No. VA0004138**

Dear Mr. Flory:

This letter is in response to your August 3, 2009 Warning Letter regarding a site inspection that occurred in May of this year at Dominion's Bremono Power Station. For clarification, we are providing the statements from the August 3<sup>rd</sup> letter and Dominion's response to each, which is provided in italic text.

1. Evidence of a discharge at the North Ash Pond emergency spillway of fly ash comingled with storm water and / or wastewater (reference Part II.U.3. of the subject permit).

*Response: In order for there to have been a discharge from the North Ash Pond to the Emergency Spillway, the water level in the pond would need to be at the level where the rainwater caused an overflow over the roadway. At the time of site visit on May 27<sup>th</sup>, the pond's water level was approximately three (3) feet below the height of the road way. Although heavy rain did occur on May 26<sup>th</sup> and 27<sup>th</sup>, we do not believe the rain was sufficient to cause the pond's water level to overflow the emergency spillway. The heavy rainfall (approximately 2 inches) from the May 26<sup>th</sup> and 27<sup>th</sup> rain events caused rainwater to pool on and adjacent to the roadway where trucking activity occurred the previous day. A visual observation of the area indicated the grey mud-like material had not been transported by runoff down the embankment on the opposite side of the road from the ash impoundment.*

2. The Permittee did not submit a notice of unanticipated bypass (reference Part II.I. and Part II.U.2.b. of the subject permit).

*Response: When asked about an unanticipated discharge during the inspection, the Station agreed to make a written notification of the situation via email, which was done on June 4, 2009. Further investigations showed that the mud-like material had not left the site or entered State Waters. If any material had been transported by runoff, it would be directed into the Station's internal Storm Water Treatment Pond, which discharges to the West Ash Pond via*

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*VPDES permitted Outfall 203. Accordingly this situation does not meet the definition of either an unpermitted discharge or an unanticipated bypass. A current copy of the Station's Storm Water Drainage map is enclosed for your convenience.*

3. Permittee has not declared the emergency spillway in their O&M Manual or permit application (reference Code of Virginia § 62.1-44.16 Industrial wastes).

*Response: A revised O&M Manual which includes a diagram showing the station with the location of the outfalls and emergency spillway is enclosed for review and approval.*

4. The Permittee has not included in the Storm Water Pollution Prevention Plan, measures to prevent or minimize contamination of storm water runoff from the North Ash Pond emergency spillway, including procedures for vehicle tracking of ash residue (reference Part I.F.3.b(1)(1) of the subject permit).

*Response: During the time of the inspection, trucks were being used on a trial basis to evaluate the possibility of trucking ash from the West Ash Pond to the North Ash Pond. In the future, the Station will hydraulically dredge the West Ash Pond. If there is a need to truck the ash, the SWPPP will be modified to address the activity and DEQ will be notified of the change made to the SWPPP. The Station has installed signs on the North Ash Pond's roadway prior to the emergency spillway prohibiting heavy truck traffic from crossing the spillway area without first gaining approval.*

Dominion's Rick Woolard of Electric Environmental Services will contact DEQ's Ms. Lisa Kelly in the near future to arrange a meeting at Bremo Power Station to further discuss this issue. If you have any questions and/or comments regarding this information please contact Rick Woolard, at (804) 273-2991 or Jean Tribull (434) 842-4104.

Sincerely,



Pamela F. Faggert

Attachments:

Attachment A - Current Storm Water Drainage Map

Attachment B - Bremo Power Station O&M Manual – Revised August, 2009

Mr. Gary A. Flory  
August 21, 2009  
Page 3

Cc: w/enclosure  
Lisa Kelly  
Virginia Department of Environmental Quality  
Valley Regional Office  
P.O. Box 3000,  
Harrisonburg, VA 22801-3000

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Mr. Gary A. Flory  
August 21, 2009  
Page 4

bc: 1 Copy with enclosure sent to:

**File: (w) Brema PS/ENV 55 /Correspondence**

Please scan original copy and rename:

**2009 8-21 Response to Warning Ltr – BR**

Please send electronic renamed copy to:

C.D. Holley

C.C. Taylor

K. Canody

O. Shehab

R.A. Woolard

D. Faison

H. Miller

J. Tribull

Epccommo\EES\_ELECTRONIC\_FILING\_SYSTEM\Water-Waste\Brema  
PS\ENV55\Correspondence

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**Attachment A**  
**Storm Water Drainage Map**

**Attachment B**  
**Bremo Power Station O&M Manual**  
**Revised August, 2009**

**Overnight Mail**  
**Return Receipt Requested**

January 21, 2016

Ms. Beverly Carver  
Senior Water Permit Writer  
Virginia Department of Environmental Quality  
Valley Regional Office  
4411 Early Road, Harrisonburg, VA 22801

**RE: Dominion Bremo Power Station VPDES Permit No. VA0004138:  
Follow-up Notification**

Dear: Ms. Carver:

The following information is in follow-up to a verbal notification made on Saturday, January 16, 2016 concerning the release of filtered water to the Stormwater Management Pond at Dominion's Bremo Power Station.

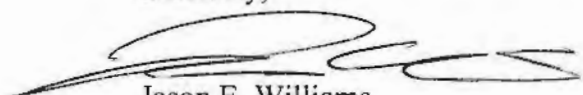
1. **A description of the nature and location of the discharge:** The station has been using a temporary filtration system to treat wastewaters from the West Ash Pond prior to transfer to the North Ash Pond. The filtration system is located in the station's parking lot within a bermed containment area. On Saturday, January 16, 2016 surface water from the West Ash Pond was being treated in the filtration system. A flange gasket in the discharge piping from the treatment system to the North Ash Pond failed resulting in the release of approximately 1,000 gallons of treated water to an area of the parking lot just outside of the bermed containment area. The water eventually made its way to a drop inlet that leads to the station's stormwater management pond.
2. **The cause of the discharge:** A flange gasket in the piping downstream of the treatment system failed resulting in the release. The exact reason for the gasket failure is not known. However, at the time of the leak the filtration system was being brought on-line following a period of shutdown. During shutdown, ice developed in low areas of the transfer piping leading to the North Ash Pond. As the pumps were brought on-line the ice likely resulted in increased internal pipe pressures that may have contributed to the gasket failure.
3. **The date on which the discharge occurred:** Saturday, January 16, 2016 at approximately 2:00 pm.

4. **The length of time that the discharge continued:** The pumps were shutdown immediately. Subsequently, water remaining within the piping drained by gravity to the parking lot and eventually the stormwater pond.
5. **The volume of the discharge:** Approximately 1,000 gallons.
6. **If the discharge is continuing, how long is it expected to continue:** Not applicable.
7. **If the discharge is continuing, what the expected total volume of the discharge will be:** Not applicable.
8. **Any steps planned or taken to reduce, eliminate and prevent a reoccurrence of the present discharge or any future discharges not authorized by this permit:** Short-term efforts to prevent similar future events included the replacement of the flange and associated gasket that caused the leak with a fusion weld. Afterward, the filtration system was restarted and brought slowly up to operating pressure. Prior to restart of the system, the entire length of pipe was inspected to ensure its integrity. During startup, personnel were stationed along the pipe to ensure that should any additional leaks occur they would be rapidly addressed. No leaks occurred. The station will continue to conduct hourly visual inspections of piping when the system is in operation. Longer-term efforts will include replacement of the existing single walled piping with double walled piping which would contain any possible leaks. Additional winterization countermeasures to further protect the system from potential freezing concerns will include the enclosure of the treatment system and ducting of warm air into the enclosed area.

Please contact Ken Roller of my staff at (804) 273-3494 or by email at [kenneth.roller@dom.com](mailto:kenneth.roller@dom.com) should you have any questions or require additional information about this transmittal.

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.

Sincerely,



Jason E. Williams  
Manager, Electric Environmental Services

cc: Brandon Kiracofe: [brandon.kiracofe@deq.virginia.gov](mailto:brandon.kiracofe@deq.virginia.gov)

Beverly Carver: [Beverley.Carver@deq.virginia.gov](mailto:Beverley.Carver@deq.virginia.gov)

**File Documentum:**

**File Name:** BR 5-day Follow-up 21 Jan 2016

**Environmental Program:** Water-NPDES

**Document Type:** Compliance Reporting and Supporting Documents

ebc: Dave Craymer  
Pamela Faggert  
Bill Reed  
Cathy Taylor  
Christine Harris  
Jason Williams  
Greg Searcy  
Taylor Engen  
Maria Gwynn  
Randy Montaperto  
Oula Shehab-Dandan  
Ken Roller

**From:** [Kelly, Lisa \(DEQ\)](#)  
**To:** [Cathy C. Taylor \(Services - 6\)](#)  
**Cc:** [Jean Tribull \(Generation - 3\)](#); [Rick Woolard \(Services - 6\)](#)  
**Subject:** May 5, 2010, Satisfactory Letter of Response to DEQ Inspection Report  
**Date:** Friday, May 7, 2010 3:07:43 PM

---

Dear Ms. Taylor:

Thank you for your May 5, 2010, letter of response to the April 15, 2010, reports. Based on the information provided, DEQ considers the required action as being adequately addressed and no further action is required at this time. The staff appreciates your efforts in correcting the deficiencies.

If you have any questions, please contact me at the Valley Regional Office.

*Lisa Kelly*

Water Compliance Specialist Sr.  
DEQ - Valley Regional Office (540) 574-7825  
P.O.B. 3000 (540) 574-7878 fax  
Harrisonburg, VA 22801-9519

Wastewater operator training opportunities: <http://www.deq.virginia.gov/tptp/homepage.html>

Inspections checksheets: <http://www.deq.virginia.gov/vpdes/checklist.html>

Permits, forms, fact sheets, regulations: <http://www.deq.virginia.gov/vpdes/permitfees.html>

*New email address - [Lisa.Kelly@deq.virginia.gov](mailto:Lisa.Kelly@deq.virginia.gov).*



January 23, 2018

**BY EMAIL and CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Mr. Greg Adamson  
Land Protection and Revitalization Program  
Virginia Department of Environmental Quality  
Valley Regional Office  
PO Box 3000  
Harrisonburg, VA 22801

**RE: Dominion Energy Bremo Power Station: Response to VADEQ Warning Letter WS-17-VRO-11-013**

Dear Mr. Adamson:

Dominion Energy Bremo Power Station (Dominion) received your Warning Letter WS-17-VRO-11-013 (Letter) dated January 5, 2018 as follow up to a focused solid waste compliance inspection performed by Virginia Department of Environmental Quality (Department) representatives on November 9, 2017. Two observations were made during this inspection, which are outlined in the Letter, and the Department has asked Dominion to provide a response to each observation.

**Observation 1**

*The following weekly inspections of the North Pond, East Pond, and West Pond were conducted eight days after the previous inspection:*

North Pond	December, 8, 2016, January 19, 2017, January 27, 2017, March 2, 2017, April 28, 2017, June 9, 2017, and August 17, 2017
East Pond	April 28, 2017, June 9, 2017, and August 17, 2017
West Pond	April 28, 2017, May 11, 2017, June 9, 2017, and August 17, 2017

**Response 1**

In response to the above observation, Dominion made the following process improvements to enhance performance of the "not to exceed 7 day" inspections.

- An additional team member was trained to increase the number of "qualified persons" able to perform inspections.
- A shared calendar was developed for the trained "qualified persons" to create assignment and track performance of inspections. The calendar integrates with mobile devices and sends reminders for assignments.
- A tracking log was created to log inspections and report to site supervision and management to demonstrate that inspections are occurring within every 7 days.



- The Dominion Energy Environmental Compliance Tracking System (ECTS) is used as a task reminder and documentation system. ECTS will send reminders to assignees and to supervision if tasks are not completed within a designated time.
- A refresher "Qualified Persons" training was performed on January 22, 2018. Dominion's policy is to conduct the refresher training on a three year period. The original training was performed in December 2015.

#### Observation 2

*The initial 2016 Annual Engineering Inspection Report for the North Pond was certified on September 9, 2016 and placed in the facility's operating record on September 10, 2016. Therefore, the first subsequent inspection report should have been completed by September 10, 2017. However, the 2017 Annual Engineering Inspection Report for the North Pond was certified on October 16, 2017 and placed in the facility's operating record on October 19, 2017.*

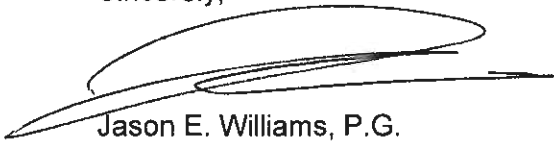
#### Response 2

The requirement to perform an annual engineering inspection report for the Brema North Pond after the pond changed status in 2016 from an inactive to an existing pond created a compliance date that was off cycle with other Dominion CCR units. We have implemented the following process improvements to ensure this compliance date is not missed in the future:

- An ECTS entry was made to include assignees from both the Station and Corporate Environmental to ensure inspection date requirements are met. ECTS will provide assignees with a 6-month advance initial notification and subsequent monthly reminders of the compliance due date.
- All Annual Engineering Inspections for the site will be aligned to the same date (July 18) beginning in 2018 to have a single reporting date moving forward.

Please contact Dennis Slade at [dennis.a.slade@dominionenergy.com](mailto:dennis.a.slade@dominionenergy.com) if you have questions.

Sincerely,



Jason E. Williams, P.G.  
Director, Environmental

ebc: Pam Faggert  
Bill Reed  
Jason Williams  
Greg Searcy  
Rick Woolard  
Maria Gwynn  
Dennis Slade  
Dell Cheatham  
Sterling Turner

File: Compliance Reporting and Supporting Documents/ Wastes – CCB – Ash/VADEQ  
Response to Warning Letter 012418



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### VALLEY REGIONAL OFFICE

P.O. Box 3000, Harrisonburg, Virginia 22801

(540) 574-7800 Fax (540) 574-7878

Physical Address: 4411 Early Road, Harrisonburg, VA

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Matthew J. Strickler  
Secretary of Natural Resources

David K. Paylor  
Director

Amy Thatcher Owens  
Regional Director

August 20, 2018

Mr. Jason E. Williams, Environmental Manager  
Virginia Electric and Power Company  
6000 Dominion Boulevard  
Glen Allen, Virginia 23060  
Sent by Email ([jason.e.williams@dominionenergy.com](mailto:jason.e.williams@dominionenergy.com))

### **WARNING LETTER**

Re: Warning Letter No. W2018-08-V-1012  
Dominion – Bremo Power Station  
VPDES Permit No. VA0004138

Dear Mr. Williams:

The Department of Environmental Quality (DEQ or the Department) has reason to believe that Virginia Electric and Power Company may be in violation of the State Water Control Law and Regulations at Dominion – Bremo Power Station for the month of **June 2018**.

This letter addresses conditions at the facility named above and also cites compliance requirements of the State Water Control Law and Regulations. Pursuant to Va. Code § 62.1-44.15 (8a), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.*

### **OBSERVATIONS AND LEGAL REQUIREMENTS**

#### **Discharge Monitoring Report**

A Discharge Monitoring Report (DMR) was submitted to DEQ's Valley Regional Office including the following relevant data results. The following describe the staff's factual observations and identify the applicable legal requirements.

Month	Outfall	Parameter	Concentration/Loading	Reported	Legal Requirement*	No. Ex.
June 2018	002	005-CL <sub>2</sub>	Concentration Average	0.13 mg/L	<b>0.036 mg/L</b>	<b>0</b>
June 2018	002	005-CL <sub>2</sub>	Concentration Maximum	0.13 mg/L	<b>0.072 mg/L</b>	<b>1</b>

\* The currently effective VPDES permit for this facility contains conditions that enumerate the effluent limitations in this column. Va. Code § 62.1-44.5 prohibits waste discharges or other quality alterations of state waters except as authorized by permit. 9 VAC 25-31-50 provides that "except in compliance with a VPDES permit, or another permit, issued by the board, it shall be unlawful for any person to discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances."

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Oct 02 2019

### **ENFORCEMENT AUTHORITY**

Va. Code § 62.1-44.23 of the State Water Control Law provides for an injunction for any violation of the State Water Control Law, any State Water Control Board rule or regulation, an order, permit condition, standard, or any certificate requirement or provision. Va. Code §§ 62.1-44.15 and 62.1-44.32 provide for a civil penalty up to \$32,500 per day of each violation of the same. In addition, Va. Code § 62.1-44.15 authorizes the State Water Control Board to issue orders to any person to comply with the State Water Control Law and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the State Water Control Law and regulations, and to impose a civil penalty of not more than \$10,000. Va. Code §§ 62.1-44.32 (b) and 62.1-44.32 (c) provide for other additional penalties.

The Court has the inherent authority to enforce its injunction and is authorized to award the Commonwealth its attorneys' fees and costs.

### **FUTURE ACTIONS**

**We received the written explanation submitted with the DMR. No further response from you is necessary at this time unless you have additional information to share regarding these deficiencies.**

Please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. If you complete the Process for Early Dispute Resolution and are not satisfied with the resolution, you may request in writing that DEQ take all necessary steps to issue a case decision where appropriate. For further information on the Process for Early Dispute Resolution, please visit the Department's website under "Laws & Regulations" and "DEQ regulations" at: [http://www.deq.virginia.gov/Portals/0/DEQ/Enforcement/Guidance/process%20for%20early%20dispute%20resolution%20no8\\_2005.pdf](http://www.deq.virginia.gov/Portals/0/DEQ/Enforcement/Guidance/process%20for%20early%20dispute%20resolution%20no8_2005.pdf) or ask the DEQ contact listed below.

**Lisa Kelly is your DEQ contact in this matter. Please direct written materials to her attention. If you have questions or wish to arrange a meeting, you may reach her directly at (540) 574-7825 or at [lisa.kelly@deq.virginia.gov](mailto:lisa.kelly@deq.virginia.gov).**

Sincerely,

Brandon D. Kiracofe  
Regional Water Permits & Compliance Manager

cc: ECM Compliance  
Linda Ferguson-Davie – VRO (electronic)  
Lisa Kelly – VRO (electronic)  
Bill Maddox – VRO (electronic)  
Rick Woolard ([rick.woolard@dom.com](mailto:rick.woolard@dom.com))



## COMMONWEALTH of VIRGINIA

Matthew J. Strickler  
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Blue Ridge Regional Office  
3019 Peters Creek Road, Roanoke, Virginia 24019  
(540) 562-6700; Fax (540) 562-6725  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

David K. Paylor  
Director

Robert J. Weld  
Regional Director

July 5, 2018

Mr. Jason E. Williams  
Director, Environmental  
Dominion Energy Service, Inc.  
6000 Dominion Boulevard  
Glen Allen, VA 23060

RE: Dominion Energy Clover Power Station VPDES Permit No. VA0083097  
Coal Pile/Limestone Runoff Basin Overflow and Landfill Contact Water Discharge  
Status Update and Cleanup Plan

Dear Mr. Williams:

This letter is to acknowledge receipt of the referenced report and proposed cleanup plan. DEQ staff have reviewed the cleanup plan and have no comments.

Thank you for your efforts in managing and mitigating these events and your commitment to final cleanup. If you have any questions, feel free to contact me at 540-562-6754 or [nelson.dail@deq.virginia.gov](mailto:nelson.dail@deq.virginia.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Nelson Dail".

R. Nelson Dail  
Deputy Regional Director

cc: Beth Lohman - DEQ  
Jay Roberts - DEQ  
Sam Hale - DEQ

OFFICIAL COPY

Oct 02 2019



**BY OVERNIGHT DELIVERY – RETURN RECEIPT REQUESTED**

May 23, 2014

Mr. Douglas Foran  
Solid Waste Inspector  
Virginia Department of Environmental Quality  
Blue Ridge Regional Office  
7705 Timberlake Road  
Lynchburg, VA 24502

**Re: Follow-up to Erosion Event of May 15-16, 2014**  
**Dominion - Clover Power Station**  
**Solid Waste Permit No. 556**

Dear Mr. Foran:

Dominion is submitting this report as follow up to the courtesy telephone call provided to the Blue Ridge Regional Office on May 16, 2014 regarding the effects of a heavy rainfall event at Clover Power Station's landfill. During this significant rain event, we experienced relatively minor erosion. No coal combustion byproducts escaped the landfill and this rain event and erosion did not cause a safety concern with landfill stability and routine operations were not affected.

Prior to the telephone notification, 4.05" to 4.7" of rainfall was measured within a twelve-hour period. The heavy rainfall event caused the formation of two erosion rills on the recently reconstructed interphase slope where vegetation is not yet fully established and were deep enough to cut into the underlying ash layer. In addition, several areas of small rills occurred on the active area of the landfill's slopes. Backfilling and compaction activities on the two larger rills, along with a compaction test verification were completed May 21<sup>st</sup> afternoon and a dirt cover was reestablished the morning of May 22<sup>nd</sup>. The other smaller rills were also repaired by the close of business on May 21. Reseeding and mulching of all repaired areas is scheduled for May 27<sup>th</sup>. Reseeding will include the addition of grass matting in the areas of slope erosion. The benches in those areas will be reinforced with additional riprap to reduce the potential for erosion concerns.

Photographs of the eroded areas before and after this week's repairs are enclosed. If you have any questions or require any additional information, please contact Anikka Moore at (804) 273-2988 or [anikka.r.moore@dom.com](mailto:anikka.r.moore@dom.com).

Sincerely,

Cathy C. Taylor  
Director Electric Environmental Services

enclosures

cc: Aziz Farahmand, DEQ-BRRO ([aziz.farahmand.deq.virginia.gov](mailto:aziz.farahmand.deq.virginia.gov))

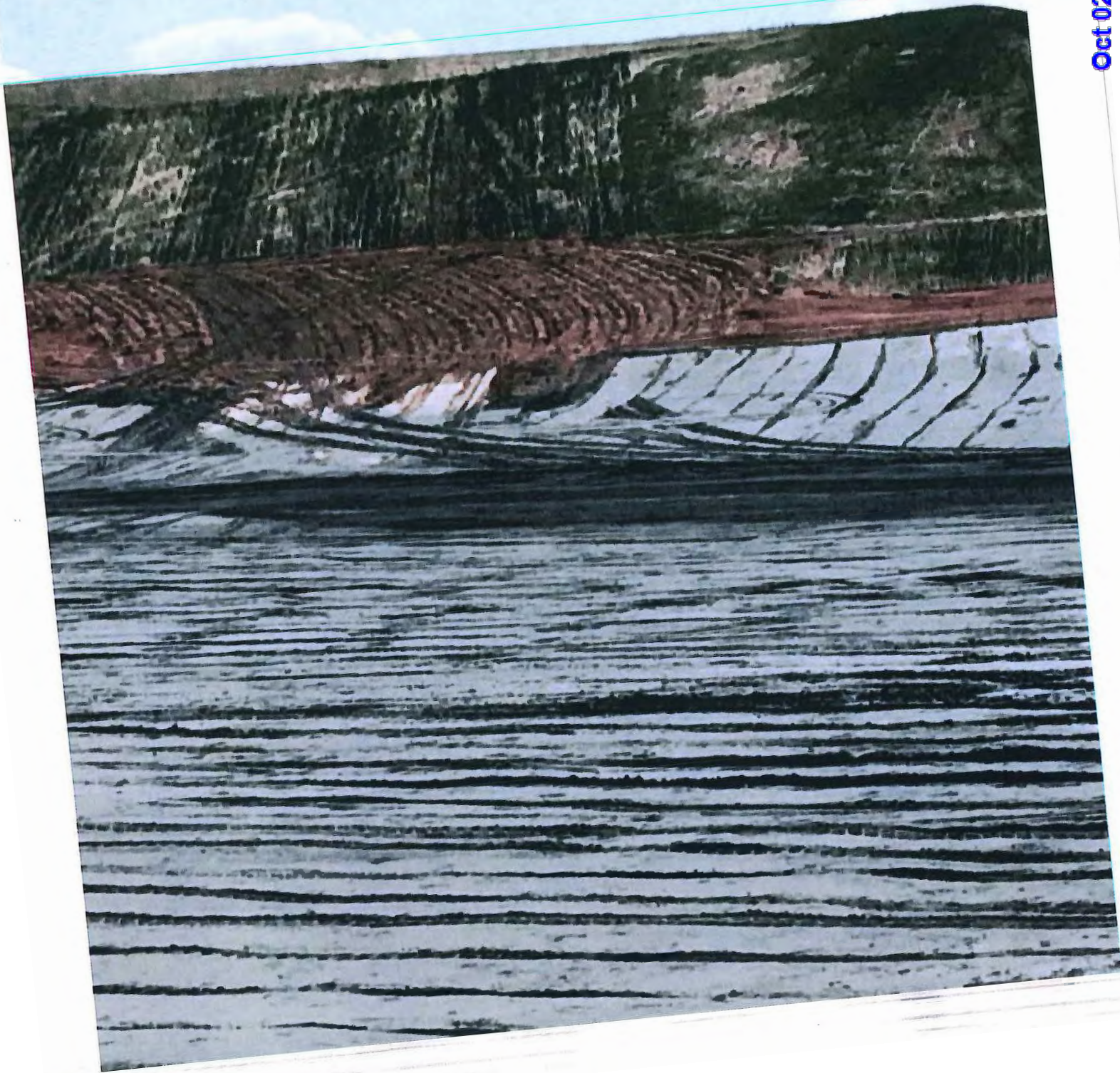


**PHOTO 1: Dominion - Clover Power Station Landfill**  
**View of erosion rill formed during May 15-16 rainfall event.**  
**Note: Depth of rill in foreground estimated at 12 inches.**





**PHOTO 2: Dominion - Clover Power Station Landfill**  
View of area depicted in Photo 1 after repairs and recompaction.





**PHOTO 3: Dominion - Clover Power Station Landfill**  
View of small erosion rills formed along the slope during May 15-16 rainfall event.





**PHOTO 4: Dominion - Clover Power Station Landfill**  
**View of area depicted in Photo 3 after repairs and**  
**recompaction of slope.**





**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

April 29, 2014

Ms. Elizabeth Lohman  
Environmental Program Planner  
Virginia Department of Environmental Quality - Blue Ridge Region  
7705 Timberlake Rd.  
Lynchburg, VA 24502

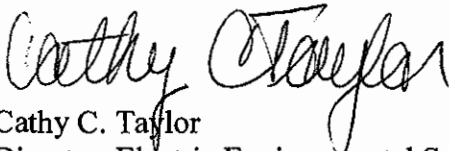
**RE: Clover Power Station, Solid Waste Permit No. 556 – Completion of Corrective Action Measures**

Dear Ms. Lohman:

Clover Power Station received the Warning Letter dated August 23, 2013, for events which were observed in July 2013 at its solid waste facility. Clover Power Station responded to the Warning Letter on September 11, 2013, and subsequently provided a schedule for implementation of corrective action measures on September 30, 2013. All of the corrective action measures listed in the enclosed table were completed by March 26, 2014.

Should you require additional information, please contact Anikka Moore of Dominion's Electric Environmental Services at (804) 273-2988 or via email [anikka.r.moore@dom.com](mailto:anikka.r.moore@dom.com).

Sincerely,



Cathy C. Taylor  
Director, Electric Environmental Services

cc: Aziz Farahmand, VA DEQ  
Douglas Foran, VA DEQ  
Linda Shultz, VA DEQ

Please scan signed copy and rename:

File Name: **CL – 2014-04-29, Completion of Corrective Action Measures (Landfill Erosion Repairs) at Clover**

Documentum: **Inspections (Agency)/Wastes – Solid Waste**

Please send renamed electronic copy to:

Edward Baine  
Pamela Faggert  
Sidney Bragg  
Diane Simon  
Cristie Neller  
John Cima  
Michael Winters  
David Bristow  
Tim Hamlet ✓  
Will Solomon  
Karen Canody  
Glenn Johnson ✓  
Anikka Moore ✓  
Rick Woolard

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Oct 02 2019



**Clover Power Station  
Solid Waste Management Facility  
Schedule for Implementation of Corrective Action Measures**

The following information is provided as a summary of corrective action measures that will be implemented at the solid waste management facility (facility).

<b>Corrective Action Measure</b>	<b>Status</b>
<b>Completed Corrective Actions</b>	
Cone Penetrometer Testing (CPT) completed.	Completed
Filled and recompact eroded areas in the intermediate (top) fill area of the landfill.	Completed
Applications of twelve (12) inches of cover soil, seed, fertilizer, and mulch have been placed in the top fill area to reduce the likelihood of future erosion concerns.	Completed
Shaped drainage slopes in the top fill area to direct water to the existing riprap-lined down-chute and let down pipes. Drainage slopes associated with the top fill area have been protected from erosion by placing soil cover, seed, fertilizer, and mulch.	Completed
<b>Corrective Actions to Be Implemented</b>	
<b>1. Repairing slope, minor erosion rills, and redirecting storm water in the upper (middle) fill area</b>	
Temporary erosion control measures will be implemented in the upper (middle) fill area. These measures will include, but will not be limited to, storm water diversion berms, pipe let-downs, rip-rap energy dissipaters, and intermediate soil cover applications. Where feasible, storm water runoff will be directed from the construction area in the middle fill area to the leachate collection basins.	Completed
<p>The portion of slope up to the area of severe erosion will be remediated beginning on the eastern edge and progressing westward in approximately 100-150 foot increments (slope increment). Loosely compacted areas of the slope will be excavated and regraded from the top of the slope working downward. Successive cuts to the slope will be made until competent material is uncovered.</p> <p>Each slope increment will be rebuilt and recompact using 12 inch lifts at no steeper than a 3 horizontal to 1 vertical (3H:1V) exterior slope. The lifts will be benched into the existing slope material as the lifts progress up the slope. Intermediate cover will be applied to the recompact areas of each slope increment and to the bench in the middle fill area to reduce the likelihood of future erosion concerns.</p>	Completed

<b>2. Repairing severe erosion in the middle fill area</b>	
Severely eroded and cracked slope areas will be excavated to competent material. Excavated material will be placed in the landfill and temporary pipe let-downs will be installed to direct storm water runoff to the toe of the slope to prevent further erosion.	Completed
Excavated areas will be backfilled with CCB from routine production and the material removed during excavation. Backfilling will be completed in 12 inch lifts and benched into the existing competent slope material as the lifts progress up the slope. The actual duration of this process will depend on the amount of CCB material generated by the station. This approach of using the excavated material in conjunction with new CCB material will allow for the most timely completion of the erosion repairs in this area.	Completed
Apply intermediate cover to the recompacted slope increment to reduce the likelihood of future erosion concerns.	Completed
Remaining 100-150 foot slope west of the severely eroded section will be remediated as described in corrective action item 1 (above).	Completed
<b>3. Additional Corrective Actions</b>	
Use of soil cement crusting agents will be discontinued on slopes. Slopes will be covered with intermediate cover. Intermediate cover may also be used in other areas of the facility to direct storm water to the sedimentation basins.	Completed
Where feasible, temporary down-chutes and piping may be used to direct storm water to the leachate collection basin in order to minimize infiltration of water and reduce leachate production.	Completed
Slopes will be constructed at no steeper than 3 horizontal to 1 vertical (3H:1V). This will be clarified in the Solid Waste Operations Manual.	Completed
Update Clover's Solid Waste Operations Manual to address newly implemented operational changes.	Completed
The middle fill area will be sloped and graded to direct storm water to the perimeter storm water retention basins. The intermediate covered slope will also be evaluated to determine the best method for directing storm water out of the landfill.	Completed



**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

May 24, 2018

Samuel Hale  
Department of Environmental Quality  
Blue Ridge Regional Office  
3019 Peters Creek Road  
Roanoke, Virginia 24019

**RE: Dominion Energy Clover Power Station VPDES Permit No. VA0083097  
Landfill Contact Water Discharge 5-day Follow-up**

Dear Mr. Hale:

This letter is being provided in follow-up to a verbal notification made to the Department of Emergency Management (Report No. 30731) on Saturday, May 21, 2018 at approximately 8:45 AM concerning an extraordinary discharge associated with the Coal Combustion Residuals (CCR) Landfill at Dominion Energy's Clover Power Station. Information concerning this incident was also discussed with you and other DEQ staff during a conference call with Dominion Energy on May 22, 2018.

1. **A description of the nature and location of the discharge:** Clover Power Station experienced an extraordinary rain event during the period from 6:00 AM Friday, May 18, 2018 through 6:00 AM Saturday, May 19, 2018 (see 2. below). The storm event was of such magnitude that the water management system associated with Stage III of the station's CCR landfill was overwhelmed. As a result, stormwater accumulated within the active cell to the point that it breached the earthen perimeter containment at the northeast corner of the landfill and flowed down the side slope until it reached a down chute leading to Stormwater Pond 4. Some of the water that collected in Stormwater Pond 4 was subsequently discharged through VPDES permitted Outfall 014 into Blackwalnut Creek.
2. **The cause of the discharge:** Two rain gauges located at the Clover Power Station indicated that the station received between 7.1 – 7.28 inches of rainfall over the 24-hour period from 6:00 AM, Friday May 18, 2018 to 6:00 AM, Saturday, May 19, 2018. According to NOAA Point Precipitation Frequency Estimates (PPFE) this represents a storm event that would be expected to occur once every 50 years (see attached). In addition, approximately 3.0" of the rainfall occurred over a 1-hour period from 5:30 PM – 6:30 PM on May 18. NOAA PPFE indicate that this represents a 100-year precipitation event. Rainwater that falls upon the active cell is directed to a sump area within the cell that is equipped with a pump that transfers the collected water to leachate ponds located on the west side of the landfill. At 5:30 PM the landfill was inspected and the sump area was observed to be free of standing water. The extraordinary rainfall between 5:30 PM and 6:30 PM overwhelmed the station's efforts to manage the water within the Stage III landfill, filling the sump area and covering the pump. As a result, stormwater accumulated in the active cell to the point that it breached the earthen perimeter containment at the northern end of the landfill and eventually flowed into Stormwater Pond 4 where some of the water was subsequently released to Blackwalnut Creek through Outfall 014.

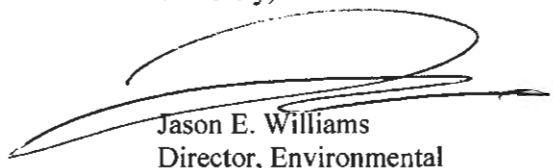
3. **The date on which the discharge occurred:** Discharge from Outfall 014 to Blackwalnut Creek was first observed at 9:15 PM on Friday, May 18, 2018.
4. **The length of time that the discharge continued:** Release of ponded stormwater from the Stage III landfill ended at approximately 11:00 PM on Friday, May 18. Discharge from Outfall 014 to Blackwalnut Creek occurred from approximately 9:15 PM on Friday, May 18 and ended in the early morning hours on Saturday, May 19. No flow was verified at 6:00 AM Saturday,
5. **The volume of the discharge:** The exact volume of water discharged through Outfall 014 is not known at this time.
6. **If the discharge is continuing, how long is it expected to continue:** Not applicable.
7. **If the discharge is continuing, what is the expected total volume of the discharge:** Not applicable.
8. **Any steps planned or taken to reduce, eliminate and prevent a reoccurrence of the present discharge or any future discharges not authorized by this permit:** The earthen berm and side slope areas of the landfill were repaired and the sump area pump placed back into service on Saturday morning, May 19.

As discussed with you during the May 22, 2018 call, once flood waters have sufficiently subsided, Dominion Energy will delineate the extent of any deposition of CCR in Blackwalnut Creek resulting from the landfill contact water discharge and will develop a clean-up plan based on those observations. The clean-up plan will be provided to you for review and approval.

Please contact Ken Roller of my staff at (804) 273-3494 or by email at [kenneth.roller@dominionenergy.com](mailto:kenneth.roller@dominionenergy.com) should you have any questions or require additional information about this transmittal.

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.

Sincerely,



Jason E. Williams  
Director, Environmental

Enclosures

ec: Beth Lohman (DEQ) [elizabeth.lohman@deq.virginia.gov](mailto:elizabeth.lohman@deq.virginia.gov)  
Douglas Foran, (DEQ) [Douglas.Foran@deq.virginia.gov](mailto:Douglas.Foran@deq.virginia.gov)  
Jay Roberts (DEQ) [jesse.roberts@deq.virginia.gov](mailto:jesse.roberts@deq.virginia.gov)



**File Name:** CL Landfill Incident 5 Day Letter May 2018

**File:** Water/Incidents-Releases-Spills

ebc: Pamela Faggert  
Mandy Tornabene  
Dave Craymer  
Jason Williams  
Shane Young  
Tim Hamlet  
Will Solomon  
Oula Shehab-Dandan  
Lauren Faulkner  
Dennis Slade  
Dell Cheatham  
Ken Roller

NOAA Atlas 14, Volume 2, Version 3 RANDOLPH  
5 NNE

Station ID: 44-7025  
Location name: Randolph, Virginia, USA\*  
Latitude: 36.9833°, Longitude: -78.7°  
Elevation:  
Elevation (station metadata): 351 ft\*\*



\* source: ESRI Maps  
\*\* source: USGS

## POINT PRECIPITATION FREQUENCY ESTIMATES

G.M. Bonnin, D. Martin, B. Lin, T. Parzybok, M. Yekta, and D. Riley

NOAA, National Weather Service, Silver Spring, Maryland

[PF tabular](#) | [PF graphical](#) | [Maps & aenals](#)

## PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches) <sup>1</sup>										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.362 (0.321-0.408)	0.428 (0.379-0.482)	0.504 (0.445-0.565)	0.564 (0.499-0.631)	0.632 (0.556-0.706)	0.681 (0.596-0.760)	0.729 (0.636-0.812)	0.769 (0.667-0.859)	0.818 (0.706-0.916)	0.856 (0.733-0.958)
10-min	0.578 (0.512-0.651)	0.685 (0.607-0.772)	0.806 (0.713-0.905)	0.901 (0.797-1.01)	1.01 (0.886-1.13)	1.09 (0.950-1.21)	1.16 (1.01-1.29)	1.22 (1.06-1.36)	1.30 (1.12-1.45)	1.35 (1.15-1.51)
15-min	0.722 (0.640-0.814)	0.861 (0.763-0.970)	1.02 (0.902-1.15)	1.14 (1.01-1.28)	1.28 (1.12-1.43)	1.37 (1.20-1.53)	1.46 (1.28-1.63)	1.54 (1.34-1.72)	1.63 (1.41-1.82)	1.69 (1.45-1.89)
30-min	0.990 (0.877-1.12)	1.19 (1.05-1.34)	1.45 (1.28-1.63)	1.65 (1.46-1.85)	1.89 (1.66-2.11)	2.07 (1.81-2.31)	2.24 (1.96-2.50)	2.40 (2.08-2.67)	2.59 (2.24-2.90)	2.74 (2.35-3.07)
60-min	1.24 (1.09-1.39)	1.49 (1.32-1.68)	1.86 (1.64-2.09)	2.15 (1.90-2.41)	2.52 (2.22-2.81)	2.80 (2.45-3.13)	3.09 (2.69-3.44)	3.36 (2.91-3.75)	3.72 (3.21-4.16)	4.00 (3.42-4.48)
2-hr	1.47 (1.30-1.66)	1.77 (1.56-2.00)	2.22 (1.95-2.50)	2.59 (2.28-2.92)	3.08 (2.69-3.45)	3.48 (3.02-3.90)	3.88 (3.35-4.34)	4.30 (3.68-4.80)	4.85 (4.12-5.43)	5.30 (4.46-5.93)
3-hr	1.57 (1.39-1.78)	1.90 (1.68-2.15)	2.37 (2.09-2.69)	2.78 (2.44-3.14)	3.31 (2.89-3.72)	3.73 (3.24-4.19)	4.17 (3.60-4.67)	4.60 (3.95-5.15)	5.19 (4.41-5.82)	5.67 (4.78-6.36)
6-hr	1.92 (1.70-2.19)	2.32 (2.04-2.64)	2.90 (2.55-3.30)	3.41 (2.98-3.87)	4.09 (3.56-4.64)	4.67 (4.04-5.29)	5.28 (4.52-5.97)	5.91 (5.01-6.66)	6.80 (5.69-7.65)	7.54 (6.23-8.48)
12-hr	2.31 (2.07-2.64)	2.79 (2.49-3.19)	3.50 (3.11-3.99)	4.16 (3.68-4.72)	5.06 (4.44-5.70)	5.83 (5.08-6.55)	6.67 (5.75-7.46)	7.57 (6.45-8.45)	8.87 (7.43-9.88)	10.0 (8.24-11.1)
24-hr	2.69 (2.45-2.99)	3.26 (2.97-3.62)	4.17 (3.79-4.63)	4.94 (4.47-5.47)	6.07 (5.45-6.72)	7.04 (6.29-7.78)	8.11 (7.19-8.94)	9.28 (8.16-10.2)	11.0 (9.56-12.1)	12.5 (10.7-13.8)
2-day	3.17 (2.91-3.48)	3.83 (3.53-4.21)	4.87 (4.47-5.35)	5.73 (5.24-6.28)	6.96 (6.33-7.64)	8.00 (7.25-8.77)	9.12 (8.19-9.99)	10.3 (9.19-11.3)	12.1 (10.6-13.3)	13.5 (11.8-14.9)
3-day	3.35 (3.07-3.68)	4.06 (3.73-4.45)	5.15 (4.72-5.65)	6.05 (5.53-6.63)	7.36 (6.69-8.05)	8.45 (7.65-9.23)	9.62 (8.65-10.5)	10.9 (9.71-11.9)	12.7 (11.2-14.0)	14.3 (12.4-15.7)
4-day	3.53 (3.24-3.88)	4.28 (3.93-4.70)	5.43 (4.98-5.95)	6.38 (5.82-6.98)	7.75 (7.04-8.47)	8.89 (8.05-9.70)	10.1 (9.11-11.1)	11.5 (10.2-12.5)	13.4 (11.8-14.6)	15.0 (13.1-16.4)
7-day	4.08 (3.75-4.45)	4.90 (4.51-5.36)	6.12 (5.62-6.68)	7.13 (6.52-7.77)	8.57 (7.81-9.32)	9.76 (8.85-10.6)	11.0 (9.94-12.0)	12.4 (11.1-13.5)	14.4 (12.7-15.7)	16.0 (14.0-17.5)
10-day	4.64 (4.28-5.04)	5.55 (5.13-6.03)	6.86 (6.33-7.45)	7.92 (7.29-8.59)	9.41 (8.63-10.2)	10.6 (9.71-11.5)	11.9 (10.8-12.9)	13.3 (12.0-14.4)	15.2 (13.5-16.5)	16.7 (14.8-18.2)
20-day	6.28 (5.86-6.75)	7.49 (6.98-8.04)	9.05 (8.43-9.72)	10.3 (9.54-11.0)	11.9 (11.1-12.8)	13.3 (12.2-14.2)	14.6 (13.4-15.6)	15.9 (14.6-17.1)	17.8 (16.1-19.1)	19.2 (17.3-20.6)
30-day	7.75 (7.29-8.26)	9.20 (8.64-9.78)	10.9 (10.2-11.6)	12.1 (11.4-12.9)	13.8 (12.9-14.7)	15.1 (14.1-16.0)	16.3 (15.2-17.3)	17.5 (16.2-18.6)	19.1 (17.6-20.3)	20.2 (18.6-21.6)
45-day	9.77 (9.22-10.3)	11.5 (10.9-12.2)	13.5 (12.7-14.3)	15.0 (14.1-15.8)	16.8 (15.8-17.8)	18.2 (17.1-19.3)	19.5 (18.3-20.7)	20.8 (19.4-22.0)	22.4 (20.8-23.8)	23.6 (21.9-25.1)
60-day	11.6 (11.0-12.3)	13.7 (13.0-14.5)	15.8 (14.9-16.7)	17.4 (16.4-18.4)	19.4 (18.3-20.5)	20.9 (19.7-22.1)	22.3 (21.0-23.6)	23.6 (22.2-25.0)	25.3 (23.6-26.8)	26.5 (24.7-28.2)

<sup>1</sup> Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

[Back to Top](#)



August 6, 2018

**BY EMAIL**

Mr. Douglas Foran  
Solid Waste Compliance Inspector  
Virginia Department of Environmental Quality  
Blue Ridge Regional Office  
3019 Peters Creek Road  
Roanoke, VA 24019  
[douglas.foran@deq.virginia.gov](mailto:douglas.foran@deq.virginia.gov)

**RE: Dominion Energy Clover Power Station: Response to VADEQ Deficiency Letter Dated July 26, 2018**

Dear Mr. Foran:

Dominion Energy Clover Power Station (Dominion) received your Deficiency Letter (Letter) dated July 26, 2018 as follow up to a solid waste compliance inspection performed by Virginia Department of Environmental Quality (Department) representatives on June 26, 2018. One observation was made during this inspection, which is outlined in the Letter, and the Department has asked Dominion to provide a response to the observation.

**Observation 1**

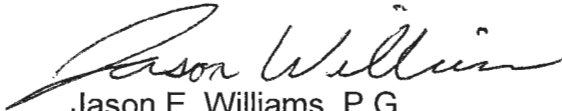
*The CCR groundwater assessment monitoring notification to DEQ was dated May 29, 2018, but it was due by close of business on May 25, 2018. According to facility records, the notification was placed in the facility's operating record on April 25, 2018. The notification to DEQ appears to have been submitted late.*

**Response 1**

Dominion has implemented the following process improvement to ensure this compliance date is not missed in the future. Moving forward, all notifications made under 40 CFR 257.106 will be initiated internally no later than 25 days from placement in the respective facility's operating record. Under this timeframe, we will avoid the circumstance that led to the identified observation above.

Please contact Dennis Slade at [dennis.a.slade@dominionenergy.com](mailto:dennis.a.slade@dominionenergy.com) if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Williams", with a stylized, flowing script.

Jason E. Williams, P.G.  
Director, Environmental

ebc: A. Tornabene  
S. Young  
Jason Williams  
T. Hamlet  
W. Solomon  
Dennis Slade  
Dell Cheatham  
E. Heath

File: Compliance Reporting and Supporting Documents/ Wastes – CCB – Ash/VADEQ  
Response to CL Deficiency Letter 080618



**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

July 31, 2018

Mr. Samuel Hale  
DEQ – Blue Ridge Regional Office  
3019 Peters Creek Road  
Roanoke, Virginia 24019

**RE: Dominion Energy – Clover Power Station – VPDES Permit No. VA0083097**  
**Response to July 11, 2018 Warning Letter No. W2018-07-B-1009**

Dear Mr. Hale:

This letter is in response to the Department of Environmental Quality (DEQ) Warning Letter, dated July 11, 2018, related to extraordinary discharges associated with the Coal Pile/Limestone Runoff Basin and the Coal Combustion Residuals (CCR) Landfill that occurred on Friday, May 18, 2018.

Enclosed is a summary of actions taken or planned by Dominion in response to the event.

Please contact Ken Roller of my staff at (804) 273-3494 or at [kenneth.roller@dominionenergy.com](mailto:kenneth.roller@dominionenergy.com) should you have any questions or require additional information about this transmittal.

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.

Sincerely,

A handwritten signature in black ink that reads 'Jason Williams'.

Jason E. Williams  
Director, Environmental

Enclosures

cc: Jay Roberts (DEQ) [jesse.roberts@deq.virginia.gov](mailto:jesse.roberts@deq.virginia.gov)

OFFICIAL COPY

Oct 02 2019



**Dominion Energy Clover Power Station  
VPDES Permit No. VA0083097**

**Coal Pile/Limestone Runoff Basin- Extraordinary Discharge from Emergency Spillway**

Initial Actions Prior to and During the Rain Event

Prior to the start of the rain event on Friday, May 18, 2018, the station had drawn down the water level in the Coal Pile/Limestone Runoff Basin to ~1.4 feet. Due to the configuration of the basin emergency spillway, this approximate water level is the lowest level at which the station has confidence that floating material in the basin will not be discharged. As the water level was rising, but prior to the large rain event on Friday evening, the station placed a temporary pump in service and began pumping water (~1200 gpm) to the station's sludge pond where it was used as make-up water for the station's FGD process[system?]. In addition, water was transferred from the Coal Pile/Limestone Runoff Basin for treatment in the station's wastewater treatment plant at a rate of ~120 gpm until approximately 10:00 AM on Saturday, May 19. Use of these pumps was not sufficient to prevent the pond from overflowing, and a third pump was put into service at around 10:00 PM on May 18 that pumped water to the station's holding pond, which discharges through VPDES permitted Outfall 001. Water was pumped throughout the night using the three temporary pumps. At 10:00 AM on Saturday, May 19, all three pumps were removed from service and one ~1200 gpm pump was then used to transfer water from the Coal Pile/Runoff Basin to the station's raw water storage pond. Pumping in this configuration continued until about 9:00 AM on Monday, May 21.

Corrective Actions

Following the rain event, an inspection of the site indicated that coal fines coated the vegetation in the area adjacent to the emergency spillway and deposited in low spots and along the fence line.

A cleanup plan was submitted to DEQ on June 15, 2018 for approval. DEQ approved the plan on July 5, 2018.

Dominion removed the coal fines that accumulated in low spots and along the fence line adjacent to the Coal Pile/Limestone Runoff Basin using small mechanical equipment and hand rakes, shovels, and wheelbarrows. The cleanup was completed on July 27, 2018.

Additional Best Management Practices

The facility will continue to diligently treat and discharge from the Coal Pile/Limestone Runoff Basin after each rain event. Portable pumps will also be maintained on site for quick deployment in the event of large rain events to transfer water to other ponds as allowed by the VPDES permit. The facility will also continue to routinely dredge the accumulated solids from the basin and take measures to minimize entry of coal and coal fines into the basin. These measures include grooming the coal pile away from the perimeter ditches, and removing the coal from perimeter ditches after rain events.

**Coal Combustion Residuals Landfill- Extraordinary Discharge of Contact Stormwater from Outfall 014**

Initial Actions Prior to the Rain Event

Prior to the rain event, the landfill was inspected and the temporary stormwater collection area was observed to be free of standing water. The transfer pump was in service removing water from the landfill throughout the day and was shutdown approximately 1 hour prior to the rain event after all

water had been removed.

Corrective Actions- CCR Material Discharge From Landfill

Beginning on Saturday morning, May 19, 2018, cleaning and repair activities commenced on the benches and ditches. The water that accumulated within the active area of the landfill and in Stormwater Pond #4 was transferred to the leachate basins.

Cleaning and repair activities at the landfill and Pond #4 were completed by May 25, 2018.

Trace amounts of CCR trapped in the downchute rip rap will be controlled during subsequent rain events with a floating boom inside Pond #4.

Corrective Actions- Contact Stormwater and Cenospheres Discharge from Outfall 014

Following the storm event, an inspection of areas downgradient from Pond #4 indicated that contact stormwater containing cenospheres discharged from Outfall 014. The cenospheres were floating on the surface of the flood waters adjacent to Black Walnut Creek. When the flood waters started to recede, the cenospheres were deposited and coated the detritus under the tree canopy and accumulated in certain low spots. Further inspection of the area after the flood waters had completely receded revealed a thin layer, between a dusting to 1/2 inch, of accumulated cenospheres.

Golder Associates, Inc. was retained and tasked to delineate the extent of the cenosphere deposition and to determine the presence/absence of wetlands in that area. The delineation was completed on May 24, 2018 and submitted to the DEQ with the cleanup plan on June 15, 2018. DEQ approved the plan on July 5, 2018.

Dominion's contractors are currently in the process of cleaning the impacted area by removing the accumulated material and the coated detritus (dead leaves, sticks, branches, etc.) by hand using rakes, shovels, wheelbarrows and small mechanical equipment. Dominion's ash hauling contractor Boral and their subcontractor Summit Environmental Services were selected to conduct the cleanup of the cenospheres from the wooded area. The work commenced on July 23<sup>rd</sup> and was initially estimated to be completed by July 27, 2018. However, the contractor recently indicated that cleanup efforts, being weather dependent, are expected to take another one or two weeks. The removed material will be hauled offsite for proper disposal.

Additional Best Management Practices

A larger earthen berm has been constructed around the perimeter of the active (Stage III) landfill to minimize the likelihood of future breaches. This improvement was shown to DEQ personnel during an onsite inspection on June 26, 2018.

The station is also planning to install new riser screens on the stand pipes at each of the landfill's stormwater ponds. Golder Associates, Inc. has finalized the designs of the new riser screens, which will prevent floating materials from exiting through the pond stand pipes. The new riser screens are currently being custom manufactured and are anticipated to be delivered to the station by the end of August for installation.

Please send electronic copy to:

David Craymer  
Pam Faggert  
Amanda Tornabene  
Jason Williams  
Shane Young  
Ken Roller  
Tim Hamlet  
Will Solomon  
Dennis Slade  
Dell Cheatham  
Oula Shehab-Dandan

**Documentum: Water-NPDES/ Incidents – Releases – Spills/ Clover / CL Response to July  
11 2018 Warning Letter**

**OVERNIGHT MAIL**  
**RETURN RECEIPT REQUESTED**

September 11, 2013

Ms. Elizabeth Lohman  
Environmental Program Planner  
Virginia Department of Environmental Quality - Blue Ridge Region  
7705 Timberlake Rd.  
Lynchburg, VA 24502

**RE: Clover Power Station, Solid Waste Permit No. 556 – Response to August 23, 2013,**  
**Warning Letter**

Dear Ms. Lohman:

Clover Power Station (Station) received the Warning Letter dated August 23, 2013, for events which were observed in July 2013 at its solid waste facility (facility). The Warning Letter identified two observations and one Area of Concern. Prior to receipt of the August 23<sup>rd</sup> letter, the Station submitted a letter to Mr. Foran on August 7<sup>th</sup> describing anticipated corrective action measures that may be implemented at the facility. This letter provides additional information in response to the Warning Letter.

The first observation deals with management of stormwater at the facility and suggests that stormwater be directed to stormwater management basins. The Station's VPDES Permit (#VA0083097) requires that stormwater be directed to the on-site wastewater treatment plant where it is treated prior to being discharged at Outfall 009. We are developing corrective action measures that will address the stormwater management issues and direct stormwater to the permitted outfall.

The second observation addresses the timeframe for notification. A number of steps were and are being taken to address the erosion and stormwater management issues observed at the facility. Although there was further erosion which occurred in late July 2013, the ash remained fully contained within the facility, and, as such, was not deemed to be a condition that endangered health and the environment. We understand the importance of communicating events at the facility and will continue to communicate our corrective action measures.

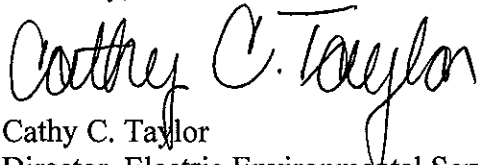
In addition to the aforementioned observations, the letter identified an Area of Concern with the approved cover material that is applied to the active area of the facility. The letter suggests applying additional soil cover to the active area. We are evaluating existing facility operations and will take your comments into consideration.



Our August 7<sup>th</sup> letter discussed plans to conduct a Cone Penetrometer Test (CPT) at the facility. The CPT has been completed and we are evaluating the test results to aid in the development of our corrective action measures. A complete list of corrective action measures to be implemented will be provided no later than September 30, 2013. In addition to the list of corrective action measures, the CPT results and an implementation schedule showing the timeframe for completing the corrective action measures will also be provided.

Should you require additional information, please contact Anikka Moore of Dominion's Electric Environmental Services at (804) 273-2988 or via email [anikka.r.moore@dom.com](mailto:anikka.r.moore@dom.com).

Sincerely,

A handwritten signature in black ink that reads "Cathy C. Taylor". The signature is fluid and cursive, with the first name "Cathy" and last name "Taylor" clearly legible.

Cathy C. Taylor  
Director, Electric Environmental Services

Enclosure

cc: Aziz Farahmand, VA DEQ  
Douglas Foran, VA DEQ  
Linda Shultz, VA DEQ

Please scan signed copy and rename:

File Name: **CL – 2013-09-11, Clover Response to Landfill Warning Letter**

Documentum: **Inspections (Agency)/Wastes – Solid Waste**

Please send renamed electronic copy to:

Edward Baine  
Pamela Faggert  
Sidney Bragg  
Diane Simon  
Cristie Neller  
John Cima  
Michael Winters  
David Bristow  
Tim Hamlet✓  
Will Solomon  
Karen Canody  
Glenn Johnson✓  
Anikka Moore✓  
Rick Woolard

**OVERNIGHT MAIL**  
**RETURN RECEIPT REQUESTED**

September 11, 2013

Ms. Elizabeth Lohman  
Environmental Program Planner  
Virginia Department of Environmental Quality - Blue Ridge Region  
7705 Timberlake Rd.  
Lynchburg, VA 24502

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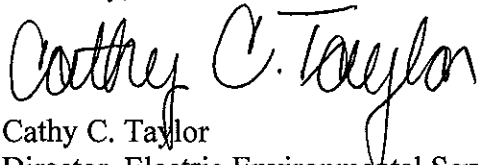
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Should you require additional information, please contact Anikka Moore of Dominion's Electric Environmental Services at (804) 273-2988 or via email [anikkar.r.moore@dom.com](mailto:anikkar.r.moore@dom.com).

Sincerely,

A handwritten signature in black ink that reads "Cathy C. Taylor". The signature is fluid and cursive, with the first name "Cathy" and last name "Taylor" clearly legible.

Cathy C. Taylor  
Director, Electric Environmental Services

Enclosure

cc: Aziz Farahmand, VA DEQ  
Douglas Foran, VA DEQ  
Linda Shultz, VA DEQ



**Amanda B. "Mandy" Tornabene**  
Vice President – Environmental Services  
Dominion Energy Services, Inc.

5000 Dominion Boulevard, Glen Allen, VA 23060  
DominionEnergy.com



**BY U.S. MAIL – RETURN RECEIPT REQUESTED**  
**7017 2400 0000 0228 9310**

July 12, 2018

Ms. Margaret O. Wagner  
Air Compliance Manager  
Blue Ridge Regional Office  
Virginia Department of Environmental Quality  
3019 Peters Creek Road  
Roanoke, Virginia 24019

**Re:      Clover Power Station**  
**DEQ Air Registration No. 30867**  
**Warning Letter ABRRO000942 Issued June 14, 2018**

Dear Ms. Wagner:

Virginia Electric and Power Company dba Dominion Energy Virginia (Dominion Energy) and Old Dominion Electric Cooperative are in receipt of the Warning Letter dated June 14, 2018, regarding alleged permit violations at the Clover Power Station. As requested, Dominion Energy is providing the following information in response.

As reported in the station's First Quarter 2018 Excess Emission Report (EER), the first quarter, 2018 NOx CEMS data capture rate for Unit #2 was 74.2% which is below the required capture rate. This deviation was caused by an error which occurred on March 8, 2018 while conducting a quarterly linearity test. The error was not discovered until March 29, 2018. Upon discovery, Dominion Energy took action and the linearity test was immediately repeated the same day with passing results.

Because no adjustments other than routine activities were made to the analyzer prior to the linearity retest, the station was able to recover up to 168 hours prior to the retest, in accordance with the provisional calibration provisions of Part 75. This resulted in a total of 352 hours of data being invalidated, beginning with the failed linearity test conducted on March 8, 2018, at 1400 hours and ending with the morning calibration on March 23, 2018, at 0500 hours.

Dominion Energy has since conducted the second quarter 2018 linearity test on Unit 2 NOx CEMS and achieved a data capture rate of 99.81% for the second quarter of 2018.

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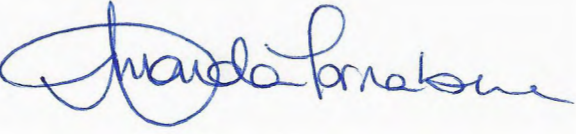
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Ms. Margaret O. Wagner  
July 12, 2018  
Page 2

As a result of this incident, Dominion Energy has instituted a peer review check to verify the accuracy of linearity data entries going forward. This peer review check is designed to identify and correct similar data entry errors within one business day.

If you have any questions or need any additional information, please contact Alan Ball at (804) 273-3912 or [wesley.a.ball@dominionenergy.com](mailto:wesley.a.ball@dominionenergy.com).

Sincerely,

A handwritten signature in blue ink, appearing to read "Amanda B. Tornabene". The signature is fluid and cursive, with the first name "Amanda" being more prominent.

Amanda B. Tornabene

cc: Mr. James D. Puckett, Jr., Air Compliance Specialist Sr. ([james.puckett@deq.virginia.gov](mailto:james.puckett@deq.virginia.gov))

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Please scan signed original/attachments, this BBC Page, and anything attached to this page and name file as: **Clover Response to Warning Letter 7\_2018.pdf**

Please upload to Documentum  
Facility(s): Clover

Title: **Clover Response to Warning Letter 7 2017**

Document Type	Enforcement and Consent Orders
Environmental Program	Air - Title V General
Record?	Yes
Publish?	No

Send document link electronically to:

**DES Management:**

Pam Faggert  
Mandy Tornabene  
Richard Gangle  
Elizabeth Gayne

**Client Management:**

Dave Craymer  
Ken Lazzaro  
Will Solomon

**ECC:**

Tim Hamlet

**Others Associated:**

**Air Team:**

Troy Breathwaite  
Alan Ball



## COMMONWEALTH of VIRGINIA

Matthew J. Strickler  
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Blue Ridge Regional Office  
3019 Peters Creek Road, Roanoke, Virginia 24019  
(540) 562-6700; Fax (540) 562-6725  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

David K. Paylor  
Director

Robert J. Weld  
Regional Director

June 14, 2018

Mr. Tim Hamlet  
Sr. Environmental Coordinator  
Clover Power Station  
4091 Clover Road  
P.O. Box 245  
Clover, VA 24534-0245

### WARNING LETTER

RE: Clover Power Station  
Registration No. 30867  
Warning Letter ABRRO000942

Dear Mr. Hamlet:

The Department of Environmental Quality (DEQ or the Department) has reason to believe that the Clover Power Station facility may be in violation of the Air Pollution Control Law and Regulations at Clover Power Station.

This letter addresses conditions at the facility named above, and also cites compliance requirements of the Air Pollution Control Law and Regulations. Pursuant to Va. Code § 10.1-1309(A)(vi), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* (APA). DEQ requests that you respond **within 30 days of the date of this letter or by July 14, 2018.**

### OBSERVATIONS AND LEGAL REQUIREMENTS

On May 7, 2018, DEQ staff conducted a Partial Compliance Evaluation (PCE) of Clover Power Station for the First Quarter 2018 Excess Emission Report (EER). The following describes the staff's factual observations and identifies the applicable legal requirements:

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1. **Observations:** Clover Power Station is required to maintain a data capture percentage from each of the CEMS located at the facility. The facility reported that the first quarter 2018 data capture percentages for the Unit 2 30-day rolling NO, #/mmBtu and for the Unit 2 12-month rolling NO, #/mmBtu were 74.2%, as a result of the failed linearity test. A quarterly linearity test was performed on the Clover Unit 2 stack NOx analyzer on March 8, 2018. The corporate technician performing the test incorrectly entered a NOx expected ppm value of 87.2 as 80.7 into the CEMS data acquisition and handling system (DAHS) linearity utility that caused the system to indicate that the test was passed when it actually had failed. This mistake was not discovered until March 29, 2018. A corporate technician was immediately sent to the power station to redo the linearity, which was successfully completed without adjustments at 1513 on March 29, 2018. Station personnel had made routine adjustments to the analyzer on March 13<sup>th</sup> that allowed the analyzer to pass the March 29<sup>th</sup> retest. Since no other adjustments were made prior to the linearity retest, it was possible to recover up to 168 hours before the retest under provisional calibration provisions. Therefore, 352 hours of data from the failed linearity on March 8<sup>th</sup> at 1400 until the morning calibration on March 23<sup>rd</sup> at 0500 were invalidated.

**Legal Requirements:** Condition III.B.1 of the facility's March 2, 2012, Title V Permit states the following:

**"III.B.1 Fuel Burning Equipment Requirements - (ES1 and ES2) - Main Boiler Monitoring**

Continuous emission monitors (CEMS) shall measure and record the following:

the opacity at each main boiler fabric filter outlet,

the concentration of SO<sub>2</sub> at the inlet and outlet of each flue gas desulfurization system,

NO<sub>x</sub> at each main boiler stack, and

CO<sub>2</sub> or O<sub>2</sub> emitted from each main coal boiler.

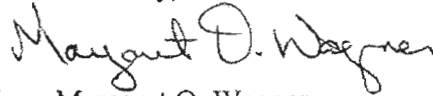
The CEMS shall be maintained, located and calibrated with approved procedure in accordance with 40 CFR 60.40b and 40 CFR 60, Subpart Da. A 30-day notification prior to the demonstration of continuous monitoring system performance (and any subsequent notifications) is to be submitted to the Director, Blue Ridge Regional Office.

(9 VAC 5-80-490 and Condition I.32 of 2/16/12 Permit)"

Mr. Tim Hamlet  
Clover Power Station  
Warning Letter ABRRO #000942  
Page 4 of 4

Your contact at DEQ in this matter is James D. Puckett, Jr. Please direct written materials to his attention. If you have questions or wish to arrange a meeting, you may reach him directly at (540) 524-0226 or [james.puckett@deq.virginia.gov](mailto:james.puckett@deq.virginia.gov).

Sincerely,



Margaret O. Wagner  
Air Compliance Manager

cc: Air Compliance File  
James D. Puckett, Jr., Air Enforcement/Compliance Specialist Sr.

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Mr. Tim Hamlet  
Clover Power Station  
Warning Letter ABRRO #000942  
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### ENFORCEMENT AUTHORITY

Va. Code § 10.1-1316 of the Air Pollution Control Law provides for an injunction for any violation of the Air Pollution Control Law, the Air Board regulations, an order, or permit condition, and provides for a civil penalty up to \$32,500 per day of each violation of the Air Pollution Control

Law, regulation, order, or permit condition. In addition, Va. Code §§ 10.1-1307 and 10.1-1309 authorizes the Air Pollution Control Board to issue orders to any person to comply with the Air Pollution Control Law and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the Air Pollution Control Law and regulations, and to impose a civil penalty of not more than \$10,000. Va. Code §§ 10.1-1320 and 10.1-1309.1 provide for other additional penalties.

The Court has the inherent authority to enforce its injunction, and is authorized to award the Commonwealth its attorneys' fees and costs.

### FUTURE ACTIONS

After reviewing this letter, please respond in writing to DEQ **within 30 days of the date of this letter or by July 14, 2018** detailing actions you have taken or will be taking to ensure compliance with state law and regulations. If corrective action will take longer than 90 days to complete, you may be asked to sign a Letter of Agreement or enter into a Consent Order with the Department to formalize the plan and schedule. *It is DEQ policy that appropriate, timely, corrective action undertaken in response to a Warning Letter will avoid adversarial enforcement proceedings and the assessment of civil charges or penalties.*

Please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. Also, if informal discussions do not lead to a satisfactory conclusion, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred. For further information on the Process for Early Dispute Resolution, please see Agency Policy Statement No. 8-2005 posted on the Department's website under "Programs," "Enforcement," and "Laws, Regulations,&Guidance" at:

<http://www.deq.virginia.gov/Programs/Enforcement/LawsRegulationsGuidance.aspx> or ask the DEQ contact listed below.



Blue Ridge Regional Office  
3019 Peters Creek Road, Roanoke, VA24019

Phone #: (540) 562-6700

Registration #: 30867

Site Name: Dominion/ODEC - Clover Power Station

Address: 4091 Clover Road, Clover, VA 24534

Contacts: Tim Hamlet: (434) 454-2150

Scott Lawton: (804) 273-2600

Report #: 319337

CMS: Title V Major

Classification: Major/Potential Major

## AIR INSPECTION REPORT

The purpose of this inspection report is to document DEQ's observations and provide the compliance status for requirements applicable to the facility. Presented below are the following:

- **Inspection Details** describe this inspection report
- **Compliance Summary** lists individual requirements addressed in the report
- **Inspection Summary** provides an overview of the inspector's observations
- **Inspection Checklist** provides additional details and individual observations related to specific requirements

### Inspection Details

Inspection Date: May 7, 2018  
Inspection Reason: Review EER or Other CEM Report  
Reporting Period: 01/01/2018 - 03/31/2018  
Inspector: James Puckett  
Inspection Result: Out of Compliance

Program Code	Subpart
SIP	
TITLE V	

### Approvals

Inspector: James Puckett  
Signed Date: Jun 14, 2018

Supervisor: Margaret Wagner  
Approved Date: Jun 14, 2018



## Compliance Summary

**In Compliance** The applicable requirements listed in the table below were confirmed during the inspection to be in compliance.

Permit Effective Date or Regulation	Applicable Requirement
3/2/2012 TITLE V	17, 18, 28, 35

**Out of Compliance** The applicable requirements listed in the table below were confirmed during the inspection to be out of compliance.

Permit Effective Date or Regulation	Applicable Requirement
3/2/2012 TITLE V	16

## Inspection Summary

A Partial Compliance Evaluation (PCE) was conducted of an Excess Emissions Report (EER) received on May 1, 2018 (postmarked April 26, 2018) for the 1st Quarter 2018 (January through March). The report is a requirement of the facility's Title V permit effective January 1, 2008, amended March 2, 2012. Conditions III.B.1 and III.B.2 require the facility to install continuous emission monitors on the main boilers, as well as the auxiliary boiler. However, the auxiliary boiler was shutdown as of December 3, 2015. The CEM on the main boilers measure and record the opacity at each fabric filter outlet, the concentrations of SO<sub>2</sub> at the inlet and outlet of each flue gas desulfurization system, NO<sub>x</sub> at each stack, and CO or O<sub>2</sub>, emitted from each main coal boiler. Condition III.B.2 states that the data generated by the CEMS shall be used to determine compliance with emission and opacity standards and outlines information that shall be included in the quarterly EER. 40 CFR PART 60.49(b) requires that all quarterly reports be postmarked by the 30th day following the end of each calendar quarter. Conditions III.B.13 and III.E.5 outline the Compliance Assurance Monitoring (CAM) requirements that are included as part of this quarterly report. A review of the submitted report indicated that a Responsible Official did sign the Certification Statement and Document Certification Form.

The data capture for Opacity was 99.47% for Unit 1A (0.10% downtime due to Quality Assurance Calibration and 0.42% downtime due to Automatic Zero and Span Checks); 99.47% for Unit 1B (0.11% downtime due to Quality Assurance Calibration and 0.42% downtime due to Automatic Zero and Span Checks); 99.55% for Unit 2A (0.01% downtime due to Quality Assurance Criteria and 0.44% due to Automatic Zero and Span Checks); and 99.55% for Unit 2B (0.01% downtime due to Quality Assurance Calibration and 0.44% downtime due to Automatic Zero and Span Checks).

It was noted that Unit 1A had excess emissions of 1.20% of total operating time due to Startup/Shutdown and 0.01% due to Other Known Causes; Unit 1B had excess emissions of 1.18% of total operating time due to Startup/Shutdown; Unit 2A had excess emissions of 3.05% of total operating time due to Startup/Shutdown; and Unit 2B had excess emissions of 2.60% of operating time due to Startup/Shutdown. This report covers the period of January, February and March of 2018.

Station SO<sub>2</sub> (3 hour and 24 hour rolling) had a data capture of 100% (0% downtime during the reporting quarter). Station NO<sub>x</sub> (12-month rolling) had a data capture of 100% (0% downtime during the reporting quarter).

A quarterly linearity test was performed on the Clover Unit 2 stack NO<sub>x</sub> analyzer on March 8, 2018. The corporate technician performing the test incorrectly entered a NO<sub>x</sub> expected ppm value of 87.2 as 80.7 into the CEMS data acquisition and handling system (DAHS) linearity utility that caused the system to indicate that the test was passed when it actually had failed. This mistake was not discovered until March 29, 2018. A corporate technician was immediately sent to the power station to redo the linearity which was successfully completed without adjustments at 1513 on March 29, 2018. Station personnel had made routine adjustments to the analyzer on March 13 that allowed the analyzer to pass the March 29 retest. Since no other adjustments were made prior to the linearity retest, it was possible to recover up to 168 hours before the

(See attached Reports)

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The continuous monitoring data generated by the opacity monitor may be used as evidence of violation of the emission standards. These data shall be kept on file and made available to the Department upon request. These monitors are subject to such data capture requirements and quality assurance requirements as prescribed by 40 CFR Part 60, (9 VAC 5-80-490 and Condition I.36 of 2/16/12 Permit)

#### Observation

Source provided records as outlined to demonstrate compliance with this condition. Attached is a copy of the first quarter 2018 EER. A review of the report indicated compliance with Part 60.

(See attached Reports)

**Effective Date:** Mar 2, 2012' **Applicable Requirement #:** 28

**Compliance Status:** **In Compliance**

#### Applicable Requirement

III.B.13 Fuel Burning Equipment Requirements - (ES1 and ES2) - Main Boiler Monitoring

Compliance Assurance Monitoring (CAM) - The permittee shall submit CAM reports as part of the facility's existing quarterly or semiannual excess emissions reports required under this permit to the Director, Blue Ridge Regional Office. Such reports shall include at a minimum:

- a. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
  - b. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
  - c. A description of the actions taken to implement a quality improvement plan (QIP) during the reporting period as specified in 40 CFR 64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.
- (9 VAC 5-80-490 and 40 CFR 64.9(a))

#### Observation

Source provided records as outlined to demonstrate compliance with this condition. Attached is a copy of the first quarter 2018 EER. A review of the report indicated compliance with Part 60.

(See attached Reports)

**Effective Date:** Mar 2, 2012 **Applicable Requirement #:** 35

**Compliance Status:** **In Compliance**

#### Applicable Requirement

III.E.5 Fuel Burning Equipment Requirements - (ES1 and ES2) - Main Boiler Reporting

5. Compliance Assurance Monitoring (CAM) Reporting - The permittee shall submit CAM reports as part of the existing quarterly or semiannual reports to the Director, Blue Ridge Regional Office. Such reports shall include at a minimum:
- a. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
  - b. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
  - c. A description of the actions taken to implement a quality improvement plan (QIP) during the reporting period as specified in 40 CFR 64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.
- (9 VAC 5-80-490 and 40 CFR 64.9(a))

#### Observation

Source provided records as outlined to demonstrate compliance with this condition. Attached is a copy of the first quarter 2018 EER. A review of the report indicated compliance with Part 60.

## Inspection Checklist

**Effective Date:** Mar 2, 2012    **Applicable Requirement #:** 16

**Compliance Status:** **Out of Compliance**
**Applicable Requirement**

III.B.1 Fuel Burning Equipment Requirements - (ES1 and ES2) - Main Boiler Monitoring

Continuous emission monitors (CEMS) shall measure and record the following:

the opacity at each main boiler fabric filter outlet,

 the concentration of SO<sub>2</sub> at the inlet and outlet of each flue gas desulfurization system,

 NO<sub>x</sub> at each main boiler stack, and

 CO<sub>2</sub> or O<sub>2</sub> emitted from each main coal boiler.

The CEMS shall be maintained, located and calibrated with approved procedure in accordance with 40 CFR 60.40b and 40 CFR 60, Subpart Da. A 30-day notification prior to the demonstration of continuous monitoring system performance (and any subsequent notifications) is to be submitted to the Director, Blue Ridge Regional Office.  
(9 VAC 5-80-490 and Condition I.32 of 2/16/12 Permit)

**Observation**

It was noted that as a result of the failed linearity test on Unit 2, the first quarter 2018 data capture percentages for the Unit 2 30-day rolling #/mmBtu and for the Unit 2 12-month rolling #/mmBtu were 74.2 percent for NO<sub>x</sub>. A Warning Letter will be issued to address this deficiency. Attached is a copy of the first quarter 2018 EER.

(See attached Reports)

**Effective Date:** Mar 2, 2012    **Applicable Requirement #:** 17

**Compliance Status:** **In Compliance**
**Applicable Requirement**

III.B.2 Fuel Burning Equipment Requirements - (ES1 and ES2) - Main Boiler Monitoring

The continuous monitoring data generated by the CEMS on the main boilers shall be used to determine compliance with the emissions and opacity standards. The data capture and reporting requirements of 40 CFR 60, Subpart Da shall apply. The quality assurance provisions of 40 CFR 60 or 40 CFR 75 shall apply. In addition to the requirements of 40 CFR 60, Subpart Da, the permittee shall include the following in the quarterly emissions report:

 each rolling 3-hour SO<sub>2</sub> emissions rate in excess of 1,151 pounds per hour, based on the averaged sum of emissions from the main coal boilers,

 each rolling 24-hour SO<sub>2</sub> emissions rate in excess of 1,065 pounds per hour, based on the average sum of emissions from the main coal boilers, and

 the annual averaged SO<sub>2</sub> and NO<sub>x</sub> emission rates for each main coal boiler (in lb/MMBtu) taken as the sum of the previous 12 months.

(9 VAC 5-80-490 and Condition I.34 of 2/16/12 Permit)

**Observation**

Source provided records as outlined to demonstrate compliance with this condition. Attached is a copy of the first quarter 2018 EER. A review of the report indicated compliance with Part 60.

(See attached Reports)

**Effective Date:** Mar 2, 2012    **Applicable Requirement #:** 18

**Compliance Status:** **In Compliance**
**Applicable Requirement**

III.B.3 Fuel Burning Equipment Requirements - (ES1 and ES2) - Main Boiler Monitoring



retest under provisional calibration provisions. Therefore, 352 hours of data from the failed linearity on March 8 at 1400 until the morning calibration on March 23 at 0500 were invalidated. As a result of the failed linearity test, the first quarter 2018 data capture percentages (100% - %Monitor Percent Downtime) for the Unit 2 30-day rolling NO, #/mmBtu and for the Unit 2 12-month rolling NO, #/mmBtu were 74.2 percent. A Warning Letter will be issued to address this deficiency.

Emission data for the Unit 2 NOx CEMS were not obtained for at least 18 hours in at least 22 out of 30 successive boiler operating days (40CFR60.49Da(f)(1)) from March 16, 2018 through March 31, 2018 and continued in April 2018. In accordance with 40CFR60.49Da(h)(4), Equation 19-28 from Method 19 has been used to estimate the NOx emissions during the missing data period. A report containing the 16 days of estimated emissions is enclosed. Dominion Energy feels that Equation 19-28 in the reference method is statistically incorrect. The report contains data calculated by both the reference method equation, and the equation as presented by Dominion Energy. A Warning Letter will be issued to address this deficiency.

Attachments:

1st Quarter 2018 EER

1st Quarter 2018 CAM Report

**BY U.S MAIL**  
**RETURN RECEIPT REQUESTED**

December 29, 2017

Ms. Cathy Kibler  
Department of Environmental Quality  
Blue Ridge Regional Office  
3019 Peters Creek Road  
Roanoke, VA 24019

**RE: Clover Power VPDES Permit VA0083097**  
**Five-Day Notification Letter**

Dear Ms. Kibler:

The following information is a follow-up to the verbal notification made on December 26, 2017 at 3:55 p.m. to Mr. Frank Bowman concerning a discharge of boiler blowdown to a wetland located in the drainage area associated with stormwater Outfall 004 at the Clover Power Station.


1. **A description of the nature and location of the discharge:** The discharge occurred during the start-up of generating Unit 1 at the Clover Power Station. Condensed steam from the Unit 1 boiler was observed flowing into the station's stormwater drain system. The condensed steam, mixed with stormwater from the previous day's rain event, overflowed a containment basin and entered a wetland located in the drainage area associated with stormwater Outfall 004. A grab sample of the water was collected and the pH of the water was 7.2 s.u.
2. **The cause of the discharge:** Generating Unit 1 was in start-up mode on December 26, 2017. Boiler blowdown, a necessary and normal part of the Unit's start-up process, generates steam. Because of the outside ambient air temperature (between 31-34° F), the steam being produced by the boiler blowdown condensed. The condensed steam flowed into a ditch near the blowdown piping vent and entered the station's stormwater drain system. As a best management practice (BMP), the station had previously installed concrete curbing and a concrete containment basin with isolation valves within the stormwater drainage system. The isolation valves are only opened after stormwater that has collected in the containment basin is inspected and is determined to be free of contamination. On December 26, a substantial amount of stormwater had accumulated in the basin from the previous day's rain event. The boiler blowdown condensed steam mixed with the accumulated stormwater and overflowed the basin.
3. **The date on which the discharge occurred:** December 26, 2017.
4. **The length of time that the discharge continued:** The boiler blowdown condensation is believed to have started early on the morning of December 26, 2017. The overflow from the containment basin was discovered at approximately 7:10 a.m. The station immediately took action, brought in a portable pump, and pumped the water from the containment basin to the Holding Pond where boiler blowdown is permitted to be discharge. The overflow ceased at approximately 8:00 a.m. on December 26.

5. **The volume of the discharge:** Since the exact time when condensation of the blowdown started and the volume of stormwater in the containment basin prior to the condensed steam are unknown, the total volume of the discharge could not be estimated.
6. **If the discharge is continuing, how long is it expected to continue:** Not Applicable
7. **If the discharge is continuing, what the expected total volume of the discharge will be:** Not Applicable
8. **Any steps planned or taken to reduce, eliminate and prevent a reoccurrence of the present discharge or any future discharges not authorized by this permit:** The station had previously installed concrete curbing and containment with isolation valves. The station is planning to periodically inspect the blowdown piping vent area during Unit start-up to verify that condensation is not reaching the stormwater drain system.

Please contact Oula Shehab-Dandan at (804) 273-2697 or by email at [oula.k.shehab-dandan@dominionenergy.com](mailto:oula.k.shehab-dandan@dominionenergy.com) should you have any questions or require additional information regarding this notification.

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.

Sincerely,



Jason E. Williams  
Director, Environmental

cc:

Mr. Frank Bowman  
Department of Environmental Quality  
Blue Ridge Regional Office  
3019 Peters Creek Road  
Roanoke, VA 24019

Please send electronic renamed copy to:

Pam Faggert  
David Craymer  
Ken Lazzaro  
Jason Williams  
Shane Young  
Ken Roller  
Tim Hamlet  
Will Solomon  
Oula Shehab-Dandan  
Amelia Boschen  
Herbert Chriscoe  
Lauren Faulkner

Documentum: Clover PS / Water - NPDES / Compliance Documentation/ CL VA0083097 Five Day  
Notification Letter 12-29-2017



**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

July 25, 2018

Ms. Elizabeth A. Lohman  
Land Protection Program Manager  
Virginia DEQ – Blue Ridge Regional Office  
3019 Peters Creek Road  
Roanoke, Virginia 24019

**RE: Dominion Energy – Clover Power Station – SWP556  
Response to July 5, 2018 Warning Letter**

Dear Ms. Lohman:

This letter is in response to the Department of Environmental Quality (DEQ) Warning Letter, dated July 5, 2018, regarding the landfill contact stormwater discharge that occurred at Clover Power Station on May 18, 2018. The discharge occurred during a significant storm event (greater than the 25 year 24 hour storm volume). The storm event was of such magnitude that water management systems associated with the station's Stage III CCR landfill were overwhelmed causing a discharge to Black Walnut Creek. Dominion Energy Virginia ("Dominion") made a verbal notification of the discharge to DEQ on May 19, 2018, and a 5-day follow up notification letter was submitted on May 24, 2018. In addition, a status update and a cleanup plan were submitted to DEQ on June 15, 2018.

Following is a summary of actions taken or planned by Dominion in response to the event:

Initial Actions Prior to the Rain Event

Prior to the rain event, the landfill was inspected and the temporary stormwater collection area was observed to be free of standing water. The transfer pump was in service removing water from the landfill throughout the day and was shutdown approximately 1 hour prior to the rain event when all water had been removed.

Corrective Actions- CCR Material Discharge From Landfill

Beginning on Saturday morning, May 19, 2018 cleaning and repair activities commenced on the benches and ditches. The water that accumulated within the active area of the landfill and in Stormwater Pond #4 was transferred to the leachate basins.

Cleaning and repair activities at the landfill and Pond #4 were completed by May 25, 2018.

Trace amounts of CCR trapped in the downchute rip rap will be controlled during subsequent rain events with a floating boom inside Pond #4.

Corrective Actions- Cenospheres Discharge from Pond #4

Following the storm event, an inspection of areas downgradient from Pond #4 indicated that cenospheres discharged from Outfall 014 and were floating on the surface of the flood waters adjacent to Black Walnut Creek. When the flood waters started to recede, the cenospheres were deposited and coated the detritus under the tree canopy or accumulated in certain low spots. Further inspection of the

Ms. Elizabeth A. Lohman  
July 25, 2018

area after the flood waters had completely receded revealed a thin layer, between a dusting to 1/2 inch, of accumulated cenospheres.

Golder Associates, Inc. was retained and tasked to delineate the extent of the cenosphere deposition and to determine the presence/absence of wetlands in that area. The delineation was completed on May 24, 2018. The delineation map was included in the cleanup plan that was submitted to DEQ on June 15, 2018 for approval. DEQ approved the plan on July 5, 2018.

Dominion plans to clean the impacted area by removing the accumulated material and the coated detritus (dead leaves, sticks, branches, etc.) by hand using rakes, shovels, and wheelbarrows. Dominion's ash hauling contractor Boral and their subcontractor Summit Environmental Services were selected to conduct the cleanup of the cenospheres from the wooded area. The work started on July 23, 2018 and estimated to be completed by July 27, 2018 barring bad weather. The removed material will be hauled offsite for proper disposal.

#### Additional Best Management Practices


A larger earthen berm has been constructed around the perimeter of the active (Stage III) landfill to minimize the likelihood of future breaches. This improvement was shown to DEQ personnel during an onsite inspection on June 26, 2018.

The station also is planning to install new riser screens on the stand pipes at each of the landfill's stormwater ponds. Golder Associates, Inc. has finalized the designs of the new riser screens, which will prevent the overflow of floating materials from exiting through the pond stand pipes. The new riser screens are custom manufactured items and are anticipated to be constructed and installed by October 2018.

If you have any questions and/or comments regarding this information, please contact Dennis Slade at (804) 273-2658.

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.

Sincerely,



David A. Craymer  
Vice President, Power Generation System Operations

cc: Doug Foran, DEQ BRRO Solid Waste Compliance Inspector

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Oct 02 2019

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

January 29, 2019

Mr. Steve Woodyard  
Department of Environmental Quality  
Blue Ridge Regional Office  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
[Ronald.Woodyard@deq.virginia.gov](mailto:Ronald.Woodyard@deq.virginia.gov)

Mr. Daniel Patton  
Department of Environmental Quality  
Blue Ridge Regional Office  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
[Daniel.Patton@deq.virginia.gov](mailto:Daniel.Patton@deq.virginia.gov)

**RE: Dominion Energy Clover Power Station VPDES Permit No. VA0083097/Solid Waste  
Permit SWP# 556 January 24, 2019 Discharge Incident Follow-up**

Dear Mr. Woodyard:

This letter is being provided in follow-up to a verbal notification made to you on Friday, January 25, 2019 at approximately 1045 concerning an incident associated with the Stage III landfill at Dominion Energy's Clover Power Station.

- 1. A description of the nature and location of the discharge:** On January 24, 2019 at approximately 1215, during the weekly CCR walk down inspection at the Stage III Landfill, a depression was observed on the top portion of the landfill. The depression was approximately 4-5 cubic yards in size. This section of the landfill is stabilized with intermediate cover. It was subsequently observed that material from the depression day lighted onto the north-west side slope of the landfill and onto a drainage bench leading to Down Chute #5. Discovery of the depression occurred during the January 24, 2019 rain event and subsequent storm water runoff, containing CCR material and soil from the side-slope day-lighted area mobilized to Down Chute #5. The majority of the soil and CCR Material settled on the landfill bench while trace amounts did get carried into Sediment Basin #2. Basin #2 was discharging storm-water as a result of the rain event via storm-water Outfall 012. Immediate visual inspection by station personnel confirmed that Outfall 012 discharge was clear with no evidence of CCR material present in the discharge
- 2. The cause of the discharge:** Discharge from the depression area was a result of the rainfall event. The rain event started on January 23, 2019 and continued into January 24, 2019; approximately 1.2 inches of rainfall was recorded.
- 3. The date on which the discharge occurred:** On January 24, 2019 at approximately 1215.

4. **The length of time that the discharge continued:** Storm-water flow in Down Chute #5 containing soil and CCR material was diverted at 1330, via a soil berm, into the leachate basin to eliminate flow from Down Chute #5 to Basin #2. Additionally, two 6" portable pumps were used to transfer the accumulated stormwater from Basin #2 into the leachate basin. Discharge from Outfall 012 was stopped at approximately 1630. The landfill contactor performed a visual inspection of the stormwater drop inlets/grates on January 29, 2019. Down Chute #5 was also visually inspected around 1130. No flow was observed.
5. **The volume of the discharge:** The exact volume of stormwater containing soil and CCR material flowing into Basin #2 is not known at this time. The volume of the discharge from the Outfall 012 during the incident is not known at this time.
6. **If the discharge is continuing, how long is it expected to continue:** Not applicable.
7. **If the discharge is continuing, what is the expected total volume of the discharge:** Not applicable.
8. **Any steps planned or taken to reduce, eliminate and prevent a reoccurrence of the present discharge or any future discharges not authorized by this permit:**

In addition to the immediate corrective actions noted in Section 4 above, placement of straw square bales were placed in the landfill bench to dissipate flow velocity and minimize mobilization of solids before reaching Down Chute #5. Installation of soil berm, and straw square bales up-gradient of the depression area diverted water away from this area.

Basin #2 has been drained and inspected for the presence of CCR material. CCR material was identified on a very small area of sand in the bottom of Basin #2, directly adjacent the inlet pipe. This material was removed on January 28, 2019 and placed in the landfill.

On Friday, January 25, 2019, station personnel inspected the area down-gradient of Outfall 012 for the presence of CCR material. No CCR material was identified.

Golder Associates, an engineering consulting firm, was retained to evaluate the depression area and will provide an engineering recommendation and plan for repair. Their initial site visit was completed Monday, January 28, 2019. Per Golder's recommendation, the following short term actions will be completed until permanent repair design is completed:

- i.) Remove CCR material from landfill bench. Completed January 29, 2019. Erosion control will be provided via erosion control blanket and re-seeding.
- ii.) Temporary storm-water flow diversions will remain in the place at the bottom of Down Chute #5 through the next rain event to direct flow into the leachate basin to ensure Down Chute #5 is flushed of trace CCR material.
- iii.) Backfill depression area in a mounded fashion to divert stormwater around the area and eliminate additional inflow of stormwater - Completed January 28, 2019. Further, stormwater controls will remain in place to divert water from the depression area and minimize standing water.



Mr. Woodyard  
January 29, 2019

Should you have any questions or require additional information about this transmittal, please contact Oula Shehab-Dandan at [oula.k.shehab-dandan@dominionenergy.com](mailto:oula.k.shehab-dandan@dominionenergy.com) or (804) 273-2697 or Denis Slade at [dennis.a.slade@dominionenergy.com](mailto:dennis.a.slade@dominionenergy.com) or (804) 273-2658.

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.

Sincerely,

  
Jason E. Williams  
Director, Environmental

Enclosures

ec: Samuel Hale (DEQ): [Sam.Hale@deq.virginia.gov](mailto:Sam.Hale@deq.virginia.gov)  
Frank Bowman (DEQ): [Frank.Bowman@deq.virginia.gov](mailto:Frank.Bowman@deq.virginia.gov)

**OVERNIGHT MAIL**  
**RETURN RECEIPT REQUESTED**

September 11, 2013

Ms. Elizabeth Lohman  
Environmental Program Planner  
Virginia Department of Environmental Quality - Blue Ridge Region  
7705 Timberlake Rd.  
Lynchburg, VA 24502

**RE: Clover Power Station, Solid Waste Permit No. 556 – Response to August 23, 2013, Warning Letter**

Dear Ms. Lohman:

Clover Power Station (Station) received the Warning Letter dated August 23, 2013, for events which were observed in July 2013 at its solid waste facility (facility). The Warning Letter identified two observations and one Area of Concern. Prior to receipt of the August 23<sup>rd</sup> letter, the Station submitted a letter to Mr. Foran on August 7<sup>th</sup> describing anticipated corrective action measures that may be implemented at the facility. This letter provides additional information in response to the Warning Letter.

The first observation identifies concern with management of stormwater at the facility and suggests that stormwater be directed to stormwater management basins. The Station's VPDES Permit (#VA0083097) requires that stormwater be directed to the on-site wastewater treatment plant where it is treated prior to being discharged at Outfall 009. We are developing corrective action measures that will address the stormwater management concerns and direct stormwater to the permitted outfall.

The second observation identifies concern with the timeframe for notification of conditions "that may endanger health or the environment". We have begun addressing the erosion and stormwater management concerns observed in July 2013; however, as stated in our August 7, 2013, letter to Mr. Foran, the ash remained fully contained within the landfill. Therefore, we do not believe the conditions were an endangerment to health or the environment. We understand the importance of communicating events at the facility and will continue to communicate our corrective action measures.

In addition to the aforementioned observations, the letter identified an Area of Concern with the approved cover material that is applied to the active area of the landfill. The letter suggests applying additional soil cover to the active area. We are evaluating existing landfill operations and will take your comments into consideration.

Our August 7<sup>th</sup> letter discussed plans to conduct a Cone Penetrometer Test (CPT) at the facility. The CPT has been completed and we are evaluating the test results to aid in the development of our corrective action measures. A complete list of corrective action measures to be implemented will be provided no later than September 30, 2013. In addition to the list of corrective action measures, the CPT results and an implementation schedule showing the timeframe for completing the corrective action measures will also be provided.

Should you require additional information, please contact Anikka Moore of Dominion's Electric Environmental Services at (804) 273-2988 or via email [anikkar.r.moore@dom.com](mailto:anikkar.r.moore@dom.com).

Sincerely,

Cathy C. Taylor  
Director, Electric Environmental Services

Enclosure

cc: Aziz Farahmand, VA DEQ  
Douglas Foran, VA DEQ  
Linda Shultz, VA DEQ

Please scan signed copy and rename:

File Name: **CL – 2013-09-11, Clover Response to Landfill Warning Letter**

Documentum: **Inspections (Agency)/Wastes – Solid Waste**

Please send renamed electronic copy to:

Edward Baine  
Pamela Faggert  
Sidney Bragg  
Diane Simon  
Cristie Neller  
John Cima  
Michael Winters  
David Bristow  
Tim Hamlet  
Will Solomon  
Karen Canody  
Glenn Johnson  
Anikka Moore  
Rick Woolard



**From:** [Anikka R Moore \(Services - 6\)](#)  
**To:** [Karen K Canody \(Services - 6\)](#); [Glenn P Johnson \(Services - 6\)](#)  
**Cc:** [Tim Hamlet \(Generation - 3\)](#); [Will Solomon \(Generation - 3\)](#)  
**Subject:** Discussion with Doug Foran (DEQ) on October 4  
**Date:** Friday, October 4, 2013 3:19:32 PM  
**Attachments:** [image001.png](#)

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Tim and I spoke with Doug Foran this afternoon to ensure he received the September 30 letter which included the schedule of corrective actions measures and discuss the possibility of establishing routine conference calls to communicate ongoing activities at the landfill. Doug said he received the letter and needed to speak with Beth Lohman to determine whether additional “submittals” (e.g. Letter of Agreement) were necessary due to the extended timeframe for completion. (All corrective action measures are scheduled to be completed in March 2014). He indicated that he believed additional “submittals” would not be necessary, but will verify with Beth first. Doug is open to communicating with us routinely (perhaps biweekly) to discuss activities at the landfill. He will coordinate with Beth Lohman and respond to my request. Finally, he indicated that the next quarterly solid waste inspection is tentatively scheduled to occur on October 29 or 30 at the landfill.

Anikka R. Moore  
Dominion Environmental Services  
5000 Dominion Blvd  
Glen Allen, VA 23060  
(804) 273-2988 (office)  
(804) 356-0295 (cell)





# COMMONWEALTH of VIRGINIA

Matthew J. Strickler  
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Blue Ridge Regional Office  
3019 Peters Creek Road, Roanoke, Virginia 24019  
(540) 562-6700; Fax (540) 562-6725  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

David K. Paylor  
Director

Robert J. Weld  
Regional Director

Mr. Jason E. Williams  
Director, Environmental  
Dominion Energy Service, Inc.  
6000 Dominion Boulevard  
Glen Allen, VA 23060

RE: Dominion Energy Clover Power Station VPDES Permit No. VA0083097  
Coal Pile/Limestone Runoff Basin Overflow and Landfill Contact Water Discharge  
Status Update and Cleanup Plan

Dear Mr. Williams:

This letter is to acknowledge receipt of the referenced report and proposed cleanup plan. DEQ staff have reviewed the cleanup plan and have no comments.

Thank you for your efforts in managing and mitigating these events and your commitment to final cleanup. If you have any questions, feel free to contact me at 540-562-6754 or [nelson.dail@deq.virginia.gov](mailto:nelson.dail@deq.virginia.gov).

Sincerely,

R. Nelson Dail  
Deputy Regional Director

cc: Beth Lohman – DEQ  
Jay Roberts – DEQ  
Sam Hale – DEQ

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Oct 02 2019



# COMMONWEALTH of VIRGINIA

Douglas W. Domenech  
Secretary of Natural Resources

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### Blue Ridge Regional Office

[www.deq.virginia.gov](http://www.deq.virginia.gov)

**Lynchburg Office**  
7705 Timberlake Road  
Lynchburg, Virginia 24502  
(434) 582-5120  
Fax (434) 582-5125

David K. Paylor  
Director

Robert J. Weld  
Regional Director

**Roanoke Office**  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
(540) 562-6700  
Fax (540) 562-6725

August 23, 2013

Mr. Timothy M. Hamlet  
Senior Environmental Compliance Coordinator  
Dominion – Clover Power Station  
P. O. Box 245  
Clover, Virginia 23534

### WARNING LETTER

Re: Dominion – Clover Power Station Industrial Landfill - SWP556 – Mecklenburg Co.  
Unannounced Compliance Inspection – July 2, 2013  
Unannounced Focused Compliance Inspection – July 25, 2013

Dear Mr. Hamlet:

The Department of Environmental Quality (“DEQ” or “the Department”) has reason to believe that the Dominion – Clover Power Station Industrial Landfill may be in violation of the Waste Management Law and Regulations.

This letter addresses conditions at the facility named above, and also cites compliance requirements of the Waste Management Law and Regulations. Pursuant to Va. Code § 10.1-1455 (G), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 et seq. The Department requests that you respond **within 20 days of the date of this letter**.

### OBSERVATIONS AND LEGAL REQUIREMENTS

On July 2, and July 25, 2013 DEQ staff conducted inspections of the Dominion – Clover Power Station Industrial Landfill. Inspection checklists are attached. The following describe the staff's factual observations and identify the applicable legal requirements.

- 1. Observation:** Stormwater flow has been directed to an area in the middle of Stage 3, between Phase 2A and 2B. The stormwater infiltrates into the unit and is managed as leachate, instead of being directed to perimeter slopes and to stormwater management basins. Stormwater from the upper lift has ponded on the middle lift of 2-A and infiltrated into the CCB resulting in severe gully erosion, subsurface cavities and piping.

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Oct 02 2019

**Legal Requirements:** 9VAC20-81-130.H.3 states: "Drainage structures shall be installed and continuously maintained to prevent ponding and erosion, and to minimize infiltration of water into solid waste cells."

2. **Observation:** The DEQ first observed the conditions described in the attached reports were first observed during the July 2, 2013 inspection. On July 3, the facility attempted repairs where piping and erosion had occurred. During the attempted repair, the earthmoving equipment sank into a subsurface cavity, revealing more serious conditions than observed on the previous day. The facility did not notify the DEQ of the unusual circumstance verbally, within 24 hours, or provide written notification within five days.

**Legal Requirements:** 9VAC20-81-530.C.3 states:

The permittee shall report to the department any noncompliance or unusual condition that may endanger health or environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the circumstances and its cause; the period of occurrence, including exact dates and times, and, if the circumstance has not been corrected, the anticipated time it is expected to continue. It shall also contain steps taken or planned to reduce, eliminate, and prevent reoccurrence of the circumstances resulting in an unusual condition or noncompliance.

#### **AREA OF CONCERN**

An Areas of Concern (AOCs) was identified during the inspection. The AOC is related to compaction and intermediate cover issues under Compaction and cover 9VAC20-81-140.D.1.C.

When required, the working face is covered with an approved spray-on crusting agent. This crusting agent is approved for intermediate cover. Soil cover is used on external slopes and is used rarely on the interior areas.

As required by 20-81-140.D.1.c., the facility should consider how above-average precipitation may adversely affect the performance of the crusting agent and determine whether intermediate or daily soil cover should be applied during these times. The facility should consider utilizing additional soil cover and BMP for stormwater especially on slopes susceptible to damage.

#### **ENFORCEMENT AUTHORITY**

Va. Code § 10.1-1455 of the Waste Management Act provides for an injunction for any violation of the Waste Management Act, Waste Management Board regulations, an order, or permit condition, and provides for a civil penalty up to \$32,500 per day of each violation of the Waste Management Act, regulation, order or permit condition. In addition, Va. Code § 10.1-1455 (G) authorizes the Waste Management Board to issue orders to any person to comply with the Waste Management Act and



Letter to: Mr. Tim Hamlet  
Date: August 23, 2013  
Page 3 of 3

regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the Waste Management Act and regulations, and to impose a civil penalty of not more than \$10,000. Va. Code §§ 10.1-1455(D) and 10.1-1455(I) provide for other additional penalties.

The Court has the inherent authority to enforce its injunction, and is authorized to award the Commonwealth its attorneys' fees and costs.

#### **FUTURE ACTIONS**

After reviewing this letter, please respond in writing to DEQ **within 20 days of the date of this letter** detailing actions you have taken or will be taking to ensure compliance with state law and regulations. If corrective action will take longer than 90 days to complete, you may be asked to sign a Letter of Agreement or enter into a Consent Order with the Department to formalize the plan and schedule. *It is DEQ policy that appropriate, timely, corrective action undertaken in response to a Warning Letter will avoid adversarial enforcement proceedings and the assessment of civil charges or penalties.*

Please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. If you complete the Process for Early Dispute Resolution and are not satisfied with the resolution, you may request in writing that DEQ take all necessary steps to issue a case decision where appropriate. For further information on the Process for Early Dispute Resolution, please see Agency Policy Statement No. 8-2005 posted on the Department's website under "Programs," "Enforcement," and "Laws, Regulations, & Guidance" (<http://www.deq.virginia.gov/Programs/Enforcement/LawsRegulationsGuidance.aspx>) or ask the DEQ contact listed below.

Your contact at DEQ in this matter is Doug Foran. Please direct written materials to his attention. If you have questions or wish to arrange a meeting, you may reach him directly at 434-582-6226 or [Douglas.Foran@deq.virginia.gov](mailto:Douglas.Foran@deq.virginia.gov).

Sincerely,



Elizabeth A. Lohman  
Environmental Program Planner

cc: Linda Shultz, DEQ  
ECM – Land Protection and Revitalization

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Oct 02 2019

Commonwealth of Virginia  
Department of Environmental Quality

Industrial Landfill [SW]  
Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 02-JUL-13

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure Statement	I	X			0
10.1-1408.2	Operator Certification	II	X			0
20-70-10 et seq.	Financial Assurance	II	X			0
20-90-10 et seq.	Permit Action Fees	II				0
20-81-80	Waste Assessment Program	I				0
20-81-100.B	Compliance with the facility's permit	II				0
20-81-100.E	Unauthorized waste program and inspection	II	X			0
20-81-110.C	Prohibited waste	II	X			0
20-81-130	Facility design / construction	I	X			0
20-81-140.A.1,4	Safety and fire control	II	X			0
20-81-140.A.6	Pollutant discharge	III	X			0
20-81-140.A.7	Stormwater control system maintenance	II	X	X		0
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	X			0
20-81-140.A.9-13	Hazard and nuisance control	I	X			0
20-81-140.A.16	Facility self inspections	I	X			0
20-81-140.A.17	Record maintained of waste received and processed	I	X			0
20-81-140.D	Compaction and cover	I	X			0
20-81-160	Closure requirements	II				0
20-81-170	Post-closure care requirements	II				0
20-81-200	Decomposition gas control	II	X			0
20-81-210	Leachate control	II	X			0
20-81-250	Groundwater monitoring program	II	X			0
20-81-260	Corrective action program	II				0
20-81-485	Operations Manual	II				0
20-81-530	Permittee recordkeeping and reporting	II				0
20-81-610-660	Special Waste	II				0

S = Severity Level    I = Inspected    A = Area of concern    V = Alleged violation    O = Occurrences

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Oct 02 2019

**Industrial Landfill [SW]  
Area of Concern**

Reference	Comments
20-81-140.A.7	Stormwater control system

**AREA OF CONCERN**

The facility is currently working in Stage 3, Phase 2 of the landfill. At the time of the inspection, the working face was located on the middle lift of Phase 2-A. To control erosion of internal and external sideslopes, the facility has constructed berms around the perimeter of Phase 2-A and installed two slope drains on the internal slope between Phase 2-A and 2-B. The top of Phase 2-A is graded to promote stormwater runoff to flow toward the slope drains, which convey stormwater from Phase 2-A to 2-B where the drain discharges the stormwater to a rip-rap lined area on 2-B. Stormwater that flows onto Phase 2-B infiltrates the waste and is managed in the leachate collection system.

During the inspection, the DEQ noted a longitudinal crack along the top of the slope in Phase 2-A at the interface with 2-B. The crack varied in width and depth across its length. The crack dimensions were approximated to be 150 feet in length, several inches to five feet in depth, and up to two inches in width. At the top of one slope drain, stormwater had created an opening in the waste fill that measured approximately 20 inches in diameter and 9 - 11 feet in depth.

Facility representatives had not discovered the crack before this DEQ inspection. The facility reported heavy rainfall in the preceding week. The DEQ advised the facility to evaluate the slope stability and report its finding to the DEQ.

**Industrial Landfill [SW]  
General Comments**

Reference	Comments
10.1-1408.1	Disclosure Statement - Current key personnel are Christie D. Neller, Timothy M. Hamlet and Tony M. Powell.
10.1-1408.2	Operator Certification - The facility's licensed landfill operators are:  Timothy M. Hamlet - 4605001711 - Expires 7-31-13 Terri Spainhour - 4605002367 - Expires 8-31-14; Beverly Renfro - 4605002121 - Expires 12-31-13 Tony Powell - 4605002616 - Expires 5-31-15 Connel Foster - 4605002840 - Expires 4-30-2015
20-70-10 et seq.	Financial Responsibility (FA) - Dominion's company FA documentation was approved April 15, 2013 and is valid until March 31, 2014.
20-81-100.E	Unauthorized waste program and inspection - Signs remain at the facility gate to warn against unauthorized entry.  Annual unauthorized waste training was provided on February 7, 2013.
20-81-110.C	Prohibited waste - No unauthorized or unpermitted waste disposal was observed.
20-81-130	Facility design / construction 130.B - Unauthorized facility access is prevented by natural barriers, fencing and a gate equipped with a lock. Access controls were observed and found to be intact or in place. 130.C - All weather access roads to the working face were observed at Stage III Phase 2A and 2B. The roads were observed to be of sufficient width and construction to support trucks hauling CCB ash. Roads appeared to provide room for passage of two trucks. 130.I - A firebreak of a minimum of 50 feet appeared to be maintained around the active cells.
20-81-140.A.1,4	Safety and fire control 140.A.1 - Weekly safety training reports were reviewed for April, May and June 2013. Attendance and materials presented were included with the reports. 140.A.4 - No indication of open burning on or near the waste cells was observed.
20-81-140.A.6	Pollutant discharge - No leachate, pollutants or other solid waste as described under subsections 140.A.6.a through 140.A.6.d were observed entering surface waters or wetlands at the facility.
20-81-140.A.8,14-15	Facility operation, maintenance, and training - Landfill equipment and personnel were available on-site.



Industrial Landfill [SW]  
General Comments

Reference	Comments
20-81-140.A.9-13	A dozer and vibratory roller were observed at the working face. Hazard and nuisance control 1-10-12 140. A.9 - No issues with blowing litter were observed. 140.A.10 - No issues with odors or vectors were observed. 140.A.11 - No issues with salvaging were observed 140.A.12 - No issues with fugitive dust or mud deposits on the main road were observed. 140.A.13 - Internal roads well maintained and allowed access to all parts of the facility.
20-81-140.A.16	Facility self inspections - The Monthly Landfill Inspection reports for April, May and June were provided for review. The Monthly Landfill Inspection report addresses safety requirements, operations and records. Reports appeared complete.  The facility maintains a Daily Inspection/Haul Report Form which records site conditions, maintenance and operations activities and a log of the approved application and maintenance of the crusting agent used as intermediate cover. These reports were reviewed for April, May and June 2013. Crusting agent was applied on April 13 and May 23, 2013.
20-81-140.A.17	Record maintained of waste received and processed - Tonnage reports were reviewed at the plant offices.  Month..... Daily Average (Approx.)..... Total Monthly Tonnages  April.....1,725.83..... 44,871.68 May..... 1,406.20.....36,561.38 June..... 1,811.33.....45,283.32
20-81-140.D	Compaction, cover & working face 140.B.1.a-e - Active Stage III, Phase 2A has appropriate intermediate soil cover applied on side slopes at final grade; stormwater controls installed; erosion controls in place; and approved alternate intermediate cover (Soil-Sement) applied. Stage III, Phase 2B has the permitted crusting agent applied to areas where ash has been placed in an approximate 24 inch layer. Marginal erosion damage was observed to the alternate intermediate cover in both areas due to heavier than usual seasonal rainfall. Facility representatives explained the areas would be regraded and Soil-Sement reapplied when the weather allowed. 140.B.2 - The active working face area appeared to be limited to the area allowed in the facility's permit.
20-81-200	Decomposition gas concentrations, monitoring & recordkeeping - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time.
20-81-210	Leachate control - Quantities of leachate pumped from the landfill leachate collection ponds to the facility's WWTP were provided:  Month.....Total (million gallons) April..... 3.068 MG May..... 1.984MG June.....3.655 MG  No leachate seeps or outbreaks were observed on side slopes at Stage III, Phases 1 or 2.
20-81-250	Groundwater monitoring program - Stage III is monitored under a Phase II Groundwater Monitoring Plan.  The GW monitoring network for Stage III was observed. Upgradient monitoring wells SW-1S, MW-11, and MW-9S were found to be stable, secured with locks and identified with concrete apron pads intact. Downgradient wells MW-6, MW-7, MW-8, MW-9, and MW-10 were found to be stable, secured with locks and identified with concrete apron pads intact.

Overall Inspection Comments

Compliance Evaluation Inspection - CEI - BRRO Solid Waste Inspector Doug Foran arrived at the Dominion Clover Power Station, SWP 556, on July 2, 2013 at 10:30 AM. He was greeted by Tim Hamlet, Senior Environmental Compliance Coordinator and Licensed Landfill Operator and Beverly Renfro, Licensed Landfill Operator. The facility's files and reports were reviewed. At the landfill office Tony Powell, a Licensed Landfill Operator, and Dee Martin, both of Headwaters Resources, joined the inspection. An exit interview was conducted following the onsite portion of the inspection. The inspector departed the site at approximately 1:15 PM.



Run Date: 21-AUG-13  
01:09:43 PM

**Commonwealth of Virginia**  
**Department of Environmental Quality**

Permit No.: SWP556  
Insp. Date: 02-JUL-13

Weather conditions at the time of the inspection were overcast with light rain and with temperatures in the 70s.

**PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.**

**PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.**

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Oct 02 2019

Commonwealth of Virginia  
Department of Environmental Quality

Industrial Landfill [SW]  
Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 25-JUL-13

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure Statement	I				0
10.1-1408.2	Operator Certification	II				0
20-70-10 et seq.	Financial Assurance	II				0
20-90-10 et seq.	Permit Action Fees	II				0
20-81-80	Waste Assessment Program	I				0
20-81-100.B	Compliance with the facility's permit	II				0
20-81-100.E	Unauthorized waste program and inspection	II				0
20-81-110.C	Prohibited waste	II				0
20-81-130	Facility design / construction	I	X		X	1
20-81-140.A.1,4	Safety and fire control	II				0
20-81-140.A.6	Pollutant discharge	III				0
20-81-140.A.7	Stormwater control system maintenance	II				0
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II				0
20-81-140.A.9-13	Hazard and nuisance control	I				0
20-81-140.A.16	Facility self inspections	I				0
20-81-140.A.17	Record maintained of waste received and processed	I				0
20-81-140.D	Compaction and cover	I	X		X	0
20-81-160	Closure requirements	II				0
20-81-170	Post-closure care requirements	II				0
20-81-200	Decomposition gas control	II				0
20-81-210	Leachate control	II				0
20-81-250	Groundwater monitoring program	II				0
20-81-260	Corrective action program	II				0
20-81-485	Operations Manual	II				0
20-81-530	Permittee recordkeeping and reporting	II	X		X	1
20-81-610-660	Special Waste	II				0

S = Severity Level I = Inspected A= Area of concern V = Alleged violation O = Occurrences

Industrial Landfill [SW]  
Alleged Violations

Reference	Comments
20-81-130	<p>Facility design and construction - On July 2, 2013, the DEQ observed a longitudinal crack along the middle lift of Phase 2-A on the slope between Phase 2-A and 2-B. During the current inspection on July 25, 2013, the DEQ observed two occurrences of severe gully erosion in this area.</p> <p>The stormwater does not appear to be managed in a manner to prevent ponding and infiltration as required by 20-81-130.H..The DEQ has the following observations related to stormwater management:</p> <p>(1) The southern slope of Stage 3, Phase 2-A, and the uppermost lift of 2-A have intermediate soil cover. Slope drains on the southern side were installed to convey stormwater from Phase 2-A to sediment basins. However, a large soil pile was blocking the opening of the stormwater channel at the top of Phase 2-A, and the upper lift of 2-A was graded to direct stormwater as sheet flow toward the working face. Consequently, all stormwater from Phase 2-A was directed across Phase 2-A to downslope drains that conveyed stormwater into Phase 2-B.</p> <p>(2) Stormwater appears to have ponded on the upper lift of 2-A, infiltrating the intermediate soil cover.</p> <p>(3) CCB berms concentrated stormwater flow to a slope drain between Phase 2-A and 2-B. Stormwater appears to have ponded and infiltrated at both the inlet to the slope drain where the initial piping issue was observed and in the area where the stormwater discharged from behind the berm.</p>
20-81-530	<p>Recording and reporting required of a permittee - Following the DEQ's July 2, 2013 inspection, Headwater Resources, the on-site landfill operator, attempted to excavate the CCB material around the slope drain between Phase 2-A and 2-B. Staff intended to excavate and recompact the CCB in areas where cracking and erosion had occurred. Upon beginning repair work on July 3, 2013, a dozer sank into the ash revealing underlying subsurface cavities. Since July 2, 2013, the two slope drains between Phase 2-A and 2-B had been removed to allow access to equipment. Gully erosion had occurred in two places where one of the slope drains had been located, and material flowed from Phase 2-A into 2-B.</p> <p>The regulations require permittees to report unusual conditions that may endanger health or the environment. The notification requirement includes an oral report within 24 hours of the permittee becoming aware of the unusual circumstance, and a written report within five days. The facility should have provided a timely notification to DEQ.</p>

Industrial Landfill [SW]  
Area of Concern

Reference	Comments
20-81-140.D	<p>Compaction and cover - According to a facility representative, a wide track dozer is used to compact the side slopes, and a vibratory roller is used for the top, flat surfaces. The upper lift of 2-A is currently not receiving waste and has intermediate soil cover. The recent working face was located near the northern slope of Phase 2-A. When required, the working face is covered with an approved spray-on crusting agent. This crusting agent is approved for intermediate cover. Soil cover is used on external slopes and is used rarely on the interior areas.</p> <p>As required by 20-81-140.D.1.c., the facility should consider how above-average precipitation may adversely affect the performance of the crusting agent and determine whether intermediate or daily soil cover should be applied during these times. The facility should consider utilizing additional soil cover and BMP for stormwater especially on slopes susceptible to damage.</p>

**Overall Inspection Comments**

Focused Compliance Inspection - FCI - BRRO Solid Waste Inspector Doug Foran and Water Compliance Inspector Stephanie Bowman arrived at the Dominion Clover Power Station Landfill Office, SWP 556, on July 25, 2013 at 2:30 PM. They were greeted by Tim Hamlet, Senior Environmental Compliance Coordinator and Licensed Landfill Operator.

During the July 2, 2013 CEI inspection on July 2, 2013, the DEQ noted a longitudinal crack along the top of the slope in Phase 2-A at the interface with 2-B. The DEQ advised the facility to evaluate the slope stability and report its finding to the DEQ. On July 25, 2013, the DEQ made a focused compliance inspection (FCI) to evaluate the status of any corrective actions to address the crack.

The inspectors departed the site at approximately 3:30 PM.

Run Date: 21-AUG-13  
01:14:14 PM

**Commonwealth of Virginia  
Department of Environmental Quality**

Permit No.: SWP556  
Insp. Date: 25-JUL-13

Weather conditions at the time of the inspection were sunny and with temperatures in the 80s.

**PLEASE** advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.

**PLEASE** be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.

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Oct 02 2019



ENV-42  
Landfill corres.

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Oct 02 2019

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

May 5, 2000

J. Daniel Brandon, III  
Commonwealth of Virginia  
Department of Environmental Quality  
4949-A Cox Road  
Glen Allen, VA 23060

Subject: Slope Erosion Remediation  
Stages I and II Ash Disposal Landfill  
Clover Power Station

Dear Mr. Brandon,

Clover Power Station appreciates the time that you and Mr. John Conover spent meeting with us yesterday discussing the slope erosion created by the unusually heavy rainfall on the evening of April 17, 2000 and the proposed remediation plan. During our meeting, Clover Power Station proposed a remediation plan which utilizes low impact methods suggested by the Virginia Department of Environmental Quality in combination with the future landfill road and ditchline improvements.

In order to recover the ash material that entered the wooded area to the North of the perimeter road, Clover Power Station agrees with the VaDEQ that low impact methods should be utilized in order to minimize the impact to the woodland vegetation and wildlife habitats. Low impact means of removal includes labor using shovels, rakes, and buckets or an operator using small equipment in order to remove the material from the wooded area.

As seen by the site visit yesterday, the initial phase of the containment and clean-up process has been completed by installing silt fence around the impacted areas in order to prevent any future migration of this ash material. In addition, our ash haul contractor, VFL, has retrieved a portion of the CCB from the toe perimeter ditch adjacent to the entrance ramp. These clean-up efforts will continue on a timely schedule in order to take advantage of the improving weather.

As indicated on the working drawing provided for review during our meeting, Clover Power Station is proposing the realignment and improvement of the inside perimeter ditchline along the North access road. This revised ditch grading plan will promote the drainage of additional stormwater from the closure letdown channels into the sediment basin located to the West of the facility. Though this improvement is not directly related to the ash release incident, Clover Power Station wishes to continue to improve the stormwater drainage system of the facility. The improvements to this drainage channel include the use of fabric formed concrete mats from the mid-slope letdown channel down to the drainage pipe beneath the entrance ramp into the landfill.

A stilling area and headwalls adjacent to both the perimeter haul road and the access road into the facility would replace the drop inlet (DI-1) currently indicated on the drawings. As discussed in our meeting, you will be contacting Mr. Paul Farrell to discuss whether ditchline realignment and upgrade would require a minor permit modification.


In addition, Clover Power Station is proposing to extend the perimeter road from the North side of the landfill around to the South of the facility. As indicated on the working drawing, this perimeter road would provide convenient access to the South of the landfill for both the inspection of the facility and for the monitoring of groundwater wells MW-4 and MW-4A. The perimeter road would consist of a three (3) foot and an eight (8) foot shoulder as well as a twelve (12) foot road section.

This roadway would also provide an additional benefit by providing an erosion and sediment control barrier between the landfill and the adjacent woodline. This perimeter roadway in conjunction with the installation of the final perimeter ditchline will promote drainage of stormwater to the sediment basin. Clover Power Station is currently obtaining pricing for the construction of this perimeter road and ditchline.

In order to install the perimeter road and the ditchline, Clover Power Station plans to clear and grub a fifty (50) foot section of the woodline parallel to the landfill. The majority of the eroded ash is located within this fifty (50) foot section to the South of the facility. As discussed in the meeting, Clover Power Station will construct the road and possibly several parking or staging areas using bottom ash as a structural fill as allowed by the Virginia Solid Waste Management Regulations with a layer of geotextile beneath the road section, a second geotextile above the bottom ash, and a six (6) inch layer of crush aggregate as a road surface. A minimum of one (1) foot of soil would be placed on the outside slopes of the perimeter road in order to encapsulate the bottom ash. Any ash remaining outside the new road and/or staging area(s) will be removed using the low impact means of removal.

Clover Power Station is committed to completing the remediation of the impacted areas in a timely fashion. As you have seen from your recent site visit, we have reacted to the erosion of ash materials in a timely and responsive manner. Your time and suggestions are greatly appreciated. Please contact me at 804-454-2150 or Mr. Bob Williams at 804-273-2994 regarding the special waste request, whether the realigned Northern ditchline requires a minor permit modification, or if you have a questions or concerns regarding this matter.

Sincerely,



Tim Hamlet

CMG/

Cc: Mr. Ray R. Jenkins  
Department of Environmental Quality  
Piedmont Regional Office  
4949-A Cox Road  
Glen Allen, VA 23060

Mr. Kyle Winter  
Department of Environmental Quality

Piedmont Regional Office  
4949-A Cox Road  
Glen Allen, VA 23060

Mr. John Conover  
Department of Environmental Quality  
Piedmont Regional Office  
4949-A Cox Road  
Glen Allen, VA 23060

ebc: Andy Yaros  
Jeff Heffelman  
Will Solomon  
Joseph Ingram  
Robert Asplund  
Bob Williams  
Ron Birkhead

*Files*



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

### PIEDMONT REGIONAL OFFICE

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

Dennis H. Treacy  
Director

Gerard Seeley, Jr.  
Piedmont Regional Director

June 16, 2000

### WARNING LETTER

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Mr. Timothy M. Hamlet  
Environmental Compliance Coordinator  
Virginia Power, Clover Power Station  
P. O. Box 245  
Clover, Virginia 23534-0245

**RE:** WL No. 2000-06-PRO-653

Dear Mr. Hamlet:

The Piedmont Regional Office (PRO), within the Department of Environmental Quality, has reason to believe that the facility may be in violation of the provisions contained in the permit and the applicable regulatory requirements of the Virginia Solid Waste Management Regulations, pertaining to storm water management and erosion and sedimentation control. An investigation of a reported incident revealed the following:

On April 17, 2000, Virginia Power's landfill management contractor, VFL Technology Corporation, placed coal combustion by-products (CCB) on a new section of the south slope of the Clover Power Station Industrial Landfill but did not provide clay cover. During the evening of April 17, the region received approximately 4 inches of rainfall during a 2-hour period. The quantity of runoff and CCB



Mr. Timothy M. Hamlet  
Environmental Compliance Coordinator  
Clover Power Station Industrial Landfill, Permit No. 556  
Page 2

release exceeded the capacity of the storm water drainage system and allowed the CCB to enter a nearby densely wooded area at the south side of ash cell 2 (Stage 2 Fill area). The release occurred southeast of the VPDES runoff treatment pond for Stage I and II. Virginia Power initially reported that 43 cubic yards of newly placed CCB was released along the south face of the landfill and approximately one-half acre of wooded area was covered with about 1-1/2 inches of CCB.

Another release was discovered during the inspector's incident investigation on April 25, at the northeast corner of the landfill, just west of the access road. A significant amount of CCB exceeded the capacity of the storm water drainage system and entered into a dense section of woods, north of the perimeter road to a ravine and stream located approximately 210 feet downhill of the edge of the perimeter road and west of Storm Water Runoff Discharge Outfall 008. The DEQ inspector estimated that approximately 50 cubic yards of CCB was released in the north face of the landfill. The impacted areas were covered with about 2 inches of CCB.

The VSWMR states that all solid waste management facilities shall be designed to divert surface water runoff and manage the peak flow from a 25-year, 24-hour storm event away from disposal areas. The design shall provide that any surface water runoff is managed so that erosion is well controlled and environmental damage is prevented. The Erosion and Sedimentation Control Plan shall provide for the management of surface water, soil erosion, and sedimentation control during construction, operation and closure.

Please review the above and submit a written explanation within 20 days of receipt of this letter regarding the corrective actions your facility have taken to correct the situation. Also, an updated corrective action plan for storm water management and erosion and sediment control should be included. Such corrective action should prevent additional enforcement measures.

Your letter will assist our staff in maintaining a complete and accurate record of the compliance status of your facility. Compliance may be verified by on-site inspection or other appropriate means. If corrective action will take longer than 90 days, please submit a plan and schedule for review. Failure to respond may result in enforcement action by DEQ.

Mr. Timothy M. Hamlet  
Environmental Compliance Coordinator  
Clover Power Station Industrial Landfill, Permit No. 556  
Page 3

The Warning Letter is not an agency proceeding or determination which may be considered A case decision under the Virginia Administrative Process Act, Virginia Code section 9-6.14:1 *et seq.* Your point of contact for resolution of the deficiency will be Mr. J. Daniel Brandon III at (804) 527-5156. Please contact Mr. Mohammad Habibi at (804) 527-5153 if you have any questions about the content of this letter or need additional guidance. Your prompt cooperation is appreciated.

Sincerely,



Mohammad Habibi  
Compliance Consultant

cc: J. Daniel Brandon III, DEQ-PRO  
John Conover, DEQ-PRO  
Cathie Franco, DEQ-PRO  
SWM File, Permit No. 556



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

### PIEDMONT REGIONAL OFFICE

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

Dennis H. Treacy  
Director

Gerard Seeley, Jr.  
Piedmont Regional Director

July 5, 2000

Mr. Martin L. Bowling, Jr.  
Virginia Power  
Innsbrook Technical Center  
5000 Dominion Boulevard  
Glen Allen, Virginia 23060

**RE:** Clover Power Station Industrial Landfill, Permit Number 556  
Notifications of Minor Release of Ash Run-off From Landfill

Dear Mr. Bowling:

This letter is to acknowledge the receipt of your formal notifications (hand delivery and certified mail ) on June 20 and June 23, 2000 of minor ash releases from the Clover Power Station Stage I and II coal combustion byproducts (CCB) landfill. You stated that during the evening of June 15, 2000, the area experienced an unusually heavy rainfall event in which 4.75 inches of rain was measured in rain gauges at the facility and 4-6 inches of rain fell in a six-hour period in the northern Halifax County/Randolph area. The volume and intensity of the rain event caused approximately one cubic yard of the newly placed CCB on the crest of the landfill to wash out along the facility's north face. Run-off from the closed north slopes of the landfill migrated down the slope to a small perimeter ditch and eventually entered the VPDES Outfall 008 drainage swale. You stated that the run-off from the north slope contained a small amount of CCB but the CCB did not enter the swale. You also stated that silt fences installed in and along the perimeter ditch and in the drainage swale upstream from the access road crossing collected the CCB before entering Outfall 008.

Following the discovery of the release on the morning of June 16, 2000, station personnel conducted an inspection of the landfill and the Outfall 008 drainage swale. The CCB was immediately retrieved and returned to the landfill and the landfill crest was regraded to ensure proper drainage to the center of the facility. In July, an upgraded perimeter ditch will be installed on the north slope to collect all run-off and route it to the Outfall 003 treatment pond.

Mr. Martin L. Bowling, Jr.  
Virginia Power  
Page 2

Your letter notification received on June 26, 2000, explained that a minor release of ash from the landfill had occurred along with a minor bypass of run-off from VPDES Outfall 003. Apparently, during the evening of June 19, 2000, the area experienced a brief but unusually heavy rainfall event. Approximately one inch of rain fell during a storm event as measured in two nearby rain gauges. The intensity of the rain event caused less than one cubic yard of CCB on the crest of the landfill at the former Stage II entrance ramp to wash out along the facility's north face. The ramp is in the latter stages of removal and relocation. You stated that most of the CCB material was captured in the perimeter ditch but a very small portion traveled into the area recently remediated following the April 17, 2000 event. The run-off entrained mostly soil but small amounts of CCB were observed in the affected area. The silt fences contained most of the soil and CCB but some material appeared to have entered the Outfall 008 Storm Water drainage swale.

Following the discovery of the release on the morning of June 20, 2000, station personnel immediately dispatched work crews to remove the CCB in the perimeter ditch and the Outfall 008 Storm Water drainage swale area. The CCB material was manually removed using shovels and buckets. The CCB retrieval work was completed two days later. You stated that Virginia Power will add more workers to restore the affected areas and will accelerate the completion of the drainage improvements, particularly at the south perimeter road and the north and south perimeter ditches. Site preparation work at the Stage III site has been partially suspended and Stage III work crews and equipment have been assigned to the Stage I/II effort.

The recent releases at the landfill definitely emphasize the importance of maintaining the facility's storm water conveyance system. The Soil Erosion and Sediment Control Plan must be thoroughly implemented in order to prevent erosion, to control storm water run-off, and to preserve the integrity of the landfill cover system before, during, and after rain events. The control measures must include, but are not limited to site preparation work, increased use of soil cover over the disposed CCB, modification of the perimeter toe drains, and installation of silt fences and straw bales to reduce run-off velocities. Also, the Emergency (Contingency) Plan must be modified to immediately carry out its provisions in the event of a release or constituents which could threaten human health or the environment.

As a result of the recent releases, the Regional Office may elect to intensify the inspection frequency of your facility. The inspections may be announced or unannounced during normal operating hours. It is the permittee's responsibility to properly operate and maintain the facility at all times to achieve compliance with the operations manual and the conditions of the permit. Proper operation and maintenance includes effective performance, adequate staffing, and sufficient equipment to achieve compliance.



Mr. Martin L. Bowling, Jr.  
Virginia Power  
Page 3

This office appreciates your timely response in notifying us of the releases and the effort exerted in trying to maintain compliance at the facility. Should you have any questions or concerns, please contact me at (804) 527-5156.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Daniel Brandon III". The signature is fluid and cursive, with a prominent "J" and "B".

J. Daniel Brandon III  
Environmental Compliance Inspector, Senior

cc: Mr. John Conover, DEQ-PRO  
Mr. Kyle Winter, DEQ-PRO  
SWM File, Permit No. 556

Mr. Timothy M. Hamlet  
Environmental Compliance Coordinator  
Virginia Power/Clover Power Station  
P.O. Box 245  
Clover, Virginia 23534-0245

Clover  
ENV 12/Incident Report

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

November 13, 2000

Mr. J. D. Brandon  
Department of Environmental Quality  
Piedmont Regional Office  
4949-A Cox Road  
Glen Allen, VA 23060

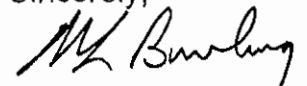
**CLOVER POWER STATION  
SOLID WASTE PERMIT NO. 556 – STAGE I/II ASH LANDFILL  
COMPLETION OF CORRECTIVE ACTIONS RELATED TO ASH RELEASE EVENTS**

Dear Mr. Brandon:

This letter submits formal notice of the completion of the corrective actions following the three ash release events earlier this year at our Clover Power Station. In our July 31, 2000 letter, we submitted our Corrective Action Plan, which contained a schedule of work tasks. We have attached an updated schedule showing the completed work. Please note that the Activity CL-VFL148 entitled *Clean Out Landfill Run-off Pond* is not part of the Corrective Action Plan but is included on the updated schedule because we are internally tracking this future work task.

We appreciate the effort and cooperation of the Department of Environmental Quality in this matter. If you have any questions, please contact Bob Williams, Environmental Consultant, Environmental Policy and Compliance Department at 273-2992.

Sincerely,

  
Martin L. Bowling, Jr.

RJW/

Attachment

OFFICIAL COPY

Oct 02 2019

ebc: Pam Faggert  
Andy Yaros  
Jeff Heffelman  
Will Soloman  
Tim Hamlet  
Judson White  
Bob Williams



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### SOUTH CENTRAL REGIONAL OFFICE

7705 Timberlake Road, Lynchburg, Virginia 24502

(434) 582-5120 Fax (434) 582-5125

[www.deq.virginia.gov](http://www.deq.virginia.gov)

L. Preston Bryant, Jr.  
Secretary of Natural Resources

David K. Paylor  
Director

Thomas L. Henderson  
Regional Director

August 30, 2007

CERTIFIED MAIL  
Return Receipt  
Requested

Mr. Timothy M. Hamlet  
Senior Environmental Compliance Coordinator  
Dominion / VA Power (Clover) Station  
P.O. Box 245  
Clover, Virginia 23534

### **WARNING LETTER**

Re: Warning Letter No. WL-07-08-SCRO-009  
Dominion – Clover Power Station Industrial Landfill – Permit No. 556  
Unannounced Compliance Inspection – August 3, 2007

Dear Mr. Hamlet:

The Department of Environmental Quality ("DEQ" or "the Department") has reason to believe that the Clover Power Station Industrial Landfill may be in violation of the Waste Management Law and Regulations. This letter addresses conditions at the Clover Power Station Industrial Landfill, and also cites compliance requirements of the Waste Management Law and Regulations. Pursuant to Va. Code 10.1-1455 (G), this letter is not a case decision under Virginia Administrative Process Act, Va. Code 2.2-4000 et seq. **The Department requests that you respond with 20 days of the date of this letter.**

### **OBSERVATIONS AND LEGAL REQUIREMENTS**

On August 3, 2007 a compliance inspection was conducted at the Clover Power Station Industrial Landfill. During the inspection, the site was evaluated for compliance with the Virginia

OFFICIAL COPY

Oct 02 2019



Solid Waste Management Regulations (9 VAC 20-80-10, et seq.), the Virginia Waste Management Act (1950 Code of Virginia, as amended, §10.1-1400, et seq.), and Permit No. 556. The inspection checklist is attached. The following describe the staff's factual observations and identify the applicable legal requirements:

*Observations:* During the inspection it was observed that significant erosion of the clay layer between the grout-filled fabric form stormwater slope drains and the liner system had occurred in the area of the Stage II seeps. The erosion of this layer creates an unintended stormwater channel directly over the liner system. A probe placed in a hole in the fabric form indicated a void of approximately 24" between the fabric form and the liner system beneath.

***Legal Requirements:*** 9 VAC 20-80-270.F.1.a requires:

**"Maintaining the integrity and effectiveness of any final cover, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and prevent run-on and run-off from eroding and otherwise damaging the final cover."**

**Furthermore, the facility's permit (Amended November 29, 2006) Section 7.5 Erosion and Drainage Control Permit of Attachment XII-2 Post-Closure Care Plan for Stages I/II states: "Drainage and erosion control systems will be installed in areas of runoff concentration on the slopes of the landfill...Runoff will be returned to natural drainage."**

### **ENFORCEMENT AUTHORITY**

Va. Code § 10.1-1455 of the Waste Management Act provides for an injunction for any violation of the Waste Management Act, Waste Management Board regulations, an order, or permit condition, and provides for a civil penalty up to \$32,500 per day of each violation of the Waste Management Act, regulation, order, or permit condition. In addition, Va. Code § 10.1-1455 (G) authorizes the Waste Management Board to issue orders to any person to comply with the Waste Management Act and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the Waste Management Act and regulations, and to impose a civil penalty of not more than \$10,000. Va. Code §§ 10.1-1455 (D) and 10.1-1455 (I) provide for other additional penalties.

The Court has the inherent authority to enforce its injunction, and is authorized to award the Commonwealth its attorneys' fees and costs.

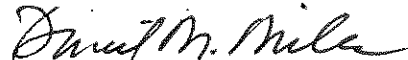
**FUTURE ACTIONS**

After reviewing this letter, please respond in writing to DEQ **within 20 days of the date of this letter** detailing actions you have taken or will be taking to ensure compliance with state law and regulations. If corrective action will take longer than 90 days to complete, you may be asked to sign a Letter of Agreement or enter into a Consent Order with the Department to formalize the plan and schedule. *It is DEQ policy that appropriate, timely, corrective action undertaken in response to a Warning Letter will avoid adversarial enforcement proceedings and the assessment of civil charges or penalties.*

In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. If you complete the Process for Early Dispute Resolution and are not satisfied with the resolution, you may request in writing that DEQ take all necessary steps to issue a case decision where appropriate. For further information on the Process for Early Dispute Resolution, please visit the Department's website under "Laws & Regulations" and "DEQ regulations" at:  
[http://www.deq.virginia.gov/regulations/pdf/Process\\_for\\_Early\\_Dispute\\_Resolution\\_8260532.pdf](http://www.deq.virginia.gov/regulations/pdf/Process_for_Early_Dispute_Resolution_8260532.pdf)  
or ask the DEQ contact listed below.

Your contact at DEQ in this matter is Doug Foran. Please direct written materials to his attention. If you have questions or wish to arrange a meeting, you may reach him directly at (434) 582-6226 or [daforan@deq.virginia.gov](mailto:daforan@deq.virginia.gov).

Sincerely,

  
David M. Miles, C.P.G.  
Acting Waste Program Manager

cc: Doug Foran, Compliance  
DEQ/SCRO Files Permit No. 556

Run Date: 30-AUG-07  
07:43:13 AM

# Commonwealth of Virginia Department of Environmental Quality

## Industrial Landfill [SW] Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 03-AUG-07

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure statement	I	X			0
10.1-1408.2	Operator certification	II	X			0
20-70-10 et seq.	Financial responsibility	II	X			0
20-80-113	Control program for unauthorized waste	II	X			0
20-80-115	Waste assessment program	I	X			0
20-80-240.B	Compliance with the facility's permit	II	X			0
20-80-270.B	Facility design/construction	II	X			0
20-80-270.C.1	Access control/attendant	II	X			0
20-80-270.C.2	Dust, odor, vector control	II	X			0
20-80-270.C.3	Active safety program	I	X			0
20-80-270.C.4 and 17	Operator/equipment/training	II	X			0
20-80-270.C.5	Open burning prohibited	II	X			0
20-80-270.C.6	Waste entering state water	III	X			0
20-80-270.C.7	Waste records maintained	I	X			0
20-80-270.C.8	Groundwater monitoring program	II	X			0
20-80-270.C.9	Corrective action program	II	X			0
20-80-270.C.10	Fugitive dust and mud	I	X			0
20-80-270.C.11	Incinerator and APC residues	II	X			0
20-80-270.C.12	Compaction and cover	II	X			0
20-80-270.C.13	Vegetative cover	I	X			0
20-80-270.C.14	Hazardous waste	II	X			0
20-80-270.C.15	Open working face	II	X			0
20-80-270.C.16	Cover soil supply	I	X			0
20-80-270.C.18	Internal roads	I	X			0
20-80-270.C.19	Leachate	III	X			0
20-80-270.E.1	Closure criteria/final cover system	II	X			0
20-80-270.E.2	Closure plan	II	X			0
20-80-270.E.2.F	Closure plan review and approval	I	X			0
20-80-270.E.3	Time allowed for closure	II	X			0
20-80-270.E.4	Closure implementation	II	X			0
20-80-270.E.5	Closure inspection	I	X			0
20-80-270.E.6	Post-closure period	I	X			0
20-80-270.E.4.c(3)	Deed Notation	I	X			0
20-80-270.E.4.c(4)	Closure certification by PE	III	X			0
20-80-270.F	Post-closure	II	X	X		1
20-80-280.A.1	Decomposition gas concentrations	III	X			0
20-80-280.A.2-4	Decomposition gas-general	II	X			0
20-80-280.B	Decomposition gas-monitoring	II	X			0

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Inspection Report

20-80-280.C	Decomposition gas-monitoring frequency	II	X		0
20-80-280.D	Decomposition gas-monitoring record keeping	I	X		0
20-80-280.E	Decomposition gas-control	III	X		0
20-80-290	Leachate control system and monitoring	II	X		0
20-80-300.A.2	Groundwater - General Requirements	II	X		0
20-80-300.A.3.a	Groundwater monitoring system	II	X		0
20-80-300.A.3.b-f	Groundwater monitoring system	II	X		0
20-80-300.A.4.	Groundwater sampling and analysis	II	X		0
20-80-300.A.5.	Alternate source demonstration	II	X		0
20-80-300.C.3	Phase I	II	X		0
20-80-300.C.4	Phase II	II	X		0
20-80-300.C.5	Modified sampling program	II	X		0
20-80-300.E	Recordkeeping and reporting	II	X		0
20-80-310.A	Corrective action program-assessment	II	X		0
20-80-310.B	Corrective action program-remedy	II	X		0
20-80-310.C	Corrective action program-implementation	II	X		0
20-80-570.B	Monitoring recording and reporting	II	X		0
20-80-570.C	Permittee reporting requirements	I	X		0
20-80-630	Special waste - general requirements	II	X		0
20-80-640	Asbestos containing waste material	II	X		0
20-80-650	Wastes containing PCBs	II	X		0
20-80-660	Free liquids	II	X		0
20-80-670	Tire management	II	X		0
20-80-680	Drum management	II	X		0
20-80-690	White goods management	II	X		0
20-80-700	Soil contaminated with petroleum products	II	X		0
20-80-710	Lead acid batteries management	II	X		0
20-80-Part VIII	Special waste	II	X		0
Pmt Cond-Module I	General	II	X		0
Pmt Cond-Module II	Facility	II	X		0
Pmt Cond-Module V	Industrial Landfill	II	X		0
Pmt Cond-Module X (C/I)	Phase I groundwater monitoring	II	X		0
Pmt Cond-Module XI (C/I)	Phase II groundwater monitoring	II	X		0
Pmt Cond-Module XII	Closure	II	X		0
Pmt Cond-Module XIII	Post-closure	II	X		0
Pmt Cond-Module XIV	Corrective Action	II	X		0
Pmt Cond-Module XV	Leachate Handling	II	X		0

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07:43:13 AM

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S=severity level    I=inspected    A=area of concern    V=alleged violation    O=occurrences

**Please advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the Department should consider regarding these alleged violations.**

PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act (Va. Code 2.2-4001, et seq.). It does advise you that the information stated above could provide a basis for civil proceedings for non-compliance under Virginia Code 10.1-1402.19 and 10.1-1455, or other pertinent sections of the Virginia Code, should DEQ take or seek actions authorized by law.

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Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 03-AUG-07

Industrial Landfill [SW]  
Alleged Violations

Reference	Comments
20-80-270.F	<p>Post-closure - During the inspection it was observed that significant erosion of the clay layer between the grout-filled fabric form stormwater slope drains and the liner system had occurred in the area of the Stage II-western slope seeps . The erosion of this layer creates an unintended stormwater channel directly over the liner system. A probe placed in a hole in the fabric form indicated a void of approximately 24" between the fabric form and the liner system. Mr. Hamlet explained these voids are filled by grouting. Two potential concerns are noted concerning the integrity of the liner. First, due to movement of eroding soil or debris carried by stormwater beneath the fabric form, the liner may have been compromised by stretching or tearing, allowing stormwater to come in contact with CCB. Second, grouting may continue to stretch or tear the liner exasperating the problem with increased contact between stormwater and waste. Based on the finding of the report from the sampling program (see 270.C.19), repairs may be required for the liner system and a reworking of the stormwater system may be required in this portion of the facility.</p> <p>9 VAC 20-80-270.F.1.a requires:</p> <p>"Maintaining the integrity and effectiveness of any final cover, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and prevent run-on and run-off from eroding and otherwise damaging the final cover."</p> <p>Furthermore, the facility's permit (Amended November 29, 2006) Section 7.5 Erosion and Drainage Control Permit of Attachment XII-2 Post-Closure Care Plan for Stages I/II states: "Drainage and erosion control systems will be installed in areas of runoff concentration on the slopes of the landfill...Runoff will be returned to natural drainage." Drawing of these structures from the permit indicate the presence of the clay support layer is required.</p> <p>Pictures are included as "Photo Attachment I - August 3, 2007" to this report.</p>

Industrial Landfill [SW]  
General Comments

Reference	Comments
10.1-1408.1	Disclosure statement - The following personnel are currently on the Disclosure Statement: Kathryn Curtis; Timothy Hamlet; and, Tony Powell.
10.1-1408.2	<p>Operator certification - The facility has five personnel who hold an active Waste Management Facility Operator License. They are:</p> <p>Timothy M. Hamlet.....Expires 7-31-09.....Lic. No. 4605001711 Terri Spainhour.....Expires 8-31-08.....Lic No. 4605002367 Shelly Wojciechowski.....Expires 6-30-09.....Lic. No. 4605002563 Beverly Renfro.....Expires 12-31-07.....Lic. No. 4605002121 Tony Powell.....Expires 5-31-09.....Lic. No. 4605002616</p> <p>Mr. Hamlet's renewal materials have been received by DPOR and he is recertified until July 31, 2009.</p>
20-70-10 et seq.	Financial responsibility - The facility has demonstrated financial assurance compliance until March 31, 2008.
20-80-113	<p>Control program for unauthorized waste - The facility's Control Program for Unauthorized Waste is dated November 2001. This document describes authorized wastes, management, training, hours of operation, security and responding to unauthorized waste for the facility.</p> <p>A copy of the sign-up sheet listing attendees and the materials covered in the August 7, 2007, unauthorized waste training program was forwarded by the facility. The materials provided appear to verify appropriate training has been conducted for the year.</p>

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Industrial Landfill [SW] General Comments	
Reference	Comments
	The facility is gated and fenced. Signs are in place to warn against unauthorized entry.
20-80-115	Waste assessment program (SWIA) - Not required. The facility is considered a captive landfill.
20-80-240.B	Compliance with the facility's permit - The facility generally appeared to be maintained and operated in accordance with the permit issued and with the approved design and intended use of the facility except as noted in 9 VAC 20-80-270.F - Post Closure in the Alleged Violations section of the inspections report.
20-80-270.B	Facility design/construction - Generally, the facility appeared to be in compliance with the requirements of 20-80-270.B.1-19.
20-80-270.C.1	Access control/attendant - The entrance to the landfill is gated and the gate is equipped with a lock. The facility is surrounded by either fencing or natural barriers to prevent unauthorized access and illegal dumping.
20-80-270.C.2	Dust, odor, vector control - A water truck was being used for dust suppression during the inspection. No odor or vector concerns were noted during the inspection.
20-80-270.C.3	Active safety program - Records of safety meetings were reviewed for the period beginning April 23, 2007 and ending July 30, 2007. Meetings were held weekly.
20-80-270.C.4 and 17	Operator/equipment/training - During the inspection, levels of personnel and equipment at the working face appeared to comply with the permits requirements.
20-80-270.C.5	Open burning prohibited - No indication of open burning on or near the waste cells was observed during the inspection.
20-80-270.C.6	<p>Waste entering state water - No CCB wastes, uncontrolled stormwater, or leachate were observed entering intermittent or perennial streams. Black Walnut Creek runs parallel to the landfill operation.</p> <p>The outfall from Stages I and II to Black Walnut Creek has been halted until a determination is made regarding manganese levels from a large seep. The outfall has been rerouted to the leachate collection and treatment basins at Stage III.</p> <p>The facility discharges under VPDES Individual Permit No. VA0083097.</p>
20-80-270.C.7	<p>Waste records maintained - Records were reviewed for the period beginning April 2007 and ending July 2007.</p> <p>Daily Average Tonnages Total Monthly Tonnages</p> <p>April 2007.....1131.56 tons.....24894.33 tons May 2007.....1971.31 tons.....53225.49 tons June 2007.....1764.62 tons.....45880.16 tons July 2007.....2133.83 tons.....55479.68 tons</p> <p>Individual load tickets are created at the scales.</p>
20-80-270.C.8	Groundwater monitoring program - The facility currently conducts semi-annual groundwater monitoring. Phase II groundwater monitoring began during the first semi-annual 2003 sampling event at the Stage III landfill. See further comments under 20-80-300 et seq.
20-80-270.C.9	Corrective Action Program (CAP) - The facility has no Corrective Action Program at this time.
20-80-270.C.10	Fugitive dust and mud - At the time of the inspection there were no observations of fugitive dust air problems or mud deposits on the state road crossing from the power plant to the landfill.
20-80-270.C.11	Incinerator and APC residues - The facility's CCB wastes were observed being placed into the working face and being compacted to prevent them from becoming airborne. Moisture content of the waste is monitored to help control dust.
20-80-270.C.12	Compaction and cover - Intermediate cover appeared to have been applied to Stage III, Phase I. Seeding had been done, but extremely dry conditions are making establishment of a vegetative cover difficult.

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Industrial Landfill [SW] General Comments	
Reference	Comments
	Stage III, Phase II has daily cover applied to sideslopes at final grade. Phase II has been covered in a layer of CCB approx. 24" thick to provide a protective layer for the liner system. A crusting agent has been applied to prevent this layer from becoming airborne during windy conditions and to prevent erosion of the material from stormwater flow.
20-80-270.C.13	<p>Vegetative cover - Vegetative cover appears to have been established on Stages I and II to the extent that it is capable of preventing erosion.</p> <p>Stage III, Phase I's vegetative cover is largely complete with the exception of a recently covered area where the working face had been prior to moving to Phase II-A. The area appears to have been seeded, but drought conditions are making establishment of a vegetative cover difficult.</p>
20-80-270.C.14	Hazardous waste - The facility's Operations Manual (Section 10.1.2 - General) prohibits outside (non-Dominion) wastes and hazardous waste. Only fly and bottom ash was observed in the working face during the inspection.
20-80-270.C.15	Open working face - The daily working face appeared to be in compliance with the facility's operations plan and of practical size for the volume of waste. Operations were conducted in an area that appeared to allow trucks and equipment to maneuver safely.
20-80-270.C.16	Cover soil supply - Adequate soil supplies appeared to be located in close proximity to the working face adjacent to the Stage III Phase II cell.
20-80-270.C.18	Internal roads - The facility's roads appeared suitable to waste hauling truck traffic. The internal roadways observed during the inspection seem to provide adequate support and passage for trucks.
20-80-270.C.19	<p>Leachate - Dominion forwarded a letter to the Department dated June 22, 2007, addressing the seep observed on the western slope of Stage II during the April 19, 2007 compliance inspection. The letter outlined the following actions in regards to the seep: First, a French drain system was to be installed to collect the seep; second, a sampling program to determine the origin of the seep was to be undertaken and reported on in approximately 90 days; and, third, all outfall from 003 (which normally discharges to Black Walnut Creek) would be rerouted to outfall 009 for treatment before release.</p> <p>During the August 3, 2007 inspection, it appeared the facility has enacted each of the steps outlined in the June 22, 2007 letter. The French drain system was observed to be in place. The sampling program is underway. Mr. Hamlet explained a Final Report of the makeup of the seep would soon be forthcoming. The pumping station was observed which is used to pump water from the Stages I/II basin to the leachate collection system.</p> <p>Pictures were taken of the area and included as "Photo Attachment I - August 3, 2007" to this report.</p>
20-80-270.E.1	Closure criteria/final cover system - The facility's Closure Plan is contained in permit Module XII - Closure and Post-Closure Care.
20-80-270.E.2	Closure plan - The facility's Closure Plan is contained in permit Module XII - Closure and Post-Closure Care.
20-80-270.E.2.F	<p>Closure plan review and approval - The facility's Permit Amendment # 5 (Major amendment), which was approved on October 17, 2000, was a modification for the construction of Phase III containing Permit Attachment XII-1 Closure and Post-Closure Plan for Stage III.</p> <p>The current facility permit was approved July 19, 2007, and contains this section.</p>
20-80-270.E.3	Time allowed for closure - According to Mr. Hamlet, Stage III, Phase I has reached capacity and will receive no more waste. Closure activities are scheduled to commence in 2008. If the closure activities cannot be completed within six months of the date of receipt of the last waste, the facility should submit a request for an extension to the completion of closure activities to the Department.
20-80-270.E.4	Closure implementation - Stage III's two phases will be developed in sequence and partial closure implementation will be conducted as a part of normal operating procedures. Final closure will begin when the CCB waste has reached final grade.
20-80-270.E.5	Closure inspection - The closure inspection for Stages I/II closure construction was conducted by the Department prior to the facility entering post-closure care.



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Industrial Landfill [SW] General Comments	
Reference	Comments
20-80-270.E.6	Post-closure period - The Post-Closure Care Period for Stages I/II began on April 23, 2003 for a period of 10 years. Based on actual or potential environmental impact, the director may increase or decrease the post-closure care period.
20-80-270.E.4.c(3)	Deed notation - For Stages I/II a plat of the closed portion of the landfill was filed with the Clerk's Office of the Circuit Court of Halifax County on February 3, 2003. A copy of the filing is in the SCRO files.  Upon completion of Stage III, a notation on the deed to the facility property will be recorded noting the presence of the CCB landfill with the Halifax County Circuit Court Clerk's Office.
20-80-270.E.4.c(4)	Closure certification by PE - A Professional Engineer certification signed by Christopher M. Gee of Golder Associates dated April 22, 2003 was received for closure of Stage I/II.
20-80-280.A.1	Decomposition gas concentrations - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time. Subsequent references to landfill gas monitoring will be listed as NA.
20-80-280.A.2-4	Decomposition gas general - NA
20-80-280.B	Decomposition gas monitoring - NA
20-80-280.C	Decomposition gas-monitoring frequency - NA
20-80-280.D	Decomposition gas-monitoring record keeping - NA
20-80-280.E	Decomposition gas-control - NA
20-80-290	Leachate control system and monitoring - The spreadsheet records of discharge of leachate through the treatment system to the outfall 009 on the Roanoke River were reviewed for April through July 2007. During this timeframe 239 million gallons were treated.
20-80-300.A.2	Groundwater - General Requirements - Groundwater monitoring began at the facility in 1993.  Stages I and II sample on a semi-annual basis under a Phase II Groundwater Monitoring Program. A part of the variance granted by the Department in February 2002 specifies sampling semi-annually for detected Table 5.1 inorganic parameters and every two years for the entire Table 5.1 list.  A letter from the Department dated December 13, 2006, states Stages I and II will remain in the Phase II Monitoring Program for the first 2007 semi-annual monitoring event.  The facility conducts semi-annual groundwater monitoring for Stage III of the landfill under a Phase II Groundwater Monitoring Plan.  A letter from the Department dated December 13, 2006, states Stage III will remain in the Phase II Monitoring Program for the first 2007 semi-annual monitoring event.
20-80-300.A.3.a	Groundwater monitoring system - The groundwater monitoring well system was reviewed in the April 19, 2007 inspection report.
20-80-300.A.3.b-f	Groundwater monitoring system - In Section 1.0 - Executive Summary for the Stage I & II and the Stage III 2006 Annual Groundwater Report, URS Corporation states that, "During 2006, the monitoring well network functioned as designed and had the ability to determine the Facility's impact on the quality of groundwater in the uppermost aquifer."  This statement is subject to review by the Department's groundwater section.
20-80-300.A.4.	Groundwater sampling and analysis - The facility's "2006 Annual Groundwater Monitoring Report, Clover Power Station Stage I and Stage II Industrial Landfill", was received at the SCRO on March 1, 2007.  Groundwater monitoring samples were collected on February 7 and 8, 2007 for the first 2007 semi-annual monitoring event for the Clover Stages I/II Landfill.

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Industrial Landfill [SW] General Comments	
Reference	Comments
	The facility's "2006 Annual Groundwater Monitoring Report 2005, Clover Power Station Stage III Industrial Landfill", was received at the SCRO on March 1, 2007.
	Groundwater monitoring samples were collected on February 14 and 15, 2007 for the first 2007 semi-annual monitoring event for the Clover Stage III Landfill.
20-80-300.A.5.	Alternate source demonstration (ASD) - In reviewing the Annual Groundwater Reports for 2006, no reference to a request by the facility for an ASD was found.
20-80-300.C.3	Phase I - See comments in the April 19, 2007 inspection report.
20-80-300.C.4	Phase II - See comments in the April 19, 2007 inspection report.
20-80-300.C.5	Modified sampling program - See comments in the April 19, 2007 inspection report.
20-80-300.E	Recordkeeping and reporting - The facility maintains groundwater monitoring report data in an on-site filing system.
20-80-310.A	Corrective action program (CAP)-assessment - The facility has no active CAP based on a review of the SCRO files and the 2006 annual groundwater report. Subsequent references for corrective action are marked NA.
20-80-310.B	Corrective action program-remedy - NA
20-80-310.C	Corrective action program-implementation - NA
20-80-570.B	Monitoring recording and reporting - The facility appeared to maintain all required monitoring records with the appropriate information and has them available for review. For Old Dominion Electric, records of the most recent groundwater monitoring event will be maintained at the facility.
20-80-570.C	Permittee reporting requirements - No facility alterations or departures from approved plans were noted during the inspection. No indications of the facility failing to notify the Department in the event of any non-compliance or unusual condition which may endanger human health or the environment were found.
20-80-630	Special waste - general requirements - The Clover landfill is not a public facility. The facility is on plant property and is exclusively for the disposal of CCB from Clover and other Dominion owned facilities.
20-80-640	Asbestos containing materials - No wastes fitting this description are accepted or were observed at the facility.
20-80-650	Wastes containing PCBs - No wastes fitting this description are accepted or were observed at the facility.
20-80-660	Free liquids - No wastes fitting this description are accepted or were observed at the facility.
20-80-670	Tire management - No wastes fitting this description are accepted or were observed at the facility.
20-80-680	Drum management - No wastes fitting this description are accepted or were observed at the facility.
20-80-690	White goods management - No wastes fitting this description are accepted or were observed at the facility.
20-80-700	Soil contaminated with petroleum - Permit Attachment II-1, Operations Manual, states that any contaminated soil that is classified as hazardous waste shall be managed as a hazardous waste and not disposed of at the Clover Landfill.  Soils failing the EP toxicity or the TCLP test shall be managed in accordance with the Virginia Hazardous Waste Management Regulations and will not be accepted at the Clover Landfill.
20-80-710	Lead acid battery management - No wastes fitting this description are accepted or were observed at the facility.
20-80-Part VIII	Special waste - The facility accepts no non-Dominion wastes and accepts only those wastes which are specifically listed in the facility permit. No special, non-Dominion, or unpermitted wastes were observed during the inspection.

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Industrial Landfill [SW] General Comments	
Reference	Comments
Pmt Cond-Module I	General - Permit Module I contains the General Permit Conditions for the facility. The current permit was approved by the Director on July 19, 2007.
Pmt Cond-Module II	Facility - The Operations Manual and Emergency/Contingency Plan are included in Permit Module II.
Pmt Cond-Module V	Industrial Landfill - Permit Module V - Design and Construction contains the Design Plans, Design Report, Specifications, Construction Quality Assurance and Part A Approval Letters and Near Vicinity Map.
Pmt Cond-Module X (C/I)	Phase I groundwater monitoring - The Phase I Groundwater Monitoring Plan for both Stages I/II and Stage III is included in Permit Module X.
Pmt Cond-Module XI (C/I)	Phase II groundwater monitoring - The Phase II Groundwater Monitoring Plan for both Stages I/II and Stage III is contained in permit Module XI. This module includes: Variance for Omitting Organic Constituents, Stages I/II; Variance to Use Alternate Concentration Limits for GPS Stages I/II; and, Groundwater Protection Standards (GPS).
Pmt Cond-Module XII	Closure - Permit Module XII - Closure and Post-Closure Care includes: Closure and Post-Closure Plan for Stage III; Post-Closure Plan for Stages I/II; and, Closure Drawings for Stages I/II.
Pmt Cond-Module XIII	Post-closure - The permit does not include this Module. Post-closure care is covered under Permit Module XII and Reference 20-80-270.E.6.
Pmt Cond-Module XIV	Corrective Action - The permit does not include this Module. See comments under Reference 20-80-270.C.9.
Pmt Cond-Module XV	Leachate Handling - The permit does not include this Module. See comments under 20-80-290 regarding the facility's leachate collection system.

**Overall Inspection Comments**

A representative of the Virginia Department of Environmental Quality arrived at the Dominion Clover Power Station, SWP No. 556, on August 3, 2007 at approximately 9:45 A.M. Douglas A. Foran was greeted by Timothy M. Hamlet, Senior Environmental Compliance Coordinator and Shelly Wojciechowski, Chemist. The facility's files and reports were reviewed. An inspection of the landfill was conducted by Mr. Foran who was accompanied by Mr. Hamlet, Ms. Wojciechowski and Connel Foster of Headwaters Resources.

The facility has completed landfill operations in Stage III, Phase I, bringing waste to final grade. Landfill operations have begun in Stage III Phase II. Access roads and a protective layer of approx 24" of coal combustion by-product (CCB) have been applied to Phase II. The 24" layer of CCB is intended to protect the liner system and has had a crusting agent applied to hold it in place.

Weather conditions for the day were clear skies with temperatures in the low 90s.

**Photo Attachment I – August 3, 2007**  
**Inspection Report References 9 VAC 20-80-270.C.19 and 9 VAC 20-80-270.F**  
**Summary of actions taken and concerns in response to the seep at Stage II Western**  
**Slope - Old Dominion Electric – Clover SWP No. 556**



Per the letter from Dominion dated June 22, 2007, a French drain system had been installed. Discharge was observed coming from the drainage pipes for the system. This discharge was collected into the stormwater basin for Stages I/II. Outfall 003 which discharges stormwater for Stages I/II has been closed and rerouted into the leachate collection and treatment system which discharges under a VPDES permit at outfall 009. (Photo taken from Truck Turnaround Stage II – Western Slope. Photo Direction is N/NE)

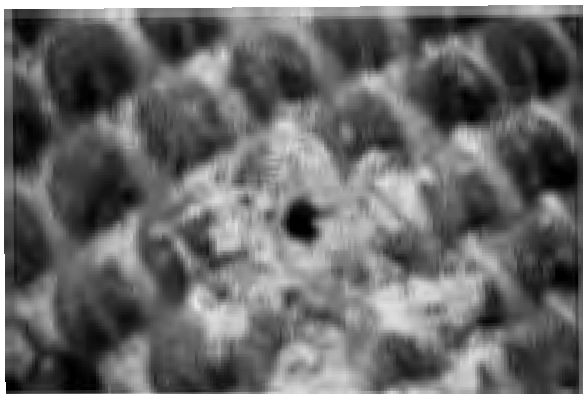


The seep appears to be centered around the fabric form slope drain. Discharge was observed on both sides of the slope drain system. Further discussion and examination of the slope drain indicates that erosion undercutting the slope drain may be the source of the seep outbreak. (Photo taken from Stage II – Western Slope. Photo direction E)





An examination of the slope drain indicated numerous cracks allowing stormwater to undercut the drain channels. It was also observed large portions of the slope drain appeared to have the supporting clay layer eroded away, leaving an unintended stormwater channel beneath the fabric form directly over the liner system. Areas of the channel had been grouted to fill in the eroded areas; however, this raises concerns regarding the condition of the liner in these areas. If the liner has been cut, torn or stretched by these repairs, the potential for CCB waste to mix with stormwater appears to be increased. (Photo taken from Stage II – Western Slope – Photo direction W)



A probe inserted into this hole extended approximately 24" down before contacted solid material. This hole was located upgradient from area where the seep had broken out. Areas extending several feet up and down the slope drain give under foot traffic raising concerns that a large volume of stormwater may enter this channel during intense rainfall stretching or damaging the liner. An additional concern is that once captured in this area the stormwater builds hydraulic pressure, exiting through the sideslopes, destabilizing the slopes, or exiting through the drainage layer in the liner system creating the observed seeps. ( Photo taken from Stage II - Western Slope. Detail hole in fabric form.)

J. David Rives, P.E.  
Vice President  
Fossil & Hydro  
Dominion Generation  
Innsbrook Technical Center  
5000 Dominion Boulevard, Glen Allen, VA 23060



Certified Mail  
Return Receipt Requested

September 19, 2007

Mr. D. A. Foran  
DEQ – South Central Regional Office  
7705 Timberlake Road  
Lynchburg, VA 24502

**RE: Clover Power Station – Industrial Landfill – Warning Letter**

Dear Mr. Foran:

This is in response to the Warning Letter dated August 30, 2007 concerning the operation of the Industrial Landfill at Clover Power Station. According to the letter, you observed erosion under one of the storm water downchutes in Stage II during an inspection on August 3, 2007.

We hired Golder Associates, Inc. (Golder) to inspect the downchute and recommend a course of action. Golder visited the site on September 7, 2007.

Golder inspected the full length of the downchute and the surrounding slopes. Based upon the investigation, Golder concluded that the upper reaches of the downchute are sound; however, there was evidence of erosion from about midway down to the toe. Golder recommends first removing and inspecting underneath the section of the downchute from the first storm water bench downward. This would be followed by a sequential investigation upstream to determine the extent of the erosion. The liner system will be repaired as needed, the infiltration layer soil will be replaced to design grades, and a new downchute will be installed. A copy of the letter report from Golder is attached.

In July 2007, Golder conducted a sampling program to determine the source of a seep in the vicinity of the subject downchute. The results of the chemical analyses, received last week, point to the seep being leachate. The seep could be the result of the collapse of the downchute. Therefore, no additional corrective action is currently planned concerning the seep until repairs are completed on the downchute. However, in the meantime, all water that collects in the treatment basin for Outfall 003 will continue to be pumped to the treatment basin for Outfall 009. If the downchute repairs do not eliminate the source of the leachate seepage, then further efforts will be made to locate the source of the leachate. A copy of the Golder report on the seep is attached.

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As indicated in the attached schedule, we anticipate that the repairs to the downchute can be completed by the middle of December 2007.

If you have any questions or desire additional information, please contact Ron Birkhead at (804) 273-2992.

Sincerely,

  
J. David Rives

Attachments

Ebc:

Kathy Curtis

Jamie Lane

Will Solomon

Tim Hamlet

Mike Lott

David Bristow

Pamela Faggert

Cathy Taylor

Alice Corey

Ron Birkhead

File Code: (paper/e) Clover/COR14/Violations

Name: Warning Letter Response 0907

*JL per email*

*TH per email*

*AC*  
*RB*





# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### SOUTH CENTRAL REGIONAL OFFICE

7705 Timberlake Road, Lynchburg, Virginia 24502

(434) 582-5120 Fax (434) 582-5125

[www.deq.virginia.gov](http://www.deq.virginia.gov)

L. Preston Bryant, Jr.  
Secretary of Natural Resources

David K. Paylor  
Director

Thomas L. Henderson  
Regional Director

October 3, 2007

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Mr. Ron Birkhead  
Dominion Clover Power Station  
P.O. Box 245  
Clover, Virginia 23534

### LETTER OF AGREEMENT

Re: Dominion Clover Power Station  
Permit No. 556  
WL No. WL-07-08-SCRO-009

Dear Mr. Birkhead:

As we have discussed, this Letter of Agreement between Dominion Clover Power Station and the Department of Environmental Quality (DEQ) sets forth the actions required to address alleged violations of Virginia environmental statutes and regulations and Permit No. 556. By signing both originals and returning one original to this office by October 18, 2007, you accept and agree to the terms of this Letter of Agreement.

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Oct 02 2019

Described below are the events leading up to this Letter of Agreement.

During the August 3, 2007 compliance inspection, it was observed that significant erosion of the clay layer between the grout-filled fabric form stormwater slope drains and the liner system had occurred in the area of the area of the Stage II seeps.

A warning letter was issued on August 30, 2007, outlining the alleged violation.

**Virginia Solid Waste Management regulation 9 VAC 20-80-270.F.1.a requires:**

**"Maintaining the integrity and effectiveness of any final cover, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and prevent run-on and run-off from eroding and otherwise damaging the final cover."**

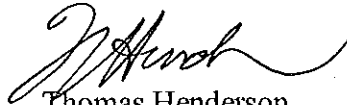
DEQ staff met with Mr. Tim Hamlet during the quarterly compliance inspection and had a telephone conversation on September 19, 2007 with Mr. Hamlet and Mr. Ron Birkhead to discuss actions it was taking to address the issue and to prevent future violations. To that end, Dominion Clover Power Station and DEQ have agreed upon the following schedule of corrective action:

Dominion has proposed the removal of the fabric form slopedrain followed by inspection of the liner system from the first stormwater bench down. This would be followed by a sequential investigation upstream to determine the extent of the erosion. The liner system would be repaired as needed, the infiltration layer soil will be replaced to design grades and a new slopedrain will be installed. Completion of repairs is anticipated on December 15, 2007. Notification for completion of corrective measures shall be provided by December 31, 2007.

DEQ expects that all of these items will be completed according to the schedule set forth in this agreement. DEQ may take other enforcement action in the event Dominion Clover Power Station does not act in accordance with this agreement, or new information or circumstances suggest that other measures are required to ensure compliance with Virginia statutes and regulations or to protect human health and the environment. This Letter of Agreement is neither a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.*, nor an adjudication.

Thank you for your cooperation. Please address any questions you have about this Letter of Agreement to Doug Foran at (434) 582-6226.

Sincerely,

  
Thomas Henderson  
Regional Director

cc: Enforcement/Compliance File

Seen and agreed:

10/15/07  
Date

KB Carter

Commonwealth of Virginia  
City/County of \_\_\_\_\_

The foregoing document was signed and acknowledged before me this 15<sup>th</sup> day of  
Oct., 2007, by Katheryn B. Curtis, who is  
(Name)

Director on behalf of Dominion Clover Power Station.  
(Title)

[Signature] #141491  
Notary Public

My commission expires: 2/28/11





# COMMONWEALTH of VIRGINIA

Molly Joseph Ward  
Secretary of Natural Resources

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### Blue Ridge Regional Office

[www.deq.virginia.gov](http://www.deq.virginia.gov)

**Lynchburg Office**  
7705 Timberlake Road  
Lynchburg, Virginia 24502  
(434) 582-5120  
Fax (434) 582-5125

David K. Paylor  
Director

Robert J. Weld  
Regional Director

**Roanoke Office**  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
(540) 562-6700  
Fax (540) 562-6725

March 3, 2014

Mr. Timothy M. Hamlet  
Senior Environmental Compliance Coordinator  
Dominion – Clover Power Station  
P. O. Box 245  
Clover, Virginia 23534

### AREA OF CONCERN LETTER

Re: Dominion – Clover Power Station Industrial Landfill - SWP 556 – Mecklenburg Co.  
Unannounced Compliance Inspection – January 22, 2014

Dear Mr. Hamlet:

On January 22, 2014, the Virginia Department of Environmental Quality Blue Ridge Regional Office conducted an inspection of the solid waste management facility operating under SWP556. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Act, Virginia Solid Waste Management Regulations (9VAC20-81-10 et seq.) and SWP556. A copy of the inspection checklist is enclosed.

During the inspection **no apparent violations** of the facility's permit-by-rule, Virginia Waste Management Act or 9VAC20-81-10 et seq. were observed. However, the following Area of Concern was identified on the current inspection report under Facility design / construction 9VAC20-81-130:

Facility design / construction - The facility continues to address the severe erosion addressed in the August 23, 2013 Warning Letter. Progress was evaluated and the DEQ has the following observations.

- (1) Stage 3, Phase 2: Intermediate soil cover on the southern slope and the uppermost lift remained in good condition with no ponding or erosion issues noted. Following the initial repairs in late 2013, the middle lift is now graded to direct stormwater away from the

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Letter to: Mr. Timothy Hamlett

Date: March 3, 2014

Page 2

internal slope between Phases 2-A and 2-B, toward the outer perimeter of 2-A. A channel across the top of the lift was established for stormwater flow. The channel is lined with straw bales staked at regular intervals for erosion control.

- (2) Since the facility completed the placement of the intermediate cover to the middle lift of 2-A, stormwater from this area is directed to the slope drains and conveyed to the stormwater sediment basins.

The facility continues to execute its corrective action plan to repair erosion damage and to stabilize the internal slope between Phase 2-A and 2-B. Operations include excavation to stable material and filling to step the slope out to a 3:1 grade.

Wet conditions during December and January have caused facility staff to change their estimated date of project completion to late February 2014.

This information was discussed with facility representatives. The Area of Concern will be re-evaluated during the next inspection to determine whether observed conditions have changed and whether the facility remains in compliance with the statute, regulations, permits, and/or enforcement orders.

If you have any questions, please contact me at (434) 582 - 6226 or [Douglas.Foran@deq.virginia.gov](mailto:Douglas.Foran@deq.virginia.gov).

Sincerely,



Douglas Foran  
Solid Waste Inspector

cc: Linda Shultz, DEQ  
DEQ ECM Solid Waste Files

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Oct 02 2019





Commonwealth of Virginia  
Department of Environmental Quality

Industrial Landfill [SW]  
Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 22-JAN-14

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure Statement	I	X			0
10.1-1408.2	Operator Certification	II	X			0
20-70-10 et seq.	Financial Assurance	II				0
20-90-10 et seq.	Permit Action Fees	II				0
20-81-80	Waste Assessment Program	I				0
20-81-100.B	Compliance with the facility's permit	II				0
20-81-100.E	Unauthorized waste program and inspection	II	X			0
20-81-110.C	Prohibited waste	II	X			0
20-81-130	Facility design / construction	I	X	X		0
20-81-140.A.1,4	Safety and fire control	II	X			0
20-81-140.A.6	Pollutant discharge	III	X			0
20-81-140.A.7	Stormwater control system maintenance	II	X			0
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	X			0
20-81-140.A.9-13	Hazard and nuisance control	I	X			0
20-81-140.A.16	Facility self inspections	I	X			0
20-81-140.A.17	Record maintained of waste received and processed	I	X			0
20-81-140.D	Compaction and cover	I	X			0
20-81-160	Closure requirements	II				0
20-81-170	Post-closure care requirements	II				0
20-81-200	Decomposition gas control	II	X			0
20-81-210	Leachate control	II	X			0
20-81-250	Groundwater monitoring program	II	X			0
20-81-260	Corrective action program	II				0
20-81-485	Operations Manual	II	X			0
20-81-530	Permittee recordkeeping and reporting	II				0
20-81-610-660	Special Waste	II				0

S = Severity Level I = Inspected A = Area of concern V = Alleged violation O = Occurrences

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**Industrial Landfill [SW]  
Area of Concern**

Reference	Comments
20-81-130	<p>Facility design / construction - The facility continues to address the severe erosion addressed in the August 23, 2013 Warning Letter. Progress was evaluated and the DEQ has the following observations.</p> <p>(1) Stage 3, Phase 2: Intermediate soil cover on the southern slope and the uppermost lift remained in good condition with no ponding or erosion issues noted. Following the initial repairs in late 2013, the middle lift is now graded to direct stormwater away from the internal slope between Phases 2-A and 2-B, toward the outer perimeter of 2-A. A channel across the top of the lift was established for stormwater flow. The channel is lined with straw bales staked at regular intervals for erosion control.</p> <p>(2) Since the facility completed the placement of the intermediate cover to the middle lift of 2-A, stormwater from this area is directed to the slope drains and conveyed to the stormwater sediment basins.</p> <p>The facility continues to execute its corrective action plan to repair erosion damage and to stabilize the internal slope between Phase 2-A and 2-B. Operations include excavation to stable material and filling to step the slope out to a 2:1 grade.</p> <p>Wet conditions during December and January have caused facility staff to change their estimated date of project completion to late February 2014.</p>

**Industrial Landfill [SW]  
General Comments**

Reference	Comments
10.1-1408.1	Disclosure Statement - An updated disclosure statement was received at the BRRO on November 19, 2013. Current key personnel are Christie D. Neller, Timothy M. Hamlet and Gene Surprenant.
10.1-1408.2	Operator Certification - The facility's licensed landfill operators are:  Timothy M. Hamlet - 4605001711 - Expires 7-31-15; Terri Spainhour - 4605002367 - Expires 8-31-14; Beverly Renfro - 4605002121 - Expires 12-31-15; and Connel Foster - 4605002840 - Expires 4-30-2015.
20-81-100.E	Unauthorized waste program and inspection - Signs were observed at the facility entrance gate to warn against unauthorized entry.  Annual unauthorized waste training was provided on February 7, 2013.
20-81-110.C	Prohibited waste - No unauthorized or unpermitted waste disposal was observed.
20-81-140.A.1,4	Safety and fire control 140.A.1 - Weekly safety training reports were reviewed for the period from October 28, 2013 to January 20, 2014. Attendance and materials presented were included with the reports. 140.A.4 - No indication of open burning on or near the waste cells was observed.
20-81-140.A.6	Pollutant discharge - No leachate, pollutants or other solid waste as described under subsections 140.A.6.a through 140.A.6.d were observed entering surface waters or wetlands at the facility.
20-81-140.A.7	Stormwater control system - Stormwater control systems within the waste cells were observed. Perimeter ditch lines were open without obstructions or silt blockage and draining to sediment basins (SB) surrounding the cell. SBs were observed to be retaining stormwater to the level of the de-watering pipes or empty. No SBs were observed to have excess sediment buildup.
20-81-140.A.8,14-15	Facility operation, maintenance, and training - Landfill equipment and personnel were available. A dozer and vibratory roller were observed at the working face. An excavator and two additional dozers are onsite to continue the repair to the Phase 2-A side slope.
20-81-140.A.9-13	Hazard and nuisance control 1-10-12 140. A.9 - No issues with blowing litter were observed. 140.A.10 - No issues with odors or vectors were observed. 140.A.11 - No issues with salvaging were observed. 140.A.12 - No issues with fugitive dust or mud deposits on the main road were observed.

Industrial Landfill [SW]  
General Comments

Reference	Comments
20-81-140.A.16	<p>140.A.13 - Internal roads well maintained and allowed access to all parts of the facility.</p> <p>Facility self inspections - The Monthly Landfill Inspection reports for October, November, and December 2013 were provided for review. The Monthly Landfill Inspection report addresses safety requirements, operations and records. Reports appeared complete.</p> <p>The facility also maintains a Daily Inspection/Haul Report Form which records site conditions, maintenance and operations activities and a log of the approved application and maintenance of the crusting agent used as intermediate cover. These reports were reviewed for October, November and December 2013. The facility initiated a new daily report format on October 14, 2013. Crusting agent ("Soil-Sement") was applied on January 20 and 21, 2014.</p>
20-81-140.A.17	<p>Record maintained of waste received and processed Tonnage reports were reviewed at the plant offices.</p> <p>Month..... Daily Average (Approx.)..... Total Monthly Tonnages</p> <p>November.....1,640.00..... 41,001.79 December..... 1,816.00.....45,404.95</p>
20-81-140.D	<p>Compaction, cover &amp; working face - Intermediate soil cover has been applied to the upper and middle lifts of Stage 3, Phase 2-A. The approved alternate intermediate cover "Soil-Sement" has been applied to the flat areas of Phase 2-B. The facility has discontinued the use of the alternate intermediate cover on internal slopes.</p> <p>Section 10.5.4 of the updated Operations Manual specifies internal slopes will be constructed with a 3:1 slope. Internal slopes, specifically the slope between Phase 2-A and 2-B, have been reduced a 3:1 slope. The alteration of the slope allows for the vibratory roller to be used to compact waste material at the working face and to improve stability. Maintenance of cover is ongoing due to the heavy rainfall and slow winter drying conditions. (See additional comments under Facility design and construction and Stormwater control system sections.)</p> <p>The facility has a 10 acre limit for the amount of CCB that may be left uncovered. Facility staff estimate the uncovered CCB area is just under the maximum limit. According to the staff, efforts to maintain an active working face and to repair the slope failure have contributed to the increased area of CCB waste that does not have cover. According to the Monthly Landfill Inspection Report, page 2 -Operations, Landfill Item 1, a survey of the landfill is due to be conducted in January 2014.</p>
20-81-200	Decomposition gas concentrations, monitoring & recordkeeping - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time.
20-81-210	<p>Leachate control - Quantities of leachate pumped from the landfill leachate collection ponds to the facility's WWTP were provided:</p> <p>Month ...Total (million gallons) October ..... 2.242 MG November.....0.837 MG December .....0.907 MG</p> <p>No leachate seeps or outbreaks were observed on side slopes at Stage III, Phases 1 or 2.</p>
20-81-250	<p>Groundwater monitoring program - Stage III is monitored under a Phase II Groundwater Monitoring Plan.</p> <p>During the inspection Mr. Hamlet pointed out the location of two replacement groundwater monitoring well: MW-11R and MW-9SR. However, due to weather conditions, e.g., snow, the wells will be more closely observed during the next inspection. The DEQ was notified of the replacement in a Well Abandonment and Replacement Report submitted by Dominion on January 14, 2014.</p>
20-81-485	<p>Operations Manual - The facility's Operations Manual Certification was completed December 12, 2013 and signed by Cristie Neller, Station Director. The previous certification was dated December 12, 2012.</p> <p>This year's Operations Manual certification is completed within the regulatory timeframe.</p>

Overall Inspection Comments

Run Date: 04-MAR-14  
11:32:58 AM

Commonwealth of Virginia  
Department of Environmental Quality

Permit No.: SWP556  
Insp. Date: 22-JAN-14

Compliance Evaluation Inspection - CEI - BRRO Solid Waste Inspector Doug Foran arrived at the Dominion Clover Power Station, SWP 556, on January 22, 2014 at approximately 9:55 AM. He was greeted by Tim Hamlet, Senior Environmental Compliance Coordinator and Licensed Landfill Operator. The facility's files and reports were reviewed. At the landfill office Gene Surprenant, Project Manager, and Dee Martin of Headwaters Resources, joined the inspection. Mr. Surprenant is overseeing repairs to the erosion damage observed and addressed in the July 2, 2013 Compliance Evaluation Inspection (CEI) and the July 28, 2013 Focused Compliance Inspection (FCI). An exit interview was conducted following the onsite inspection. The inspector departed the site at approximately 1:00 PM.

Weather conditions were sunny with temperatures near 16 degrees. The facility had received snow the day prior to the inspection. Approximately 2 inches of snowfall remained on the ground at the time of the inspection.

**PLEASE** advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.

**PLEASE** be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.

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# COMMONWEALTH of VIRGINIA

Molly Joseph Ward  
Secretary of Natural Resources

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### Blue Ridge Regional Office

[www.deq.virginia.gov](http://www.deq.virginia.gov)

**Lynchburg Office**  
7705 Timberlake Road  
Lynchburg, Virginia 24502  
(434) 582-5120  
Fax (434) 582-5125

David K. Paylor  
Director

Robert J. Weld  
Regional Director

**Roanoke Office**  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
(540) 562-6700  
Fax (540) 562-6725

May 7, 2014

Mr. Timothy M. Hamlet  
Senior Environmental Compliance Coordinator  
Dominion – Clover Power Station  
P. O. Box 245  
Clover, Virginia 23534

### NO DEFICIENCY LETTER

Re: Dominion – Clover Power Station Industrial Landfill - SWP556 – Mecklenburg Co.  
Unannounced Compliance Inspection – April 16, 2014

Dear Mr. Hamlet:

On April 16, 2014, the Virginia Department of Environmental Quality Blue Ridge Regional Office - Lynchburg conducted an inspection of the solid waste management facility operating under SWP556. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Act, Virginia Solid Waste Management Regulations (VSWMR), and the facility's permit.

During the inspection, no apparent violations of your permit or the VSWMR were observed. A copy of the inspection checklist is enclosed.

If you have any questions, please contact me at (434) 582 - 6226 or [Douglas.Foran@deq.virginia.gov](mailto:Douglas.Foran@deq.virginia.gov).

Sincerely,

Doug Foran  
Solid Waste Inspector

cc: ECM – SWP556

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Oct 02 2019





Commonwealth of Virginia  
Department of Environmental Quality

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Oct 02 2019

Industrial Landfill [SW]  
General Comments

Reference	Comments
	140.A.13 - Internal roads well maintained and allowed access to all parts of the facility.
20-81-140.A.16	Facility self inspections - Copies of the Monthly Landfill Inspection reports for January, February and March 2014 were provided for review. Reports appear complete. The reports cover conditions of active Stage 3 Phase 2 as well as closed cell Stage 3 Phase 1 and Stages 1 and 2.
20-81-140.A.17	Record maintained of waste received and processed -Tonnage reports were reviewed at the plant offices.  Month..... Daily Average (Approx.).....Total Monthly Tonnages January.....1,625..... 50,374 February..... 1,817.....50,880 March.....898.....26,702
20-81-140.D	Compaction, cover & working face  Stage 3  Intermediate soil cover was applied to the upper and middle lifts of Stage 3 Phase 2-A intersecting the flat portion of Phase 2-B. The approved alternate intermediate cover "Soil-Sement" continues to be applied to the flat portion of Phase 2-B. Use of the alternate intermediate cover on internal slopes was discontinued.  The internal slope between Phase 2-A and 2-B was reduced to a 3:1 slope as required under Section 10.5.4 of the Operations Manual. (See additional comments under Facility design and construction).  The facility is permitted to have 10 acres of exposed CBB. The March 2014, Monthly Landfill Inspection report (p.2 - Operations-Landfill, Item 1) documented an exposed area of 9.7 acres. The total is from the January 9, 2014 survey. Facility staff explained the exposed area's size was affected by the Phase 2-A slope repair. Repair work was underway at the time of the survey which caused the repair area and the active working face to be surveyed as exposed area.  Final cover for Stage 3 Phase 1 remains intact with a full vegetative cover. No erosion damage was observed.  Stages 1 and 2  Except as noted under 140.A.7, final cover for Stages 1 & 2 remains intact with no indications of erosion damage or subsidence. The closed stages have a vegetative cover that appears sufficient to control erosion.
20-81-200	Decomposition gas concentrations, monitoring & recordkeeping - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time.
20-81-210	Leachate control - Quantities of leachate pumped from the landfill leachate collection ponds to the facility's WWTP were provided:  Month.....Total (million gallons) January..... 3.522 MG February ..... 2.009 MG March ..... 3.746 MG  No leachate seeps or outbreaks were observed on side slopes at Stage3 Phases 1 or 2.  During the site inspection of Stages 1 and 2 a wet spot was found near the toe of the slope between groundwater monitoring wells MW-2 and MW-3. The facility had received significant rainfall the day prior to the inspection. However, since a clear determination as to whether this was simply stormwater flow off the side slope or potentially leachate could not be made at that time, the facility should monitor this area. If the area does not dry as general soil conditions do, the facility should determine if it is a leachate seep and take appropriate action.
20-81-250	Groundwater monitoring program  Stage 3 is monitored under a Phase II Groundwater Monitoring Plan.

Industrial Landfill [SW]  
General Comments

Reference	Comments
	<p>The active groundwater monitoring network for Stage 3 consists of upgradient groundwater monitoring wells SW-1S, MW-9SR and MW-11R and downgradient wells, MW-6, MW-7, MW-8, MW-9, and MW-10. Each well was identified with a numbered sticker, secured with a lock, and, with the exception of MW-10, stable with the well's concrete apron pad intact. The apron pad for MW-10 was cracked. The facility plans to replace the pad.</p> <p>Stages 1 and 2 are monitored semi-annually for Phase II monitoring parameters.</p> <p>The groundwater monitoring network for Stages 1 and 2 consists of upgradient MW-1A and MW-12, and downgradient MW-2, MW-3, MW-4, MW-4A, MW-5 and MW-5A. Each well was identified with a numbered sticker, secured with a lock, and stable with the well's concrete apron pad intact.</p>

**Overall Inspection Comments**

Compliance Evaluation Inspection - CEI - BRRO Solid Waste Inspector Doug Foran arrived at the Dominion Clover Power Station, SWP 556, on April 16, 2014 at approximately 1:00 pm. He was greeted by Tim Hamlet, Senior Environmental Compliance Coordinator and Licensed Landfill Operator. The facility's files and reports were reviewed. At the landfill office Gene Surprenant, Project Manager, Dee Martin of Headwaters Resources, and Richard Siemaszkiewics of Golder Associates joined the inspection. An exit interview was conducted following the onsite inspection. The inspector departed the site at approximately 3:50 pm.

This inspection includes observations of the active cell Stage 3 Phase 2-A and 2-B as well as closed cells Stages 1 and 2.

Weather conditions were sunny with temperatures around 50 degrees. Significant rainfall had occurred the day prior to the inspection.

**PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.**

**PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.**

Commonwealth of Virginia  
Department of Environmental Quality

Industrial Landfill [SW]  
Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 16-APR-14

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure Statement	I	X			0
10.1-1408.2	Operator Certification	II	X			0
20-70-10 et seq.	Financial Assurance	II				0
20-90-10 et seq.	Permit Action Fees	II				0
20-81-80	Waste Assessment Program	I				0
20-81-100.B	Compliance with the facility's permit	II				0
20-81-100.E	Unauthorized waste program and inspection	II	X			0
20-81-110.C	Prohibited waste	II	X			0
20-81-130	Facility design / construction	I	X			0
20-81-140.A.1,4	Safety and fire control	II	X			0
20-81-140.A.6	Pollutant discharge	III	X			0
20-81-140.A.7	Stormwater control system maintenance	II	X			0
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	X			0
20-81-140.A.9-13	Hazard and nuisance control	I	X			0
20-81-140.A.16	Facility self inspections	I	X			0
20-81-140.A.17	Record maintained of waste received and processed	I	X			0
20-81-140.D	Compaction and cover	I	X			0
20-81-160	Closure requirements	II				0
20-81-170	Post-closure care requirements	II				0
20-81-200	Decomposition gas control	II	X			0
20-81-210	Leachate control	II	X			0
20-81-250	Groundwater monitoring program	II	X			0
20-81-260	Corrective action program	II				0
20-81-485	Operations Manual	II				0
20-81-530	Permittee recordkeeping and reporting	II				0
20-81-610-660	Special Waste	II				0

S = Severity Level I = Inspected A = Area of concern V = Alleged violation O = Occurrences

Industrial Landfill [SW]  
General Comments

Reference	Comments
10.1-1408.1	Disclosure Statement - Current key personnel are Christie D. Neller, Timothy M. Hamlet and Gene Surprenant. Mr. Hamlet verified the disclosure statement is current.
10.1-1408.2	Operator Certification - The facility's licensed landfill operators are:  Timothy M. Hamlet - 4605001711 - Expires 7-31-15 Terri Spainhour - 4605002367 - Expires 8-31-14 Beverly Renfro - 4605002121 - Expires 12-31-15 Connel Foster - 4605002840 - Expires 4-30-2015
20-81-100.E	Unauthorized waste program and inspection - Signs were in place at the facility entrance gate to warn against unauthorized entry.  Annual unauthorized waste training was provided on February 21, 2014.
20-81-110.C	Prohibited waste - No unauthorized or unpermitted waste disposal was observed.
20-81-130	Facility design / construction - The facility sent a letter, dated April 29, 2014, entitled, Clover Power Station, Solid Waste Permit No. 556 - Completion of Corrective Action Measures. The facility's letter details repairs to the erosion damage to Stage 3 Phase 2 cited by the DEQ in the August 23, 2013 Warning Letter. The facility's letter provides a completion date for the repairs of March 26, 2014.  The information provided in the letter is consistent with observations made by DEQ staff on prior site visits and inspections as well as the current inspection.
20-81-140.A.1,4	Safety and fire control 140.A.1 - Weekly safety training reports were reviewed for the period from January 20 to March 14, 2014. Attendance sheets and materials presented were included with the reports. 140.A.4 - No indication of open burning on or near the waste cells was observed.
20-81-140.A.6	Pollutant discharge - No leachate, pollutants or other solid waste as described under subsections 140.A.6.a through 140.A.6.d were observed entering surface waters or wetlands at the facility.
20-81-140.A.7	Stormwater control system - Stages 1 and 2 - Post-closure care - On April 2, 2014 Dominion notified the DEQ of an issue with the fabric form (FF) storm water slope drains used on Stages 1 and 2. Stormwater cut channels beneath the grout filled bags used to line the slope drains and eroded the cover soil supporting the FF down to the top synthetic liner material. Dominion plans to remove the affected slope drains, replace and compact the soil and reline the slope drains with an integrated block design that is permitted for used on Stage 3. Following discussions with BRRO Permit Writer Chris Keehan and Program Manager Aziz Farahmand, P.E., on April 14, 2014, Dominion submitted a minor permit amendment on April 24, 2014 to clarify language in the PCC and design plan for Stages 1 and 2 to allow use of the integrated block in the slope drain repair.  During the current inspection the slope drains were observed and the issue was clearly visible. Water was observed flowing underneath the FF in an eroded channel. The top synthetic liner was clearly seen. Facility staff explained that each terraced level of the landfill had a French drain system that discharged into the FF slope drains to convey water off the closed cell. The problem is believed to have originated with some of the French drains having been improperly installed or damaged during closure activities which resulting in stormwater being discharged beneath the FF instead of on top of it. The trapped stormwater then cut channels beneath the FF as it traveled down the slope.  As an interim repair step, the facility intercepted the piping in the French drain system at each terrace level drain with corrugated piping cutting the stormwater flow to the slope drain. The newly installed corrugated piping conducts the stormwater from the French drain system to the main stormwater ditch line at the bottom of the slope.
20-81-140.A.8,14-15	Facility operation, maintenance, and training - A dozer and vibratory roller were in operation at the Stage 3 Phase 2-B working face. Facility staff explained Phase 2-B is being filled to the level of Phase 2-A creating a wider working face. This was undertaken to eliminate the narrow lifts which contributed to recent erosion issues.
20-81-140.A.9-13	Hazard and nuisance control 140. A.9 - No issues with blowing litter were observed. 140.A.10 - No issues with odors or vectors were observed. 140.A.11 - No issues with salvaging were observed 140.A.12 - No issues with fugitive dust or mud deposits on the main road were observed.





# COMMONWEALTH of VIRGINIA

Molly Joseph Ward  
Secretary of Natural Resources

## DEPARTMENT OF ENVIRONMENTAL QUALITY

**Lynchburg Office**  
7705 Timberlake Road  
Lynchburg, Virginia 24502  
(434) 582-5120  
Fax (434) 582-5125

**Blue Ridge Regional Office**  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

David K. Paylor  
Director

Robert J. Weld  
Regional Director

**Roanoke Office**  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
(540) 562-6700  
Fax (540) 562-6725

August 19, 2014

Mr. Timothy M. Hamlet  
Senior Environmental Compliance Coordinator  
Dominion – Clover Power Station  
P. O. Box 245  
Clover, Virginia 23534

### AREA OF CONCERN LETTER

Re: Dominion – Clover Power Station Industrial Landfill - SWP 556 – Mecklenburg Co.  
Unannounced Compliance Inspection – August 7, 2014

Dear Mr. Hamlet:

On August 7, 2014, the Virginia Department of Environmental Quality Blue Ridge Regional Office conducted an inspection of the solid waste management facility operating under SWP556. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Act, Virginia Solid Waste Management Regulations (9VAC20-81-10 et seq.) and SWP556. A copy of the inspection checklist is enclosed.

During the inspection **no apparent violations** of the facility's permit, Virginia Waste Management Act or 9VAC20-81-10 et seq. were observed. However, the following Area of Concern was identified on the inspection report under Compaction and cover 9VAC20-81-140.D:

Near the entrance to closed Stages 1 and 2, a small portion of the vegetative support layer had slumped at the top of a short embankment. Facility staff believes this to have been caused by the collection of stormwater over the geo-membrane in the final cover system and saturation of the vegetative layer. No seeps or outbreaks of stormwater or leachate were observed. The facility plans to initiate repairs as soon as the ongoing slope drain project for Stages 1 and 2 is completed.

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Oct 02 2019

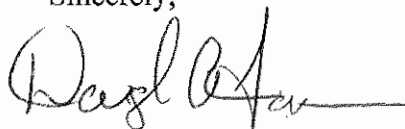


Letter to: Mr. Timothy Hamlet  
Date: August 19, 2014  
Page 2

This information was discussed with facility representatives. The Area of Concern will be re-evaluated during the next inspection to determine whether observed conditions have changed and whether the facility remains in compliance with the statute, regulations, permits, and/or enforcement orders.

If you have any questions, please contact me at (434) 582 - 6226 or [Douglas.Foran@deq.virginia.gov](mailto:Douglas.Foran@deq.virginia.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Foran", with a long horizontal flourish extending to the right.

Douglas Foran  
Solid Waste Inspector

cc: DEQ ECM Solid Waste Files

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Oct 02 2019



Industrial Landfill [SW]  
Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 07-AUG-14

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure Statement	I	X			0
10.1-1408.2	Operator Certification	II	X			0
20-70-10 et seq.	Financial Assurance	II				0
20-90-10 et seq.	Permit Action Fees	II				0
20-81-80	Waste Assessment Program	I				0
20-81-100.B	Compliance with the facility's permit	II	X			0
20-81-100.E	Unauthorized waste program and inspection	II	X			0
20-81-110.C	Prohibited waste	II	X			0
20-81-130	Facility design / construction	I				0
20-81-140.A.1,4	Safety and fire control	II	X			0
20-81-140.A.6	Pollutant discharge	III	X			0
20-81-140.A.7	Stormwater control system maintenance	II	X			0
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	X			0
20-81-140.A.9-13	Hazard and nuisance control	I				0
20-81-140.A.16	Facility self inspections	I	X			0
20-81-140.A.17	Record maintained of waste received and processed	I	X			0
20-81-140.D	Compaction and cover	I	X	X		0
20-81-160	Closure requirements	II				0
20-81-170	Post-closure care requirements	II				0
20-81-200	Decomposition gas control	II	X			0
20-81-210	Leachate control	II	X			0
20-81-250	Groundwater monitoring program	II				0
20-81-260	Corrective action program	II				0
20-81-485	Operations Manual	II				0
20-81-530	Permittee recordkeeping and reporting	II				0
20-81-610-660	Special Waste	II				0

S = Severity Level    I = Inspected    A = Area of concern    V = Alleged violation    O = Occurrences



**Industrial Landfill [SW]  
Area of Concern**

Reference	Comments
20-81-140.D	<p>Compaction, cover &amp; working face</p> <p>AREA OF CONCERN</p> <p>Stages 1 and 2</p> <p>Near the entrance to closed Stages 1 and 2, a small portion of the vegetative support layer had slumped at the top of a short embankment. Facility staff believes this to have been caused by the collection of stormwater over the geo-membrane in the final cover system and saturation of the vegetative layer. No seeps or outbreaks of stormwater or leachate were observed. The facility plans to initiate repairs as soon as the ongoing slope drain project for Stages 1 and 2 is completed.</p> <p>GENERAL COMMENTS</p> <p>Stages 1 and 2 - Except as noted above and under 140.A.7, final cover for Stages 1 &amp; 2 remains intact with no indications of erosion damage. The closed stages have a vegetative cover that appears sufficient to control erosion.</p> <p>Stage 3 - Appropriate use of intermediate soil cover on external slopes, internal slopes and areas not receiving waste at this time was observed. "Soil Sement" is only applied as an intermediate cover on the flat portion of Phase 2B. Facility staff explained recent rainfall created erosion rills. However, at the time of the inspection, erosion damage had been repaired by grading out the erosion rills and reseeding the areas.</p> <p>The facility is allowed to have 10 acres of exposed CCB. The April 2, 2014, quarterly survey documented an exposed area of 7.3 acres.</p> <p>Final cover for Stage 3 Phase 1 remains intact with full vegetative cover. No erosion damage was observed.</p>

**Industrial Landfill [SW]  
General Comments**

Reference	Comments
10.1-1408.1	Disclosure Statement - Current key personnel are Christie D. Neller, Timothy M. Hamlet and Gene Surprenant. Mr. Hamlet confirmed the list.
10.1-1408.2	<p>Operator Certification - The facility's licensed landfill operators are:</p> <p>Timothy M. Hamlet - 4605001711 - Expires 7-31-15 Terri Spainhour - 4605002367 - Expires 8-31-14 Beverly Renfro - 4605002121 - Expires 12-31-15 Connel Foster - 4605002840 - Expires 4-30-2015</p> <p>Terri Spainhour's Operators License expires August 31, 2014.</p>
20-81-100.B	Compliance with the facility's permit - The facility submitted a Minor Permit Modification, dated April 23, 2014, requesting to utilize articulated concrete block and grouted rip rap along with the previously approved fabric form grouted liners in repair and/or replacement of the slope drain on Stages 1 and 2. These types of slope drains were already allowed in the permit for Stage 3. Permit Modification 15 (minor) was approved May 5, 2014.
20-81-100.E	<p>Unauthorized waste program and inspection - Signs were in place at the facility entrance gate to warn against unauthorized entry.</p> <p>Annual unauthorized waste training was provided on February 21, 2014.</p>
20-81-110.C	Prohibited waste - No unauthorized or unpermitted waste disposal was observed.
20-81-140.A.1,4	<p>Safety and fire control</p> <p>140.A.1 - Weekly safety training reports were reviewed for the period from March 17 to August 4, 2014.</p>

Industrial Landfill [SW] General Comments	
Reference	Comments
	Attendance and materials presented were included with the reports. 140.A.4 - No indication of open burning on or near the waste cells was observed.
20-81-140.A.6	Pollutant discharge - No leachate, pollutants or other solid waste as described under subsections 140.A.6.a through 140.A.6.d were observed entering surface waters or wetlands at the facility.
20-81-140.A.7	<p>Stormwater control system - The facility notified the DEQ on April 2, 2014 of issues with the fabric form stormwater slope drains used on post-closure care (PCC) Stages 1 and 2. Stormwater flow from bench drains, which collect water across the Stages 1 and 2 side slopes and discharge to the slope drains, had not been properly directed. Stormwater from the bench drains was discharging beneath the fabric form slope drain and eroding the supporting soil.</p> <p>An Area of Concern regarding the erosion on the Stages 1 and 2 slope drains was recorded in the April 16, 2014 DEQ inspection report.</p> <p>During the current inspection, repairs were observed to be ongoing and nearing completion. Fabric form slope drains that had significant erosion beneath them were removed, the soil was replaced and overlain with a synthetic liner, and grouted rip rap slope drains were installed. Fabric form slope drains with minor erosion beneath them had grout pumped into the void between the supporting soil and the fabric form. Each bench drain had been repositioned to discharge directly into the slope drain. Black flexible corrugated pipe, which had been used for the discharge piping for the bench drains, was replaced with PVC piping.</p> <p>The Stage 3 Phase 1 (PCC) stormwater control system appeared to be functioning properly. Stormwater ditch lines around the base of Stage 3 were open. Stage 3 sediment basins were observed to be retaining stormwater without excessive sediment build up. Stage 3 Phase 1 has a full vegetative cover.</p> <p>Stage 3 Phase 2A and 2B (Active) stormwater controls, including slope drains, intermediate cover soil and vegetative cover continue to control erosion in the active portion of the landfill. The facility is covering newly seeded areas with straw erosion control matting.</p>
20-81-140.A.8,14-15	<p>Facility operation, maintenance, and training</p> <p>140.A.8 - No issues with blowing ash dust were observed.</p> <p>140.A.14 - Access to the facility is controlled by a gate equipped with a lock, fencing and natural barriers. Internal roads were well maintained and allowed access to all parts of the facility.</p> <p>140.A.15 - A mid-sized dozer and vibratory roller were available for use at the working face. The water truck was in operation. The John Deere dozer was down for repairs to the tracks.</p>
20-81-140.A.16	Facility self inspections - Monthly Landfill Inspection reports for April, May, June and July 2014 were provided for review. Reports appeared complete. The reports cover conditions of active Stage 3 Phase 2 as well as closed cell Stage 3 Phase 1 and Stages 1 and 2.
20-81-140.A.17	<p>Record maintained of waste received and processed - Tonnage reports were reviewed at the plant office.</p> <p>Month..... Daily Average..... Total Monthly Tonnages</p> <p>April.....901..... 25,485</p> <p>May..... 1177.....40,065</p> <p>June.....1288.....38,816</p> <p>July.....1263.....40,691</p>
20-81-200	Decomposition gas concentrations, monitoring & recordkeeping - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time.
20-81-210	<p>Leachate control - Quantities of leachate pumped from the landfill leachate collection ponds to the facility's WWTP were provided:</p> <p>Month.....Total (million gallons)</p> <p>April..... 4.098 MG</p> <p>May..... 1.955 MG</p> <p>June.....2.265 MG</p> <p>July.....2.548 MG</p>

Industrial Landfill [SW]  
General Comments

Reference

Comments

No leachate seeps or outbreaks were observed on side slopes at Stage 3, Phases 1 or 2.

The facility is preparing to repair the Stages 1 and 2 leachate basin liner system. Eroded soil has build up under the liner in one area, causing a hump. The repair plan calls for the liner's anchor trench to be moved back approximately 4 feet to prevent future stormwater intrusion. The facility has an outside contractor coming in to replace the liner. The rolls of replacement liner for the project were staged in the area.

**Overall Inspection Comments**

Compliance Evaluation Inspection - CEI - BRRO Solid Waste Inspector Doug Foran arrived at the Dominion Clover Power Station, SWP 556, on August 7, 2014 at approximately 9:50 am. He was greeted by Tim Hamlet, Senior Environmental Compliance Coordinator and Licensed Landfill Operator. The facility's files and reports were reviewed. At the landfill office Gene Surprenant, Project Manager, joined the inspection. An exit interview was conducted following the onsite inspection. The inspector departed the site at approximately 1:10 pm.

**PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.**

**PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.**



# COMMONWEALTH of VIRGINIA

Molly Joseph Ward  
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Blue Ridge Regional Office  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

**Lynchburg Office**  
7705 Timberlake Road  
Lynchburg, Virginia 24502  
(434) 582-5120  
Fax (434) 582-5125

David K. Paylor  
Director

Robert J. Weld  
Regional Director

**Roanoke Office**  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
(540) 562-6700  
Fax (540) 562-6725

October 21, 2014

Mr. Timothy M. Hamlet  
Senior Environmental Compliance Coordinator  
Dominion – Clover Power Station  
P. O. Box 245  
Clover, Virginia 23534

## NO DEFICIENCY LETTER

Re: Dominion – Clover Power Station Industrial Landfill - SWP556 – Mecklenburg Co.  
Unannounced Compliance Inspection – October 10, 2014

Dear Mr. Hamlet:

On October 10, 2014, the Virginia Department of Environmental Quality Blue Ridge Regional Office - Lynchburg conducted an inspection of the solid waste management facility operating under SWP556. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Act, Virginia Solid Waste Management Regulations (VSWMR), and the facility's permit.

During the inspection, no apparent violations of your permit or the VSWMR were observed. A copy of the inspection checklist is enclosed.

If you have any questions, please contact me at (434) 582 - 6226 or [Douglas.Foran@deq.virginia.gov](mailto:Douglas.Foran@deq.virginia.gov).

Sincerely,

Doug Foran  
Solid Waste Inspector

cc: ECM – SWP556

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Oct 02 2019





Commonwealth of Virginia  
Department of Environmental Quality

Permit No.: SWP556  
Insp. Date: 10-OCT-14

Industrial Landfill [SW]  
Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 10-OCT-14

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure Statement	I	X			0
10.1-1408.2	Operator Certification	II	X			0
20-70-10 et seq.	Financial Assurance	II				0
20-90-10 et seq.	Permit Action Fees	II				0
20-81-80	Waste Assessment Program	I				0
20-81-100.B	Compliance with the facility's permit	II				0
20-81-100.E	Unauthorized waste program and inspection	II	X			0
20-81-110.C	Prohibited waste	II	X			0
20-81-130	Facility design / construction	I				0
20-81-140.A.1,4	Safety and fire control	II	X			0
20-81-140.A.6	Pollutant discharge	III	X			0
20-81-140.A.7	Stormwater control system maintenance	II	X			0
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	X			0
20-81-140.A.9-13	Hazard and nuisance control	I	X			0
20-81-140.A.16	Facility self inspections	I	X			0
20-81-140.A.17	Record maintained of waste received and processed	I	X			0
20-81-140.D	Compaction and cover	II	X			0
20-81-160	Closure requirements	II				0
20-81-170	Post-closure care requirements	II				0
20-81-200	Decomposition gas control	II	X			0
20-81-210	Leachate control	II	X			0
20-81-250	Groundwater monitoring program	II	X			0
20-81-260	Corrective action program	II				0
20-81-485	Operations Manual	II	X			0
20-81-530	Permittee recordkeeping and reporting	II				0
20-81-610-660	Special Waste	II				0

S = Severity Level I = Inspected A = Area of concern V = Alleged violation O = Occurrences

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Oct 02 2019

Industrial Landfill [SW] General Comments	
Reference	Comments
10.1-1408.1	Disclosure Statement - Current key personnel are Christie D. Neller, Timothy M. Hamlet and Gene Surprenant. Mr. Hamlet confirmed the key personnel.
10.1-1408.2	Operator Certification - The facility's licensed landfill operators are:  Timothy M. Hamlet - 4605001711 - Expires 7-31-15 Terri Spainhour - 4605002367 - Expires 8-31-16 Beverly Renfro - 4605002121 - Expires 12-31-15 Connel Foster - 4605002840 - Expires 4-30-2015
20-81-100.E	Unauthorized waste program and inspection - A sign was in place at the facility entrance gate to warn against unauthorized entry.
20-81-110.C	Prohibited waste - No unauthorized or unpermitted waste disposal was observed.
20-81-140.A.1,4	Safety and fire control 140.A.1 - Weekly safety meeting records for August 4, 2014 to October 6, 2014. were reviewed. Meeting sign in sheets record subject, trainer, date, time, attendees, comments and actions required. 140.A.4.b - Section 10.5.2.7 of the Operations Manual specifies the facility is allowed to burn land clearing debris outside the active disposal area. No burning is allowed in on areas where waste has been deposited or areas being used for active disposal. No indication of open burning was observed. 140.A.4.c - The facility's Emergency Action Plan is found in Attachment A of the Operations Manual.
20-81-140.A.6	Pollutant discharge - No leachate, pollutants or other solid waste as described under subsections 140.A.6.a through 140.A.6.d were observed entering surface waters or wetlands at the facility.
20-81-140.A.7	Stormwater control system - The facility notified the DEQ on April 2, 2014 of problems with the fabric form stormwater slope drains used on Stages 1 and 2. Stormwater from bench drains, which collect water across the Stage 1 and 2 side slopes and discharges to the slope drains, was not properly directed. An Area of Concern was recorded in the April 16, 2014 inspection report after the conditions were observed by DEQ staff.  Observations of the ongoing repairs to the slope drains were made in the August 7, 2014 inspection. During the current inspection repairs were observed to be nearing completion. All stormwater flow from the bench level drains had been directed to discharge into the reconstructed slope drains.  The Stage 3 stormwater control system appeared to be functioning properly. Stormwater ditch lines around the base of Stage 3 were open. Stage 3 sediment basins were observed to be retaining stormwater without excessive sediment build up.
20-81-140.A.8,14-15	Facility operation, maintenance, and training 140.A.8 - No issues with blowing ash or dust were observed. 140.A.14 - Access to the facility is controlled by a gate equipped with a lock, fencing and natural barriers. 140.A.15 - A mid-sized dozer and vibratory roller were in use at the working face. The water truck was in operation.
20-81-140.A.9-13	Hazard and nuisance control 140. A.9 - No issues with blowing litter were observed. 140.A.10 - No issues with odors or vectors were observed. 140.A.11 - No issues with salvaging were observed 140.A.12 - No issues with fugitive dust or mud deposits on the main road were observed. 140.A.13 - Internal roads were well maintained and allowed access to all parts of the facility.
20-81-140.A.16	Facility self inspections - Copies of the Monthly Landfill Inspection reports for July, August and September 2014 were provided for review. Reports appear complete. The reports cover conditions of active Stage 3 Phase 2 as well as closed cells Stage 3 Phase 1 and Stages 1 and 2.
20-81-140.A.17	Record maintained of waste received and processed - Tonnage reports were reviewed at the plant office.  Month..... Daily Average..... Total Monthly Tonnages  August..... 1,263.....36,603.51 September.....1,234.....37,028.67
20-81-140.D	Compaction, cover & working face - Stages 1 and 2 - During the August 7, 2014 inspection an Area of Concern was noted due to a small area near the entry of the Stages 1 and 2 that had slumped. Facility staff had discovered this area prior to the inspection. At the time of the current inspection the repairs to

Industrial Landfill [SW]  
General Comments

Reference	Comments
	<p>this area were nearing completion.</p> <p>Stage 3 - Appropriate use of intermediate soil cover on external slopes, internal slopes and areas not receiving waste at this time was observed. "Soil Sement" is only applied as an intermediate cover on the flat portion of Phase 2B.</p> <p>The facility is allowed to have 10 acres of exposed CCB. The April 2, 2014, quarterly survey documented an exposed area of 7.3 acres. During the current inspection facility staff showed a fill plan for the next quarter focusing operations and fill in the northern corner of Stage 3, Phase 2-B. This is in accordance with plans to bring Phases 2-A and 2-B up to the same level and develop the two as one cell. These plans were developed to address stormwater management and erosion issues.</p> <p>Final cover for Stage 3 Phase 1 remains intact with a full vegetative cover. No erosion damage was observed. Mowing of the vegetative cover was nearing completion.</p>
20-81-200	Decomposition gas concentrations, monitoring & recordkeeping - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time.
20-81-210	<p>Leachate control - Quantities of leachate pumped from the landfill leachate collection ponds to the facility's WWTP were provided:</p> <p>Month.....Total (million gallons)  July..... 2.55 MG  August.....2.54 MG  September.....2.84 MG</p> <p>No leachate seeps or outbreaks were observed on side slopes at Stage 3, Phases 1 or 2.</p> <p>Preparation for repairs to the Stages 1 and 2 leachate basin were observed during the August 7, 2014 inspection and noted in that inspection report. At the time of the current inspection the facility was completing repairs to the leachate basin liner system. The repairs were focused on erosion damage that had occurred beneath the basin's liner creating a lateral hump in the liner. Furthermore, the project re-established the anchor trenches to prevent stormwater infiltration beneath the liner to prevent this damage from occurring again. Final grading and seeding around the project were underway at the time of the current inspection.</p>
20-81-250	<p>Groundwater monitoring program - Stage 3 is monitored under a Phase II Groundwater Monitoring Plan.</p> <p>The groundwater monitoring network for Stage 3 was observed. Upgradient groundwater monitoring wells SW-1S, MW-9SR and MW-11R and downgradient wells, MW-6, MW-7, MW-8, MW-9, and MW-10 were identified with a numbered sticker, secured with a lock, and stable with the well's concrete apron pad intact.</p> <p>During the April 16, 2014 inspection, the apron pad for MW-10 was found to be cracked. The facility has replaced the pad.</p>
20-81-485	Operations Manual - The facility is reminded that it must review, update (if necessary), and certify its Operations Manual annually. The 2013 certification statement was dated December 12, 2013 and signed by Cristie Neller, Station Director.

Overall Inspection Comments

Compliance Evaluation Inspection - CEI - BRRO Solid Waste Inspector Doug Foran arrived at the Dominion Clover Power Station, SWP 556, on October 10, 2014 at approximately 9:00 am. He was greeted by Tim Hamlet, Senior Environmental Compliance Coordinator and Licensed Landfill Operator. The facility's files and reports were reviewed. At the landfill office Gene Surprenant, Project Manager, joined the inspection. An exit interview was conducted following the onsite inspection. The inspector departed the site at approximately 11:45 am.

**PLEASE** advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.

Run Date: 21-OCT-14  
08:52:47 AM

Commonwealth of Virginia  
Department of Environmental Quality

Permit No.: SWP556  
Insp. Date: 10-OCT-14

PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.

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Oct 02 2019





# COMMONWEALTH of VIRGINIA

Molly Joseph Ward  
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Blue Ridge Regional Office  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

**Lynchburg Office**  
7705 Timberlake Road  
Lynchburg, Virginia 24502  
(434) 582-5120  
Fax (434) 582-5125

David K. Paylor  
Director

Robert J. Weld  
Regional Director

**Roanoke Office**  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
(540) 562-6700  
Fax (540) 562-6725

January 27, 2015

Mr. Timothy M. Hamlet  
Senior Environmental Compliance Coordinator  
Dominion – Clover Power Station  
P. O. Box 245  
Clover, Virginia 23534

## NO DEFICIENCY LETTER

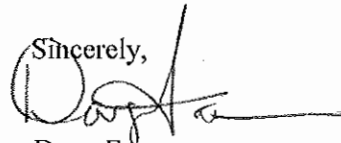
Re: Dominion – Clover Power Station Industrial Landfill - SWP556 – Mecklenburg Co.  
Unannounced Compliance Inspection – January 13, 2015

Dear Mr. Hamlet:

On January 13, 2015, the Virginia Department of Environmental Quality Blue Ridge Regional Office conducted an inspection of the solid waste management facility operating under SWP556. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Act, Virginia Solid Waste Management Regulations (VSWMR), and the facility's permit.

During the inspection, no apparent violations of your permit or the VSWMR were observed. A copy of the inspection checklist is enclosed.

If you have any questions, please contact me at (434) 582 - 6226 or [Douglas.Foran@deq.virginia.gov](mailto:Douglas.Foran@deq.virginia.gov).

Sincerely,  
  
Doug Foran  
Solid Waste Inspector

cc: ECM – SWP556

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Oct 02 2019





Commonwealth of Virginia  
Department of Environmental Quality

Industrial Landfill [SW]  
Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 13-JAN-15

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure Statement	I	X			0
10.1-1408.2	Operator Certification	II	X			0
20-70-10 et seq.	Financial Assurance	II				0
20-90-10 et seq.	Permit Action Fees	II				0
20-81-80	Waste Assessment Program	I	X			0
20-81-100.B	Compliance with the facility's permit	II				0
20-81-100.E	Unauthorized waste program and inspection	II	X			0
20-81-110.C	Prohibited waste	II	X			0
20-81-130	Facility design / construction	I				0
20-81-140.A.1,4	Safety and fire control	II	X			0
20-81-140.A.6	Pollutant discharge	III	X			0
20-81-140.A.7	Stormwater control system maintenance	II	X			0
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	X			0
20-81-140.A.9-13	Hazard and nuisance control	I	X			0
20-81-140.A.16	Facility self inspections	I	X			0
20-81-140.A.17	Record maintained of waste received and processed	I	X			0
20-81-140.D	Compaction and cover	I	X			0
20-81-160	Closure requirements	II				0
20-81-170	Post-closure care requirements	II				0
20-81-200	Decomposition gas control	II	X			0
20-81-210	Leachate control	II	X			0
20-81-250	Groundwater monitoring program	II				0
20-81-260	Corrective action program	II				0
20-81-485	Operations Manual	II	X			0
20-81-530	Permittee recordkeeping and reporting	II				0
20-81-610-660	Special Waste	II				0

S = Severity Level I = Inspected A = Area of concern V = Alleged violation O = Occurrences

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Oct 02 2019

Commonwealth of Virginia  
Department of Environmental Quality

Industrial Landfill [SW]  
General Comments

Reference	Comments
10.1-1408.1	Disclosure Statement - Current key personnel are Christopher Dibble, Timothy M. Hamlet and Gene Surprenant. Mr. Hamlet confirmed the key personnel. The facility provided an updated disclosure statement dated December 10, 2014.
10.1-1408.2	Operator Certification - The facility's licensed landfill operators are:  Timothy M. Hamlet - 4605001711 - Expires 7-31-15 Terri Spainhour - 4605002367 - Expires 8-31-16 Beverly Renfro - 4605002121 - Expires 12-31-15 Connel Foster - 4605002840 - Expires 4-30-15.
20-81-80	Waste Assessment Program (SWIA) Captive industrial landfills are to report the quantity of waste land filled for the calendar year 2014. These submissions may be recorded in cubic yards or tons and may be provided utilizing DEQ form 50-25 or submitted by email. For on-line submittal go to <a href="http://www.deq.virginia.gov/wasteinf.html">http://www.deq.virginia.gov/wasteinf.html</a> . If you need additional information or encounter difficulties submitting your report, you may contact Mal Lafoon at 434-582-6248 or <a href="mailto:Malvin.Lafoon@deq.virginia.gov">Malvin.Lafoon@deq.virginia.gov</a> . Report of totals is due before March 31, 2015.
20-81-100.E	Unauthorized waste program and inspection - A sign was in place at the facility entrance to warn against unauthorized entry.  Annual unauthorized waste training was provided on February 21, 2014.
20-81-110.C	Prohibited waste - No unauthorized or unpermitted waste disposal was observed.
20-81-140.A.1,4	Safety and fire control 140.A.1 - Weekly safety meeting records for October 6, 2014, to December 29, 2014 were reviewed. Meeting sign in sheets record subject, trainer, date, time, attendees, comments and actions required. 140.A.4.b - Section 10.5.2.7 of the Operations Manual specifies the facility is allowed to burn land clearing debris outside the active disposal area. No burning is allowed on areas where waste has been deposited or areas being used for active disposal. No indication of open burning was observed. 140.A.4.c - The facility's Emergency Action Plan is found in Attachment A of the Operations Manual.
20-81-140.A.6	Pollutant discharge - No leachate, pollutants or other solid waste as described under subsections 140.A.6.a through 140.A.6.d were observed entering surface waters or wetlands at the facility.
20-81-140.A.7	Stormwater control system - (140.A.7 - 130.H) The facility maintains stormwater runoff/runoff controls.  During an inspection conducted by the facility on or about December 5, 2014, a minor occurrence of piping (erosion) was found in down shoot # 5. Down shoot # 5 conveys stormwater from the top of Stage 3, Phases 1 and 2 to sediment basin (SB) # 2. The facility conducted repairs to the erosion found on December 5. A second occurrence of piping was discovered in down shoot # 5 on or about December 24, 2014. Due to wet conditions temporary repairs were conducted.  During the current DEQ inspection the temporary repairs to down shoot # 5 were observed. The facility lined down shoot #5 with liner fabric to prevent erosion of the down shoot channel. Anchor trenching was dug and filled in on both sides of the channel securing the liner in place. Disturbed soil to the side of the down shoot channel was seeded and covered in erosion control mat. Facility representatives explained repairs will be finalized when conditions on the slope dry.  As part of the regular maintenance program for the stormwater system and as a measure to insure no contaminated stormwater was discharged from SB # 2 during clean out, the contents of SB # 2 were pumped into the leachate basin adjacent to SB # 2. Sediment was then excavated to restore full wet storage capacity to the basin. The sediment was placed over the lined waste cell.
20-81-140.A.8,14-15	Facility operation, maintenance, and training 140.A.8 - No issues with blowing ash dust were observed. 140.A.14 - Access to the facility is controlled by a gate equipped with a lock, fencing and natural barriers. 140.A.15 - A mid-sized dozer and a roller were in use at the working face.
20-81-140.A.9-13	Hazard and nuisance control 140.A.9 - No issues with blowing litter were observed. 140.A.10 - No issues with odors or vectors were observed. 140.A.11 - No issues with salvaging were observed 140.A.12 - No issues with fugitive dust or mud deposits on the main road were observed. 140.A.13 - Internal roads were well maintained and allowed access to all parts of the facility.

Commonwealth of Virginia  
Department of Environmental Quality

Permit No.: SWP556  
Insp. Date: 13-JAN-15

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Oct 02 2019

Industrial Landfill [SW]  
General Comments

Reference	Comments
20-81-140.A.16	Facility self inspections - Copies of the Monthly Landfill Inspection reports for October, November and December 2014 were provided for review. Reports appeared complete. The reports cover conditions of active Stage 3 Phase 2 as well as closed cell Stage 3 Phase 1 and Stages 1 and 2.  Daily landfill operations logs were reviewed for October, November and December 2014.
20-81-140.A.17	Record maintained of waste received and processed - Tonnage reports were reviewed at the plant office.  Month..... Daily Average..... Total Monthly Tonnages October..... 1,416..... 44,439 November..... 1,622..... 48,672 December..... 1,517..... 47,957
20-81-140.D	Compaction, cover & working face 140.D.1.a - Coal ash was observed being spread and compacted into place. The active working face is confined to a reasonably sized area. The facility continues to place waste in Phase 2-B. This is in accordance with plans to bring Phases 2-A and 2-B up to the same level and then develop the two portions of Phase 2 as one cell. 140.D.1.b - Lift heights did not appear to be excessive. Appropriate slopes were maintained at the daily working face to allow sufficient compaction. 140.D.1.c - Cover soil is available from an onsite borrow area. The facility is allowed to have 10 acres of exposed CBB. The December 30, 2014, quarterly survey documented an exposed area of 8.6 acres. 140.D.1.d - Appropriate intermediate cover consisting of soil on all sloped portion of the active face and outer slopes at final grade was applied. The facility is allowed to utilize "Soil Sement" as an intermediate cover. "Soil Sement" was applied as an intermediate cover on the flat portions of Phase 2-B. 140.D.1.f - Seeding has been conducted on outer slopes and interior soil covered slopes and flat portions of Stage 3 Phase 2-A and 2-B. Portions of Stage 3 Phases 1 and 2A and 2-B that have an established vegetative cover are mowed annually.
20-81-200	Decomposition gas concentrations, monitoring & recordkeeping - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time.
20-81-210	Leachate control - No leachate seeps or outbreaks were observed on the side slopes of Stage 3, Phases 1 or 2.  Quantities of leachate pumped from the landfill leachate collection ponds to the facility's WWTP were provided:  Month..... Total (million gallons) October..... 0.3262 MG November..... 2.364 MG December..... 1.978 MG
20-81-485	Operations Manual - The facility's annual Operations Manual certification was completed December 11, 2014 and signed by Christopher Dibble, Station Director.

Overall Inspection Comments

Compliance Evaluation Inspection - CEI - BRRO Solid Waste Inspector Doug Foran arrived at the Dominion Clover Power Station, SWP 556, on January 13, 2015 at approximately 10:00 am. He was greeted by Tim Hamlet, Senior Environmental Compliance Coordinator and Licensed Landfill Operator. The facility's files and reports were reviewed. At the landfill office Dee Martin of Headwaters Resources joined the inspection. Richard Siemaszkiewics of Golder Associates joined later in the onsite portion of the inspection to view a slope drain repair. An exit interview was conducted following the onsite inspection. The inspector departed the site at approximately 12:45 am.

Weather conditions for the day were cloudy, windy and cold. The temperature was 37 F.

**PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.**

Run Date: 27-JAN-15  
02:02:13 PM

**Commonwealth of Virginia**  
**Department of Environmental Quality**

Permit No.: SWP556  
Insp. Date: 13-JAN-15

PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.

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Oct 02 2019





# COMMONWEALTH of VIRGINIA

Molly Joseph Ward  
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY  
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Robert J. Weld  
Regional Director

**Roanoke Office**  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
(540) 562-6700  
Fax (540) 562-6725

May 7, 2015

Mr. Timothy M. Hamlet  
Senior Environmental Compliance Coordinator  
Dominion – Clover Power Station  
P. O. Box 245  
Clover, Virginia 23534

## NO DEFICIENCY LETTER


Re: Dominion – Clover Power Station Industrial Landfill - SWP556 – Mecklenburg Co.  
Unannounced Compliance Inspection – April 21, 2015

Dear Mr. Hamlet:

On April 21, 2015 staff from the Virginia Department of Environmental Quality's Blue Ridge Regional Office conducted an inspection of the solid waste management facility operating under SWP556. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Act, Virginia Solid Waste Management Regulations (VSWMR, 9VAC20-81-10, et seq) and the permit.

During the inspection no apparent violations of your permit, or the VSWMR were observed. A copy of the inspection checklist is enclosed.

If you have any questions, please contact me at (434) 582 - 6226 or [Douglas.Foran@deq.virginia.gov](mailto:Douglas.Foran@deq.virginia.gov).

Sincerely,  


Doug Foran  
Solid Waste Inspector

Copy: ECM - LPR

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Oct 02 2019



Industrial Landfill [SW]  
Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 21-APR-15

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure Statement	I	X			0
10.1-1408.2	Operator Certification	II	X			0
20-70-10 et seq.	Financial Assurance	II				0
20-90-10 et seq.	Permit Action Fees	II				0
20-81-80	Waste Assessment Program	I				0
20-81-100.B	Compliance with the facility's permit	II	X			0
20-81-100.E	Unauthorized waste program and inspection	II	X			0
20-81-110.C	Prohibited waste	II	X			0
20-81-130	Facility design / construction	I				0
20-81-140.A.1,4	Safety and fire control	II	X			0
20-81-140.A.6	Pollutant discharge	III	X			0
20-81-140.A.7	Stormwater control system maintenance	II	X			0
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	X			0
20-81-140.A.9-13	Hazard and nuisance control	I	X			0
20-81-140.A.16	Facility self inspections	I	X			0
20-81-140.A.17	Record maintained of waste received and processed	I	X			0
20-81-140.D	Compaction and cover	I	X			0
20-81-160	Closure requirements	II				0
20-81-170	Post-closure care requirements	II	X			0
20-81-200	Decomposition gas control	II	X			0
20-81-210	Leachate control	II	X			0
20-81-250	Groundwater monitoring program	II	X			0
20-81-260	Corrective action program	II				0
20-81-485	Operations Manual	II				0
20-81-530	Permittee recordkeeping and reporting	II				0
20-81-610-660	Special Waste	II				0

S = Severity Level    I = Inspected    A = Area of concern    V = Alleged violation    O = Occurrences

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Oct 02 2019

Industrial Landfill [SW] General Comments	
Reference	Comments
10.1-1408.1	Disclosure Statement - Current key personnel are Christopher Dibble, Timothy M. Hamlet and Gene Surprenant.
10.1-1408.2	Operator Certification - The facility's licensed landfill operators are:  Timothy M. Hamlet - 4605001711 - Expires 7-31-15 Terri Spainhour - 4605002367 - Expires 8-31-16 Beverly Renfro - 4605002121 - Expires 12-31-15 Connel Foster - 4605002840 - Expires 4-30-2017
20-81-100.B	Compliance with the facility's permit - Seeding has been conducted on outer slopes and interior soil covered slopes and soil covered portions of Stage 3 Phase 2-A and 2-B.
20-81-100.E	Unauthorized waste program and inspection - A sign was in place at the facility entrance to warn against unauthorized entry. Annual employee Permit Training and Unauthorized Waste training was conducted on February 14, 2015.
20-81-110.C	Prohibited waste - No unauthorized or unpermitted waste disposal was observed.
20-81-140.A.1,4	Safety and fire control 140.A.1 - Weekly safety meeting records for December 29, 2014 to April 20, 2015 were reviewed. Meeting sign in sheets record subject, trainer, date, time, attendees, comments and actions required. 140.A.4.b - No open burning was observed.
20-81-140.A.6	Pollutant discharge - No leachate, pollutants or other solid waste as described under subsections 140.A.6.a through 140.A.6.d were observed entering surface waters or wetlands at the facility.
20-81-140.A.7	Stormwater control system Stages 1 and 2 - Stormwater ditch lines were open with no obstructions or sediment blockage. The recent project to open drainage lines that discharge to the slope drains has been completed.  A seep was found at the base of Stages 1 and 2 in the vicinity of groundwater monitoring wells MW-2 and MW-3 during the inspection. The facility's chemist took samples of the seep on the day of the inspection and measured the sample's conductivity and analyzed the sample for iron and manganese. On April 23, 2015, the facility reported conductivity, total iron and total manganese levels did not indicate the seep was leachate from the waste cell. Furthermore, the facility had received significant rainfall prior to the inspection and reported the seep appears to be drying up as the week progresses.  Stage 3 - The erosion issue at down shoot #5, noted in the January 13, 2015 inspection report, continues to be addressed by the facility. Temporary erosion control measures were maintained and have prevented further erosion of the down shoot. Facility staff explained repairs to the down shoot will be completed as soon as the slope area dries.  Down shoot #5 discharges to sediment basin SB#2. As a measure to insure no contaminated stormwater was discharged from SB#2 during repairs, discharge from SB#2 was blocked by the facility. At the time of the current inspection the contents of SB#2 continue to be pumped into the leachate basin adjacent to SB#2.  The facility maintains stormwater runoff/runoff controls.
20-81-140.A.8,14-15	Facility operation, maintenance, and training 140.A.15 - A mid-sized dozer and a roller were in use at the working face.
20-81-140.A.9-13	Hazard and nuisance control 140.A.9 - No blowing litter was observed. 140.A.10 - No odors or vectors were found. 140.A.11 - Unauthorized salvaging was not found. 140.A.12 - No problems with fugitive dust or mud deposits on the main road were found. 140.A.13 - Internal roads were well maintained and allowed access to all parts of the facility including Stages 1 and 2 and Stage 3.
20-81-140.A.16	Facility self inspections Copies of the Monthly Landfill Inspection reports for January, February and March 2015 were provided for review. Reports appear complete. The reports cover conditions of active Stage 3 Phase 2 as well as closed cell Stage 3 Phase 1 and Stages 1 and 2.  Daily landfill logs were reviewed for January, February and March 2015.

**Industrial Landfill [SW]  
General Comments**

Reference	Comments
20-81-140.A.17	Record maintained of waste received and processed  Month..... Daily Average..... Total Monthly Tonnages January..... 1645..... 51,723 February..... 1817..... 50,868 March..... 614..... 19,042
20-81-140.D	Compaction and cover 140.D.1.a - Coal ash was spread and compacted into place. The facility is allowed to have 10 acres of exposed CBB. The March 30, 2015, quarterly survey documented an exposed area of 7.8 acres. 140.D.1.b - Lift heights did not appear to be excessive. Appropriate slopes were maintained at the daily working face to allow sufficient compaction. 140.D.1.c - Cover soil is available from an onsite borrow area. 140.D.1.d - Appropriate intermediate cover consisting of soil on any sloped portion of the active face and outer slopes at final grade was applied. The facility is allowed to utilize "Soil Sement" as an intermediate cover. "Soil Sement" was applied as an intermediate cover on the flat portions of Phase 2-B.
20-81-170	Post-closure care requirements - Stages 1 and 2 - Final cover was found to have a full vegetative cover. No erosion or settling issues were found.
20-81-200	Decomposition gas concentrations, monitoring & recordkeeping - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time.
20-81-210	Leachate control - Quantities of leachate pumped from the landfill leachate collection ponds to the facility's WWTP were provided:  Month..... Total (million gallons) January..... 2.222 MG February..... 1.632 MG March..... 2.602 MG  No leachate outbreaks were observed.
20-81-250	Groundwater monitoring program - Stages 1 and 2 groundwater monitoring network: upgradient MW-1A and MW-12, and downgradient MW-2, MW-3, MW-4, MW-4A, MW-5 and MW-5A. Each well was identified with a numbered sticker, secured with a lock, and stable with the well's concrete apron pad intact.

**Overall Inspection Comments**

Inspection type - Unannounced Compliance Evaluation Inspection (CEI)  
DEQ arrival - 1:10 pm.  
DEQ staff - Doug Foran  
Facility personnel - Beverly Renfro, Chemist and Licensed Landfill Operator and Gene Surprenant, Headwaters Plant Services  
Exit interview - Conducted with Beverly Renfro and Gene Surprenant  
DEQ departure - 3:50 pm  
Weather conditions - Sunny, 60 F

PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.

PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.







# COMMONWEALTH of VIRGINIA

Molly Joseph Ward  
Secretary of Natural Resources

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David K. Paylor  
Director

Robert J. Weld  
Regional Director

**Roanoke Office**  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
(540) 562-6700  
Fax (540) 562-6725

August 7, 2015

Mr. Timothy M. Hamlet  
Senior Environmental Compliance Coordinator  
Dominion – Clover Power Station  
P. O. Box 245  
Clover, Virginia 23534

## NO DEFICIENCY LETTER

Re: Dominion – Clover Power Station Industrial Landfill - SWP556 – Mecklenburg Co.  
Unannounced Compliance Inspection – July 23, 2015

Dear Mr. Hamlet:

On July 23, 2015 staff from the Virginia Department of Environmental Quality's Blue Ridge Regional Office conducted an inspection of the solid waste management facility operating under SWP556. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Act, Virginia Solid Waste Management Regulations (VSWMR, 9VAC20-81-10, et seq) and SWP556.

During the inspection no apparent violations of your permit or the VSWMR were observed. A copy of the inspection checklist is enclosed.

If you have any questions, please contact me at (434) 582 - 6226 or [Douglas.Foran@deq.virginia.gov](mailto:Douglas.Foran@deq.virginia.gov).

Sincerely,

Doug Foran  
Solid Waste Inspector

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Oct 02 2019

1. The first part of the document is a letter from the Director of the Department of Health to the Secretary of the Department of Health, dated 10th September 2019. The letter is titled "Letter from the Director of the Department of Health to the Secretary of the Department of Health, dated 10th September 2019".

2. The second part of the document is a letter from the Secretary of the Department of Health to the Director of the Department of Health, dated 10th September 2019. The letter is titled "Letter from the Secretary of the Department of Health to the Director of the Department of Health, dated 10th September 2019".

3. The third part of the document is a letter from the Director of the Department of Health to the Secretary of the Department of Health, dated 10th September 2019. The letter is titled "Letter from the Director of the Department of Health to the Secretary of the Department of Health, dated 10th September 2019".

4. The fourth part of the document is a letter from the Secretary of the Department of Health to the Director of the Department of Health, dated 10th September 2019. The letter is titled "Letter from the Secretary of the Department of Health to the Director of the Department of Health, dated 10th September 2019".

5. The fifth part of the document is a letter from the Director of the Department of Health to the Secretary of the Department of Health, dated 10th September 2019. The letter is titled "Letter from the Director of the Department of Health to the Secretary of the Department of Health, dated 10th September 2019".

6. The sixth part of the document is a letter from the Secretary of the Department of Health to the Director of the Department of Health, dated 10th September 2019. The letter is titled "Letter from the Secretary of the Department of Health to the Director of the Department of Health, dated 10th September 2019".

7. The seventh part of the document is a letter from the Director of the Department of Health to the Secretary of the Department of Health, dated 10th September 2019. The letter is titled "Letter from the Director of the Department of Health to the Secretary of the Department of Health, dated 10th September 2019".

Commonwealth of Virginia  
Department of Environmental Quality

Permit No.: SWP556  
Insp. Date: 23-JUL-15

Industrial Landfill [SW]  
Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 23-JUL-15

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure Statement	I	X			0
10.1-1408.2	Operator Certification	II	X			0
20-70-10 et seq.	Financial Assurance	II				0
20-90-10 et seq.	Permit Action Fees	II				0
20-81-80	Waste Assessment Program	I				0
20-81-100.B	Compliance with the facility's permit	II				0
20-81-100.E	Unauthorized waste program and inspection	II	X			0
20-81-110.C	Prohibited waste	II	X			0
20-81-130	Facility design / construction	I				0
20-81-140.A.1,4	Safety and fire control	II	X			0
20-81-140.A.6	Pollutant discharge	III	X			0
20-81-140.A.7	Stormwater control system maintenance	II	X			0
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	X			0
20-81-140.A.9-13	Hazard and nuisance control	I	X			0
20-81-140.A.16	Facility self inspections	I	X			0
20-81-140.A.17	Record maintained of waste received and processed	I	X			0
20-81-140.D	Compaction and cover	I	X			0
20-81-160	Closure requirements	II				0
20-81-170	Post-closure care requirements	II				0
20-81-200	Decomposition gas control	II	X			0
20-81-210	Leachate control	II	X			0
20-81-250	Groundwater monitoring program	II	X			0
20-81-260	Corrective action program	II				0
20-81-485	Operations Manual	II				0
20-81-530	Permittee recordkeeping and reporting	II				0
20-81-610-660	Special Waste	II				0

S = Severity Level I = Inspected A = Area of concern V = Alleged violation O = Occurrences

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Oct 02 2019

Commonwealth of Virginia  
Department of Environmental Quality

Permit No.: SWP556  
Insp. Date: 23-JUL-15

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Oct 02 2019

Industrial Landfill [SW]  
General Comments

Reference	Comments
10.1-1408.1	Disclosure Statement - Current key personnel are Christopher Dibble, Timothy M. Hamlet and Gene Surprenant. Mr. Hamlet confirmed the key personnel.
10.1-1408.2	Operator Certification - The facility's licensed landfill operators are: Timothy M. Hamlet - 4605001711 - Expires 7-31-15 (As of August 4, 2015, DPOR was not updated to reflect a later expiration date.) Terri Spainhour - 4605002367 - Expires 8-31-16 Beverly Renfro - 4605002121 - Expires 12-31-15 Gene Surprenant - 4605003394 - Expires 2-28-17
20-81-100.E	Unauthorized waste program and inspection - A sign was in place at the facility entrance to warn against unauthorized entry.
20-81-110.C	Prohibited waste - No unauthorized or unpermitted waste disposal was observed.
20-81-140.A.1,4	Safety and fire control 140.A.1 - Weekly safety meeting records for April 20 to July 20, 2015 were reviewed. Meeting sign in sheets record subject, trainer, date, time, attendees, comments and actions required. 140.A.4.b - No open burning was observed.
20-81-140.A.6	Pollutant discharge - No leachate, pollutants or other solid waste as described under subsections 140.A.6.a through 140.A.6.d were observed entering surface waters or wetlands at the facility.
20-81-140.A.7	Stormwater control system - No issues were noted with the Stage III stormwater system. Maintenance work such as clearing sediment and removal of a wooden baffle in one sediment basin was ongoing.
20-81-140.A.8,14-15	Facility operation, maintenance, and training 140.A.14 - Access to the facility is controlled by a gate equipped with a lock, fencing and natural barriers.
20-81-140.A.9-13	Hazard and nuisance control - No issues with blowing litter, odors, vectors, salvaging, fugitive dust or mud on public or facility roadways or facility roadways were noted.
20-81-140.A.16	Facility self inspections - The Monthly Landfill Inspection reports for April, May, June 2015 were provided for review.
20-81-140.A.17	Record maintained of waste received and processed - The facility maintains records of waste placed in the landfill.
20-81-140.D	Compaction and cover 140.D.1.a - Coal ash was being spread and compacted into place. The facility continues to place waste in Phase 2-B. The facility is allowed to have 10 acres of exposed CBB. The June 29, 2015, quarterly survey documented an exposed area of 7.8 acres. 140.D.1.b - Lift heights did not appear to be excessive. Appropriate slopes were maintained at the daily working face to allow sufficient compaction. 140.D.1.c - Cover soil is available from an onsite borrow area. 140.D.1.d - Appropriate intermediate cover consisting of soil on any sloped portion of the active face and outer slopes at final grade was applied. The facility is allowed to utilize "Soil Sement" as an intermediate cover. "Soil Sement" was applied as an intermediate cover on the flat portions of Phase 2-B.
20-81-200	Decomposition gas concentrations, monitoring & recordkeeping - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time.
20-81-210	Leachate control - Quantities of leachate pumped from the landfill leachate collection ponds to the facility's WWTP were provided:  Month.....Total (million gallons) April.....1.969 MG May.....1.212 MG June.....0.120 MG  No leachate seeps or outbreaks were observed at Stage 3.
20-81-250	Groundwater monitoring program - Stage 3 is monitored under a Phase II Groundwater Monitoring Plan.  The groundwater monitoring network for Stage 3 was observed. Upgradient groundwater monitoring wells SW-1S, MW-9SR and MW-11R and downgradient wells, MW-6, MW-7, MW-8, MW-9, and MW-10 were identified, secured with a lock, and stable with the well's concrete apron pad intact.

Overall Inspection Comments



Industrial Landfill [SW]  
General Comments

Reference	Comments
10.1-1408.1	Disclosure Statement - Current key personnel are Christopher Dibble, Timothy M. Hamlet and Gene Surprenant. Mr. Hamlet confirmed the key personnel.
10.1-1408.2	Operator Certification - The facility's licensed landfill operators are: Timothy M. Hamlet - 4605001711 - Expires 7-31-15 (As of August 4, 2015, DPOR was not updated to reflect a later expiration date.) Terri Spainhour - 4605002367 - Expires 8-31-16 Beverly Renfro - 4605002121 - Expires 12-31-15 Gene Surprenant - 4605003394 - Expires 2-28-17
20-81-100.E	Unauthorized waste program and inspection - A sign was in place at the facility entrance to warn against unauthorized entry.
20-81-110.C	Prohibited waste - No unauthorized or unpermitted waste disposal was observed.
20-81-140.A.1,4	Safety and fire control 140.A.1 - Weekly safety meeting records for April 20 to July 20, 2015 were reviewed. Meeting sign in sheets record subject, trainer, date, time, attendees, comments and actions required. 140.A.4.b - No open burning was observed.
20-81-140.A.6	Pollutant discharge - No leachate, pollutants or other solid waste as described under subsections 140.A.6.a through 140.A.6.d were observed entering surface waters or wetlands at the facility.
20-81-140.A.7	Stormwater control system - No issues were noted with the Stage III stormwater system. Maintenance work such as clearing sediment and removal of a wooden baffle in one sediment basin was ongoing.
20-81-140.A.8,14-15	Facility operation, maintenance, and training 140.A.14 - Access to the facility is controlled by a gate equipped with a lock, fencing and natural barriers.
20-81-140.A.9-13	Hazard and nuisance control - No issues with blowing litter, odors, vectors, salvaging, fugitive dust or mud on public or facility roadways or facility roadways were noted.
20-81-140.A.16	Facility self inspections - The Monthly Landfill Inspection reports for April, May, June 2015 were provided for review.
20-81-140.A.17	Record maintained of waste received and processed - The facility maintains records of waste placed in the landfill.
20-81-140.D	Compaction and cover 140.D.1.a - Coal ash was being spread and compacted into place. The facility continues to place waste in Phase 2-B. The facility is allowed to have 10 acres of exposed CBB. The June 29, 2015, quarterly survey documented an exposed area of 7.8 acres. 140.D.1.b - Lift heights did not appear to be excessive. Appropriate slopes were maintained at the daily working face to allow sufficient compaction. 140.D.1.c - Cover soil is available from an onsite borrow area. 140.D.1.d - Appropriate intermediate cover consisting of soil on any sloped portion of the active face and outer slopes at final grade was applied. The facility is allowed to utilize "Soil Sement" as an intermediate cover. "Soil Sement" was applied as an intermediate cover on the flat portions of Phase 2-B.
20-81-200	Decomposition gas concentrations, monitoring & recordkeeping - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time.
20-81-210	Leachate control - Quantities of leachate pumped from the landfill leachate collection ponds to the facility's WWTP were provided:  Month.....Total (million gallons) April.....1.969 MG May.....1.212 MG June.....0.120 MG  No leachate seeps or outbreaks were observed at Stage 3.
20-81-250	Groundwater monitoring program - Stage 3 is monitored under a Phase II Groundwater Monitoring Plan.  The groundwater monitoring network for Stage 3 was observed. Upgradient groundwater monitoring wells SW-1S, MW-9SR and MW-11R and downgradient wells, MW-6, MW-7, MW-8, MW-9, and MW-10 were identified, secured with a lock, and stable with the well's concrete apron pad intact.

Overall Inspection Comments



Run Date: 07-AUG-15  
09:37:20 AM

Commonwealth of Virginia  
Department of Environmental Quality

Permit No.: SWP556  
Insp. Date: 23-JUL-15

Inspection type - Unannounced Compliance Evaluation Inspection (CEI)

DEQ arrival - 1:10 pm.

DEQ staff - Doug Foran

Facility personnel - Tim Hamlet, Senior Environmental Compliance Coordinator and Licensed Landfill Operator, Beverly Renfro, Chemist and Licensed Landfill Operator, Carly Marstin, Dominion, Gene Surprenaunt, Project Manager and Licensed Landfill Operator, Headwater Plant Services and Dee Martin, Headwaters Plant Services

Exit interview - Conducted with Tim Hamlet, Carly Marstin, Gene Surprenant and Dee Martin

DEQ departure - 4:05 pm

Weather conditions - Partly cloudy, daytime high in the lower 80s.

PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.

PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.

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Oct 02 2019





# COMMONWEALTH of VIRGINIA

Molly Joseph Ward  
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Blue Ridge Regional Office  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

**Lynchburg Office**  
7705 Timberlake Road  
Lynchburg, Virginia 24502  
(434) 582-5120  
Fax (434) 582-5125

David K. Paylor  
Director

Robert J. Weld  
Regional Director

**Roanoke Office**  
3019 Peters Creek Road  
Roanoke, Virginia 24019  
(540) 562-6700  
Fax (540) 562-6725

November 10, 2015

Mr. Timothy M. Hamlet  
Senior Environmental Compliance Coordinator  
Dominion – Clover Power Station  
P. O. Box 245  
Clover, Virginia 23534

## NO DEFICIENCY LETTER

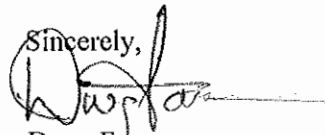
Re: Dominion – Clover Power Station Industrial Landfill - SWP556 – Mecklenburg Co.  
Unannounced Compliance Inspection – October 21, 2015

Dear Mr. Hamlet:

On October 21, 2015 staff from the Virginia Department of Environmental Quality's Blue Ridge Regional Office conducted an inspection of the solid waste management facility operating under SWP556. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Act, Virginia Solid Waste Management Regulations (VSWMR, 9VAC20-81-10, et seq) and SWP556.

During the inspection no apparent violations of your permit or the VSWMR were observed. A copy of the inspection checklist is enclosed.

If you have any questions, please contact me at (434) 582 - 6226 or [Douglas.Foran@deq.virginia.gov](mailto:Douglas.Foran@deq.virginia.gov).

Sincerely,  
  
Doug Foran  
Solid Waste Inspector

Copy: ECM - LPR

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Oct 02 2019





Commonwealth of Virginia  
Department of Environmental Quality

Permit No.: SWP556  
Insp. Date: 21-OCT-15

Industrial Landfill [SW]  
Inspection Report

Facility Name: Old Dominion Electric Cooperative Clover  
Region: South Central Regional Office  
Inspected By: Foran, Douglas A

Permit No.: SWP556  
Inspection Date: 21-OCT-15

Reference	Description	S	I	A	V	O
10.1-1408.1	Disclosure Statement	I	X			0
10.1-1408.2	Operator Certification	II	X			0
20-70-10 et seq.	Financial Assurance	II				0
20-90-10 et seq.	Permit Action Fees	II				0
20-81-80	Waste Assessment Program	I				0
20-81-100.B	Compliance with the facility's permit	II	X			0
20-81-100.E	Unauthorized waste program and inspection	II				0
20-81-110.C	Prohibited waste	II	X			0
20-81-130	Facility design / construction	I				0
20-81-140.A.1,4	Safety and fire control	II	X			0
20-81-140.A.6	Pollutant discharge	III	X			0
20-81-140.A.7	Stormwater control system maintenance	II	X			0
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	X			0
20-81-140.A.9-13	Hazard and nuisance control	I	X			0
20-81-140.A.16	Facility self inspections	I	X			0
20-81-140.A.17	Record maintained of waste received and processed	I	X			0
20-81-140.D	Compaction and cover	I	X			0
20-81-160	Closure requirements	II				0
20-81-170	Post-closure care requirements	II				0
20-81-200	Decomposition gas control	II	X			0
20-81-210	Leachate control	II	X			0
20-81-250	Groundwater monitoring program	II				0
20-81-260	Corrective action program	II				0
20-81-485	Operations Manual	II	X			0
20-81-530	Permittee recordkeeping and reporting	II				0
20-81-610-660	Special Waste	II				0

S = Severity Level I = Inspected A = Area of concern V = Alleged violation O = Occurrences

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Commonwealth of Virginia  
Department of Environmental Quality

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Oct 02 2019

Industrial Landfill [SW] General Comments	
Reference	Comments
10.1-1408.1	Disclosure Statement - Current key personnel are Christopher Dibble, Timothy M. Hamlet and Gene Surprenant. Mr. Hamlet confirmed the key personnel.
10.1-1408.2	Operator Certification - The facility's licensed landfill operators are: Timothy M. Hamlet - 4605001711 - Expired 7-31-15 (Verified DPOR website October 29, 2015) Terri Spainhour - 4605002367 - Expires 8-31-16 Beverly Renfro - 4605002121 - Expires 12-31-15 Gene Surprenant - 4605003394 - Expires 2-28-17.
20-81-100.B	Compliance with the facility's permit - The facility appeared to be maintained and operated in accordance with its permit pursuant to the Virginia Solid Waste Management Regulations.  Permit Module II (Section II.C PERMIT LIMITS) states: "The facility has a disposal limit of approximately 1600 tons per day, based on annual accepted tonnage as specified in the Design Report".  Month..... Daily Average..... Total Monthly Tonnages  July..... 1315.....40,749.87 August.....1430.....44,330.34 September.....1347.....40,401.03
20-81-110.C	Prohibited waste - No unauthorized or unpermitted waste were found.
20-81-140.A.1,4	Safety and fire control 140.A.1 - Weekly safety meeting records for July 20 to October 19, 2015 were reviewed. Meeting sign in sheets record subject, trainer, date, time, attendees, comments and actions required. 140.A.4.b - No open burning was observed.
20-81-140.A.6	Pollutant discharge - No leachate, pollutants or other solid waste as described under subsections 140.A.6.a through 140.A.6.d were observed entering surface waters or wetlands at the facility.
20-81-140.A.7	Stormwater control system - No issues were noted with the Stage III stormwater system. Three new slope drains were being installed on the active portion of Stage III. The slope drains were being placed to convey stormwater from the top of the active cell area to the stormwater system.
20-81-140.A.8,14-15	Facility operation, maintenance, and training 140.A.8 - Access to the facility is controlled by a gate equipped with a lock, fencing and natural barriers. 140.A.15 - The facility's primary dozer was down to have the undercarriage replaced. A rental dozer of similar size was on site for operation of the working face. The facility's vibratory roller was in use at the working face.
20-81-140.A.9-13	Hazard and nuisance control - No issues with blowing litter, odors, vectors, salvaging, fugitive dust or mud on public or facility roadways were noted. The facility's water truck was in use wetting down roads from the power plant to the landfill working face.
20-81-140.A.16	Facility self inspections - Monthly Landfill Inspection reports for July, August and September 2015 were provided for review. The reports appeared complete. The reports cover conditions of active Stage 3 Phase 2 as well as closed cell Stage 3 Phase 1 and Stages 1 and 2.
20-81-140.A.17	Record maintained of waste received and processed - The facility maintains daily haul and cumulative monthly records of waste placed in the landfill.
20-81-140.D	Compaction and cover 140.D.1.a - Coal ash was being spread and compacted into place. The facility was placing waste in the western portion of Stage 3, Phase 2-B along the outer edge. The facility is allowed to have 10 acres of exposed CBB. The September 24, 2015, quarterly survey documented an exposed area of 8.7 acres. 140.D.1.b - Lift heights did not appear to be excessive. Appropriate slopes were maintained at the daily working face to allow sufficient compaction. 140.D.1.c - Cover soil is available from an onsite borrow area. 140.D.1.d - Appropriate intermediate cover consisting of soil on any sloped portion of the active face and outer slopes at final grade was applied. The facility is allowed to utilize "Soil Sement" as an intermediate cover. "Soil Sement" was applied as an intermediate cover on the flat portions of the active cell (Phase 2-B). 140.D.1.f - Seeding was scheduled to begin on the outer slopes of the active cell the week following the inspection. Portions of Stage 3 Phases 1 and 2A and 2-B that have an established vegetative cover are in process of being mowed.
20-81-200	Decomposition gas concentrations, monitoring & recordkeeping - No requirement for landfill gas monitoring or record keeping associated with gas monitoring is contained in the permit at this time.

Commonwealth of Virginia  
Department of Environmental Quality

Industrial Landfill [SW]  
General Comments

Reference	Comments
20-81-210	Leachate control - Quantities of leachate pumped from the landfill leachate collection ponds to the facility's WWTP were provided:  Month.....Total (million gallons) July.....0.540 MG August.....4.438 MG September.....1.591 MG  No leachate seeps or outbreaks were observed at Stage 3.
20-81-485	Operations Manual - The facility is reminded that it must review, update (if necessary), and certify its Operations Manual annually. The 2014 certification statement was dated December 11, 2014 and signed by Christopher Dibble, Station Director.

**Overall Inspection Comments**

Inspection type - Unannounced Compliance Evaluation Inspection (CEI)

DEQ arrival - October 21, 2015 - 9:25 am

DEQ staff - Doug Foran

Facility personnel - Tim Hamlet, Senior Environmental Compliance Coordinator, and Gene Surprenaunt Licensed landfill Operator with Headwaters Plant Services

Exit interview - Conducted with Tim Hamlet and Gene Surprenant

DEQ departure - 11:25 am

Weather conditions - Sunny, 42 F

**PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.**

**PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.**





**Pamela F Faggert**

Chief Environmental Officer and Senior Vice President – Sustainability

5000 Dominion Boulevard, Glen Allen, VA 23060  
DominionEnergy.com

June 27, 2017

**BY CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Chad C. Swick  
West Virginia Department of Environmental Protection  
Environmental Enforcement / WW  
22288 Northwestern Pike  
Romney, WV 26757

**Re: Mt. Storm Power Station NPDES Permit WV0110256**  
**Response to Notice of Violation #W17-12-064-CCS**

Dear Mr. Swick:

Virginia Electric and Power Company d/b/a Dominion Energy Virginia provides this response to the above referenced Notice of Violation (NOV) dated May 25, 2017, which we received on June 15, 2017. Per your request, the following information details the actions taken to abate the exceedance of iron at Outlet 015 on April 3, 2017.

The exceedance of iron at Outlet 015 was measured in a compliance sample taken on April 3, 2017. The result of 2.2 mg/L was above the permitted maximum daily limit of 1.5 mg/L. Although the exact cause of the elevated iron measurement could not be determined, the station has undertaken several actions to minimize sediment deposition in the 015 Pond and to ensure compliance with effluent limitations at Outlet 015. These actions include:

- Clean out of ditches leading to the pond,
- Pressure washing of select ditches,
- Installation of check dams in select ditches,
- Clean out of the outlet weir box,
- Installation of turbidity curtain in the 015 pond,
- Completion of sediment basins which allow for additional treatment prior to discharge if necessary (as described in the September 29, 2015 Concept Engineering Report describing the station's design plan for achieving compliance with water quality based effluent limits on Outlet 015), and
- Implementation of an ongoing effort to reduce footprint of the exposed portion of the landfill.

There have been no reoccurrences of the iron exceedance at Outlet 015 since the April, 2017 event.

Chad C. Swick  
Page 2

Please contact Amelia Boschen at (804) 273-3485 or by email at [amelia.h.boschen@dominionenergy.com](mailto:amelia.h.boschen@dominionenergy.com) should you have any questions related to this submittal.

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Pamela Faggert". The signature is fluid and cursive, with the first name "Pamela" being more prominent than the last name "Faggert".

Pamela F. Faggert  
Chief Environmental Officer and Senior Vice President - Sustainability

Chad C. Swick  
Page 3

**CC (VIA CERTIFIED MAIL)**

Director  
Div. of Water and Waste Mgmt.  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
Attn: Waste Permitting Section

Div. of Water and Waste Mgmt.  
2031 Pleasant Valley Road  
Fairmont, WV 26554  
Attn: John Britvec, Geologist

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Oct 02 2019

**File Documentum**

**File Name:** MSPS Response to NOV – 015 Iron\_June 2017

**Facility Name:** Mt. Storm Power Station

**Environmental Program:** Water-NPDES

**Document Type:** Compliance Reporting and Supporting Documents

**Date on Document:** 6/22/2017

Please send renamed scanned document to:

David Craymer – Innsbrook

P.F. Faggert- Innsbrook

J.E. Williams - Innsbrook

P. Balkus - MSPS

K. Slagle - MSPS

D. Streets - MSPS

T.L. Ricottilli – MSPS

A.H. Boschen - Innsbrook

K.R. Roller – Innsbrook

H. Chriscoe - Innsbrook



## COMMONWEALTH of VIRGINIA

### DEPARTMENT OF ENVIRONMENTAL QUALITY

#### NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

(703) 583-3800

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Thomas A. Faha  
Regional Director

January 10, 2018

VIA EMAIL: [jeffrey.r.marcell@dominionenergy.com](mailto:jeffrey.r.marcell@dominionenergy.com)

Mr. Jeffrey R. Marcell  
Senior Environmental Compliance Coordinator  
Dominion Possum Point Power Station  
19000 Possum Point Road  
Dumfries, VA 22026

### DEFICIENCY LETTER

Re: Dominion Possum Point Power Station – Dumfries, VA  
CCR Surface Impoundments – Pond ABC, Pond D, and Pond E

Dear Mr. Marcell:

On November 28, 2017, the Virginia Department of Environmental Quality Northern Regional Office (NRO) staff conducted an announced focused compliance inspection of the Dominion Possum Point Power Station's Coal Combustion Residuals (CCR) surface impoundments, Pond ABC, Pond D, and Pond E. Please note that although a solid waste permit for the impoundments has not been issued, the purpose of this inspection was to evaluate the impoundments for compliance with applicable provisions of the Virginia Solid Waste Management Regulations, 9 VAC 20-81-10 *et seq.* ("Regulations"), which incorporates 40 CFR Part 257 Subpart D, which is the EPA's Final Rule on the Disposal of CCR from Electric Utilities ("CCR Rule"). A copy of the inspection checklist is enclosed.

Based on review of observations, responses, and documents obtained during this inspection, the Department has reason to believe that Dominion Possum Point Power Station may be in violation of the Regulations or CCR Rule. This information is noted on the enclosed inspection checklist and is summarized below:

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Oct 02 2019



**Observations:** The initial 2016 Annual Engineering Inspection Report for Pond D was certified on September 9, 2016 and placed in the facility's operating record on September 10, 2016. Therefore, the first subsequent inspection report should have been completed by September 10, 2017. However, the 2017 Annual Engineering Inspection Report for Pond D was certified on October 2, 2017 and placed in the facility's operating record on October 19, 2017.

**Legal Requirements:** 40 CFR §257.83(b) states “(4) Frequency of inspections. (i) Except as provided for in paragraph (b)(4)(ii) of this section, the owner or operator of the CCR unit must conduct the inspection required by paragraphs (b)(1) and (2) of this section on an annual basis. The date of completing the initial inspection report is the basis for establishing the deadline to complete the first subsequent inspection...For purposes of this section, the owner or operator has completed an inspection when the inspection report has been placed in the facility's operating record as required by §257.105(g)(6).”

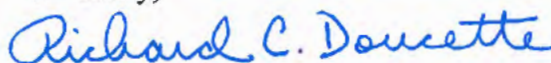
These issues were discussed with facility representatives during the inspection. Please advise this office in writing within **20 calendar days** of receipt of this letter if your facility has taken or intends to take corrective action to address these issues, or if there is other information that DEQ should consider. A schedule should be provided for any intended actions.

Your letter will assist our staff in maintaining a complete and accurate record of the compliance status of your facility. Compliance may be verified by on-site inspection or other appropriate means.

Pursuant to Va. Code § 10.1-1455(G), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* (“APA”). In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ’s Process for Early Dispute Resolution, or you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.

If you have any questions, please contact me at (703) 583-3813 or at [Richard.Doucette@deq.virginia.gov](mailto:Richard.Doucette@deq.virginia.gov)

Sincerely,



Richard C. Doucette  
NRO Land Protection Manager

cc: Pricilla Fisher, CO Solid Waste Compliance Coordinator  
Daniel Demers, NRO Solid Waste Technical Coordinator  
ECM -- SWP617 (pending)



**VIA EMAIL**

[Amy.dooley@deq.virginia.gov](mailto:Amy.dooley@deq.virginia.gov)

December 19, 2018

Ms. Amy Dooley  
Department of Environmental Quality  
Northern Regional Office  
13901 Crown Court,  
Woodbridge, VA 22193

**Re: Dominion Energy - Possum Point Power Station – VPDES Permit No.VA0002071  
Five-Day Notification Letter**

Dear Ms. Dooley:

The following information is being provided in follow-up to a verbal notification made to the Virginia Department of Emergency Management (VADEM) staff on December 15, 2018 at approximately 9:35 AM concerning a small discharge of hydraulic oil through one of storm drains at the Possum Point Power Station that caused a sheen on the Potomac River.

**A description of the nature and location of the discharge:** At approximately 8:30 AM on Saturday, December 15, 2018, contractors working on the Unit 3 stack repair reported that their mobile vehicle being used to carry construction debris from the unit stack to a dumpster had a hydraulic oil line fail releasing hydraulic oil to the ground and pavement. The contractor crew immediately deployed oil sorbent material to the ground and associated storm drain Outfall S36. Heavy rain carried the released oil towards (Outfall S36), which discharges directly to the Potomac River. An oil spill containment mat was placed over the storm drain cover to isolate the drain. At approximately 9:15AM a station employee called to report oil from this event was discovered on the water within the oil containment boom. The station maintains shoreline oil containment boom which contained the released oil on the water. The station Oil Spill Response Organization (OSRO) was called to assist with cleanup. After investigating the mobile equipment and repairing the failed hydraulic line, it was determined that roughly five gallons of oil was released from the hydraulic oil line with about one gallon of oil released to the Potomac River.

- 1. The date on which the discharge occurred:** December 15, 2018.
- 2. The length of time that the discharge continued:** For approximately 30 minutes before containment and storm drain isolation

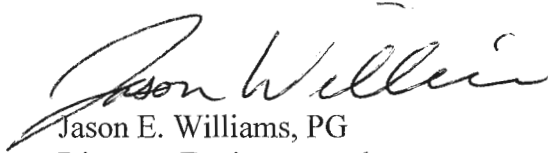
Possum Point Power Station  
December 19, 2018

3. **The volume of the discharge:** Approximately five gallons released to land with approximately one gallon discharged to the Potomac River via storm water Outfall S36
4. **If the discharge is continuing, how long is it expected to continue:** Not applicable.
5. **If the discharge is continuing, what the expected total volume of the discharge will be:** Not applicable.
6. **Any steps planned or taken to reduce, eliminate and prevent a reoccurrence of the present discharge or any future discharges not authorized by this permit:** The mobile vehicle was taken out of service and staged on plastic. The hydraulic oil line on the mobile vehicle was repaired, removed from the project, and replaced with another vehicle. Contractors will receive environmental awareness training to include discussion on pollution prevention measures when using mobile equipment including provisions if the work should be performed during rain events.

Please contact Lauren Faulkner of my staff at (804) 273-3174 or by email at [lauren.b.faulkner@dominionenergy.com](mailto:lauren.b.faulkner@dominionenergy.com) should you have any questions or require additional information about this transmittal.

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.

Sincerely,



Jason E. Williams, PG  
Director, Environmental

**Enclosures**

Cc: Maryland Department of the Environment  
Water and Science Division-Compliance  
1800 Washington Boulevard  
Baltimore, Maryland 21230

Ec: Kevin Bull (Maryland Department of the Environment) [kevin.bull@maryland.gov](mailto:kevin.bull@maryland.gov)

OFFICIAL COPY

Oct 02 2019



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

(703) 583-3800 Fax (703) 583-3821

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Thomas Faha  
Regional Director

November 18, 2015

## WARNING LETTER

Ms. Cathy Taylor  
Director, Electric Environmental Services  
Virginia Electric Power Company  
5000 Dominion Boulevard  
Glen Allen, VA 23060

**RE: WL No. W2015-11-N-1003**  
**Dominion - Possum Point Power Station**  
**VA0002071**  
**Prince William County**

Dear Ms. Taylor:

The Department of Environmental Quality (DEQ), Northern Regional Office (NRO), has reason to believe that the Virginia Electric Power Company may be in violation of State Water Control Law § 62.1-44 and the Virginia Pollutant Discharge Elimination System (VPDES) Permit regulation **9 VAC 25-31-50. A**.

This letter addresses conditions at the facility named above, and also cites compliance requirements of the State Water Control Law and Regulations. Pursuant to Va. Code § 62.1-44.15 (8a), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 et seq. The Department requests that you respond **within 20 days of the date of this letter**.

### **OBSERVATIONS AND LEGAL REQUIREMENTS**

The following describe DEQ NRO staff factual observations and identifies the applicable legal requirements.

**Legal Requirements:** Permit No. VA0002071, Part II, Page 2, Section F, Unauthorized Discharges, states: "Except in compliance with this permit, or another permit issued by the Board, 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."

**Observations:** On September 30, 2015, Dominion – Possum Point Power Station staff reported the discharge of approximately 1,250 gallons of untreated industrial stormwater and groundwater from a temporary storage tank, as well as, an unknown volume of stormwater laden with coal ash into an unnamed tributary to Quantico Creek. This incident was reported to the Pollution Response Program and was assigned an incident response number of IR#2016-N-0974.

**\*This facility had 1.0 point in the Compliance Auditing System at the end of September 2015.**

OFFICIAL COPY

Oct 02 2019

### **ENFORCEMENT AUTHORITY**

Va. Code § 62.1-44.23 of the State Water Control Law provides for injunction for any violation of the State Water Control Law, any State Water Control Board rule or regulation, an order, permit condition, standard, or any certificate requirement or provision. Va. Code § 62.1-44.15 and 62.1-44.32 provide for a civil penalty up to \$32,500 per day of each violation of the same. In addition, Va. Code § 62.1-44.15 authorizes the State Water Control Board to issue orders to any person to comply with the State Water Control Law and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the State Water Control Law and regulations, and to impose civil penalty of not more than \$10,000. Va. Code § 62.1-44.32 (b) and 62.1-44.32 (c) provide for other additional penalties.

The court has the inherent authority to enforce its injunction, and is authorized to award the Commonwealth its attorney's fees and costs.

### **FUTURE ACTIONS**

After reviewing this letter, please respond in writing to DEQ **within 20 days of the date of this letter** detailing actions you have taken or will be taking to ensure compliance with state law and regulations. If corrective action will take longer than 90 days to complete, you may be asked to sign a Letter of Agreement or enter into a Consent Order with the Department to formalize the plan and schedule. *It is DEQ policy that appropriate, timely, corrective actions undertaken in response to a Warning Letter will avoid adversarial enforcement proceedings and the assessment of civil charges or penalties.*

Please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. If you complete the Process for Early Dispute Resolution and are not satisfied with the resolution, you may request in writing that DEQ take all necessary steps to issue a case decision where appropriate. For further information on the Process for Early Dispute Resolution, please see Agency Policy Statement No. 8-2005 posted on the Department's website under "Programs," "Enforcement," and "Laws, Regulations, & Guidance" (<http://www.deq.virginia.gov/Programs/Enforcement/LawsRegulationsGuidance.aspx>) or ask the DEQ contact below.

Please direct written materials regarding this matter to Amy Dooley. Written materials may be sent either via the US Postal Service or electronically, via E-mail. DEQ recommends sending electronic responses as an Acrobat PDF or in a Word-compatible, write-protected format. If you have questions or wish to arrange a meeting, please contact Amy Dooley at (703) 583-3905 or by e-mail at amy.dooley@deq.virginia.gov.

Sincerely,



Edward L. Stuart  
Regional Water Compliance Manager

cc: Permits File  
Electronic copy: Compliance Auditor; Compliance Manager - DEQ





**VIA EMAIL**

November 19, 2018

Ms. Amy Dooley  
Department of Environmental Quality  
Northern Regional Office  
13901 Crown Court,  
Woodbridge, VA 22193  
Amy.dooley@deq.virginia.gov

**Re: Dominion Energy - Possum Point Power Station – VA0002071  
Warning Letter Follow-up**

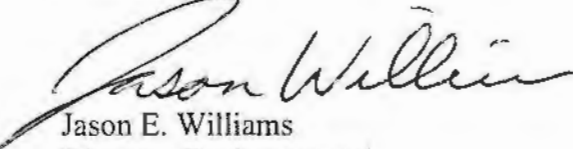
Dear Ms. Dooley:

I am writing this letter in follow-up to the revised November 6, 2018 warning letter from your office related to an unauthorized discharge from the subject facility. Actions taken to ensure compliance following the discharge were detailed in Dominion's August 8, 2018 5-day notification letter, attached.

Please feel free to contact Herbert Chriscoe at 804-273-2484 or [Herbert.f.chriscoe@dominionenergy.com](mailto:Herbert.f.chriscoe@dominionenergy.com) should you have any questions concerning this transmittal.

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.

Sincerely,

  
Jason E. Williams  
Director, Environmental



**Overnight Mail**  
**Return Receipt Requested**

August 8, 2018

Allan Lacy  
Pollution Response Coordinator  
Northern Regional Office  
Department of Environmental Quality  
13901 Crown Court  
Woodbridge, VA 22193

**RE: Possum Point Power Station VPDES Permit No. VA0002071:  
Five-Day Notification Letter**

Dear Mr. Lacy:

The following information is provided in accordance with Possum Point Power Station's VPDES Permit VA0002071 Part II, Conditions F and H. On August 5, 2018 at approximately 7:45 AM, Dominion Energy provided verbal notice to the Department of Emergency Management concerning an unusual discharge that occurred at Dominion's Possum Point Power Station. Follow-up verbal notifications were made to you and Ms. Susan Mackert the following morning.

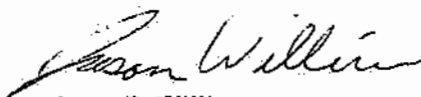
1. **A description of the nature and location of the discharge:** At approximately 6:10 AM on August 5, 2018, Possum Point personnel discovered that the neutralization pit associated with the station's process water treatment system was overflowing. The overflow, which consisted primarily of blowdown from the station's Heat Recovery Steam Generators and Reverse Osmosis reject from the water treatment plant, entered storm drains and eventually discharged to the Potomac River through stormwater Outfall S42. The overflow appeared clear and pH and TRC measurements yielded readings of 7.7 S.U and <0.1 mg/L, respectively. No environmental impact to the Potomac River was observed. The normal pathway for this wastewater would have been through the station's low volume waste settling basins with eventual discharge through Outfall 004.
2. **The cause of the discharge:** The controller for the neutralization pit equipment process water treatment system failed. The failure of the controller tripped a fuse and prevented the back-up controller from assuming control and resulted in the overflow.
3. **The date on which the discharge occurred:** The discharge occurred on August 5, 2018.
4. **The length of time that the discharge continued:** The overflow from the neutralization tank was first noted at approximately 6:10 AM on August 5, 2018 and was stopped at 6:34 AM that same day when power was restored to the back-up controller. The station has been able to determine that the controller failure likely began at 3:15am on August 5, the overflow of the system began at approximately 4:40am, and the duration of the discharge was estimated to be approximately two hours.

5. **The volume of the discharge:** Given the estimated duration of the discharge and the known pumping rates for the contributing waste streams, it is estimated that approximately 61,000 gallons of water were discharged through Outfall S42.
6. **If the discharge is continuing, how long is it expected to continue:** The discharge was stopped at 6:34am on August 5, 2018.
7. **If the discharge is continuing, what the expected total volume of the discharge will be:** Not applicable.
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:**
  - The overflow was stopped and the station increased surveillance of system with more frequent inspections during each shift.
  - The station will ensure that operations personnel are aware of the descriptions for each of the alarms and will modify the alarm description and priority to ensure clear communication.
  - Separate power supply feeds will be provided for the primary and back-up controls.

Please contact Ken Roller of my staff at (804) 273-3494 or by email at [kenneth.roller@dom.com](mailto:kenneth.roller@dom.com) should you have any questions or require additional information about this transmittal.

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.

Sincerely,



Jason E. Williams  
Director, Environmental

cc: Susan Mackert (DEQ) [susan.mackert@deq.virginia.gov](mailto:susan.mackert@deq.virginia.gov)



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

(703) 583-3800

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Matthew J. Strickler  
Secretary of Natural Resources

David K. Paylor  
Director

Thomas Faha  
Regional Director

October 17, 2018

Revised January 8, 2019

## WARNING LETTER

Ms. Cathy C. Taylor  
Dominion Resources Services, Inc.  
5000 Dominion Boulevard  
Glen Allen, VA 23060

**RE: WL No. W2018-10-N-1025**  
**Dominion - Possum Point Power Station**  
**VA0002071**  
**Prince William County**  
**VIA Email**

Dear Ms. Taylor:

The Department of Environmental Quality (DEQ), Northern Regional Office (NRO), has reason to believe that Dominion Resources Services, Inc. may be in violation of State Water Control Law § 62.1-44 and the Virginia Pollutant Discharge Elimination System (VPDES) Permit regulation 9 VAC 25-31-50.A *et seq.* at the Dominion – Possum Point Power Station facility.

This letter addresses conditions at the facility named above, and also cites compliance requirements of the State Water Control Law and Regulations. Pursuant to Va. Code § 62.1-44.15 (8a), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* The Department requests that you respond **within 20 days of the date of this letter.**

### **OBSERVATIONS AND LEGAL REQUIREMENTS**

Facility staff are required to submit discharge monitoring reports (DMRs) and documents to DEQ NRO, including the following *relevant* data results. The following describe DEQ NRO staff factual observations and identify the applicable legal requirements.

**Observations:** On August 5, 2018, Dominion Possum Point Power Station staff notified DEQ that approximately 61,000 gallons of process water was discharged into the receiving stream, Potomac River, through Outfall S42 due to equipment malfunction. The incident was assigned IR # 2019-N-0445.

**Legal Requirements:** VPDES Permit No. VA0002071, Part II, Section F. Unauthorized Discharges, states: “Except in compliance with this permit, or another permit issued by the Board, 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.”

**\*This facility had 1.0 point in the Compliance Auditing System at the end of August 2018.**

OFFICIAL COPY

Oct 02 2019



### ENFORCEMENT AUTHORITY

Va. Code § 62.1-44.23 of the State Water Control Law provides for an injunction for any violation of the State Water Control Law, any State Water Control Board rule or regulation, an order, permit condition, standard, or any certificate requirement or provision. Va. Code §§ 62.1-44.15 and 62.1-44.32 provide for a civil penalty up to \$32,500 per day of each violation of the same. In addition, Va. Code § 62.1-44.15 authorizes the State Water Control Board to issue orders to any person to comply with the State Water Control Law and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the State Water Control Law and regulations, and to impose civil penalty of not more than \$10,000. Va. Code §§ 62.1-44.32 (b) and 62.1-44.32 (c) provide for other additional penalties.

The Court has the inherent authority to enforce its injunction, and is authorized to award the Commonwealth its attorney's fees and costs.

### FUTURE ACTIONS

After reviewing this letter, please respond in writing to DEQ **within 20 days of the date of this letter** detailing actions you have taken or will be taking to ensure compliance with state law and regulations. If corrective action will take longer than 90 days to complete, you may be asked to sign a Letter of Agreement or enter into a Consent Order with the Department to formalize the plan and schedule. *It is DEQ policy that appropriate, timely, corrective actions undertaken in response to a Warning Letter will avoid adversarial enforcement proceedings and the assessment of civil charges or penalties.*

Please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. Also, if informal discussions do not lead to a satisfactory conclusion, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred. For further information on the Process for Early Dispute Resolution, please see Agency Policy Statement No. 8-2005 posted on the Department's website under "Programs," "Enforcement," and "Laws, Regulations, & Guidance" (<http://www.deq.virginia.gov/Programs/Enforcement/Laws,Regulations,Guidance.aspx>) or ask the DEQ contact below.

Please direct written materials regarding this matter to Amy Dooley. Written materials may be sent either via the US Postal Service or electronically, via E-mail. DEQ recommends sending electronic responses as an Acrobat PDF or in a Word-compatible, write-protected format. If you have questions or wish to arrange a meeting, please contact Amy Dooley at (703) 583-3905 or by e-mail at [amy.dooley@deq.virginia.gov](mailto:amy.dooley@deq.virginia.gov).

Sincerely,



Edward L. Stuart  
Regional Water Compliance Manager

Electronic copy:  
Permit File, Compliance Auditor; Compliance Manager - DEQ



January 23, 2018

**BY EMAIL and CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Mr. Richard Doucette  
Land Protection Manager  
Virginia Department of Environmental Quality  
Northern Regional Office  
13901 Crown Court  
Woodbridge, VA 22193

**RE: Dominion Energy Possum Point Power Station: Response to VADEQ Deficiency Letter Dated January 10, 2018**

Dear Mr. Doucette:

Dominion Energy Possum Point Power Station (Dominion) received your Deficiency Letter (Letter) dated January 10, 2018 as follow up to a focused solid waste compliance inspection performed by Virginia Department of Environmental Quality (Department) representatives on November 28, 2017. One observation was made during this inspection, which is outlined in the Letter, and the Department has asked Dominion to provide a response to the observation.

**Observation 1**

*The initial 2016 Annual Engineering Inspection Report for Pond D was certified on September 9, 2016 and placed in the facility's operating record on September 10, 2016. Therefore, the first subsequent inspection report should have been completed by September 10, 2017. However, the 2017 Annual Engineering Inspection Report for Pond D was certified on October 2, 2017 and placed in the facility's operating record on October 19, 2017.*

**Response 1**

The requirement to perform an annual engineering inspection report for Possum Point Pond D after the pond changed status in 2016 from an inactive to an existing pond created a compliance date that was off cycle with other Dominion CCR units. We have implemented the following process improvements to ensure this compliance date is not missed in the future:

- Dominion maintains an electronic task tracking system titled Environmental Compliance Tracking System (ECTS) to schedule, assign, remind assignees and supervision, and document completion of all environmental compliance tasks. An ECTS entry was made to include assignees from both the Station and Corporate Environmental to ensure inspection date requirements are met. ECTS will provide assignees with a 6-month advance initial notification and subsequent monthly reminders of the compliance due date.

- All Annual Engineering Inspections for the site will be aligned to the same date (July 18) beginning in 2018 to have a single reporting date moving forward.

Please contact Dennis Slade at [dennis.a.slade@dominionenergy.com](mailto:dennis.a.slade@dominionenergy.com) if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason E. Williams", with a large, sweeping loop at the end.

Jason E. Williams, P.G.  
Director, Environmental

ebc: Pam Faggert  
Jeff Heffelman  
Jason Williams  
Jeff Marcell  
Dennis Slade  
Dell Cheatham  
Sterling Turner

File: Compliance Reporting and Supporting Documents/ Wastes – CCB – Ash/VADEQ  
Response to Deficiency Letter 012418

**BY U.S. MAIL**  
**RETURN RECEIPT REQUESTED**

August 11, 2010

Mr. Mark Miller  
Department of Environmental Quality  
Northern Regional Office  
13901 Crown Court  
Woodbridge, VA 22193

**Re: VPDES Permit No. VA 0002071; Possum Point Power Station, Prince William,  
Virginia; Five Day Notification Letter**

Dear Mr. Miller:

The following information is provided in accordance with Possum Point Power Station's VPDES Permit VA0002071 Part II, Condition F and G. On August 6, 2015, overflow from a temporary water storage tank was discovered. A verbal notification was made by Jeffrey R. Marcell and Oula Shehab-Dandan on August 6, 2015 at approximately 2:50 p.m.

1. **Date on which the discharge occurred:** The discharge was discovered at 5:40 a.m. on August 6, 2015.
2. **Description of the nature and location of the discharge:** The contractors working for Dominion discovered that a temporary water storage tank installed near Pond E at the Possum Point Power Station was overflowing. The temporary tank was being used to collect the effluent from internal outfall 502 (oil water treatment basin), along with a small amount of deep (non-contact) groundwater from below Pond E, before being pumped to Pond D. A sample was taken from Outfall 502 on August 3, 2015 as required by the VPDES permit with the following results: TSS 18.8 ppm, O&G <5.00 ppm, TPH-ORO <1.1 mg/L, TPH-DRO <0.5 ppm, and TPH-GRO <0.5 ppm.

The overflow entered a VDOT storm water pipe, passed under Possum Point Road, and exited the pipe into an area of heavy vegetation. It is possible that some of the overflow entered Quantico Creek. A smaller portion of the overflow crossed Possum Point Road from the entrance to Pond E and collected in a VDOT road culvert.

A visual inspection of the Creek was conducted after the overflow was discovered, and there were no observable impacts to the environment.

3. **Cause of the Discharge:** The primary and backup pumps associated with the tank failed to start automatically during the night causing the tank to overflow.
4. **Length of time that the discharge occurred:**  
The exact length of time that the overflow occurred is not known, but it is believed to have started during the previous night.

5. **Volume of Discharge:** The duration of the overflow is not known so the volume cannot be calculated.
6. **If the discharge is continuing, how long it is expected to continue:** The discharge was stopped at 6:00 a.m. when the primary pump at the tank was manually started.
7. **If the discharge is continuing, what is the expected total volume of the discharge:**  
Not Applicable
8. **Describe any steps planned or taken to reduce, eliminate and prevent the reoccurrence of the resent discharge or any future discharges not authorized by the above referenced permit:** In order to prevent a reoccurrence of the discharge, Dominion's contractor was instructed to operate the pumps on manual during the night and to monitor the pumping operations from the water storage tank around the clock. Currently, the station is only pumping wastewater from Internal Outfall 502 to the temporary storage tank during the day shift, but may decide to pump the water continuously after personnel covering night shift are properly trained.

If you have any questions or require additional information, please contact Oula Shehab-Dandan at (804) 273-2697 or Jeff Marcell at (703) 441-3813.

*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.*

Sincerely,



Cathy C. Taylor  
Director, Electric Environmental Services

Attachment

cc: Ms. Susan Mackert  
Virginia Department of Environmental Quality  
Northern Regional Office  
13901 Crown Court,  
Woodbridge, VA 22193



Mr. Mark Miller  
August 11, 2015  
Page 3

Please send renamed scan copy to:

David Craymer  
Pamela Faggert  
Cathy Taylor  
Sidney Bragg  
John Smatlak  
Jeffrey Heffelman  
Jeff Marcell  
Jason E Williams  
Ian Whitlock  
Ken Roller  
Oula Shehab-Dandan

Documentum/Water- NPDES/ Compliance documents/Possum Point/ PP VA0002071 Five  
Day Notification-Temporary Water Tank Discharge Aug 06 2015

OFFICIAL COPY

Oct 02 2019

Dominion Energy Services, Inc.  
5000 Dominion Boulevard  
Glen Allen, VA 23060  
DominionEnergy.com

**BY EMAIL**

October 19, 2018

Debra Trent  
Virginia Department of Environmental Quality  
Tidewater Regional Office  
5636 Southern Boulevard  
Virginia Beach, VA 23462

**RE: Dominion Energy Yorktown Power Station (SWP# 457): 5-Day Letter for Landfill Unusual Condition**

Dear Ms. Trent:

Virginia Electric and Power Company d/b/a Dominion Energy Virginia (Dominion Energy) is providing this 5-Day Letter to describe an unusual condition identified at the Yorktown Landfill (SWP #457) and our subsequent mitigating actions. This letter is a follow up to a phone notification made to you on October 15, 2018.

According to local data, the Yorktown area has received a much higher than average precipitation volume this year to date with over 15 inches of precipitation in September alone. Subsequent to this high level of precipitation, we identified areas where water is daylighting out of the bank along the east side of Cell 12 of the Yorktown Landfill, all at the same elevation. We have engaged an engineering consultant (Golder Associates) familiar with the design and operation of the facility to evaluate the details of the matter and develop a plan to address. We will provide an update when the plan is finalized and tentative schedule developed.

If you have any questions regarding this submittal, please contact Dennis Slade via email at [dennis.a.slade@dominionenergy.com](mailto:dennis.a.slade@dominionenergy.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Williams", written over a white background.

Jason E. Williams  
Director, Environmental

Please make (1) copy and send to:

File Code: Compliance Reporting and Supporting Documents/ Wastes – Solid

Please scan the signed original and rename:

**VADEQ YPS 5 Letter 101918**

**ebs requested:**

D. Craymer

M. Tornabene

J. Williams

A. Pillar

D. Slade

D. Cheatham

S. Morelen

J. Showalter

E. Heath

**BY EMAIL**

November 29, 2018

Debra Trent  
Virginia Department of Environmental Quality  
Tidewater Regional Office  
5636 Southern Boulevard  
Virginia Beach, VA 23462

RE: **Dominion Energy Yorktown Power Station (SWP# 457): Follow Up to 5-Day Letter for Landfill Unusual Condition**

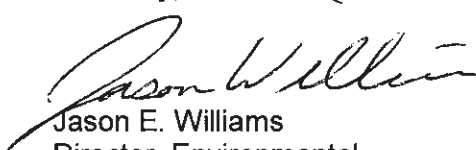
Dear Ms. Trent:

Virginia Electric and Power Company d/b/a Dominion Energy Virginia (Dominion Energy) is providing this update to the 5-Day Letter dated October 15, 2018 to describe mitigating steps for an unusual condition identified at the Yorktown Landfill (SWP #457). We have contracted with a landfill engineer to evaluate and design a permanent solution to the condition. The plan involves installing a closed internal toe drain along the south and east sides of Cell 12. The toe drain will be connected to the existing drain line across the landfill circuit road (see attached drawing). Water collected will gravity drain to the existing leachate collection tank prior to being pumped to HRSD via the normal leachate discharge system.

The planned work is in a bid process and is planned to be awarded by the end of December. Construction will take approximately four (4) weeks once commenced. Our plan is to have the construction completed by mid-February.

If you have any questions regarding this submittal, please contact Dennis Slade via email at [dennis.a.slade@dominionenergy.com](mailto:dennis.a.slade@dominionenergy.com).

Sincerely,



Jason E. Williams  
Director, Environmental

ecc Melinda Woodruff, VA DEQ [[melinda.woodruff@deq.virginia.gov](mailto:melinda.woodruff@deq.virginia.gov)]

Please make (1) copy and send to:

File Code: Compliance Reporting and Supporting Documents/ Wastes – Solid

Please scan the signed original and rename:

**VADEQ YPS 5 Letter Follow Up 112918**

**ebs requested:**

B. Sauer

M. Tornabene

J. Williams

B. Reed

D. Rowe

B. Wood

D. Slade

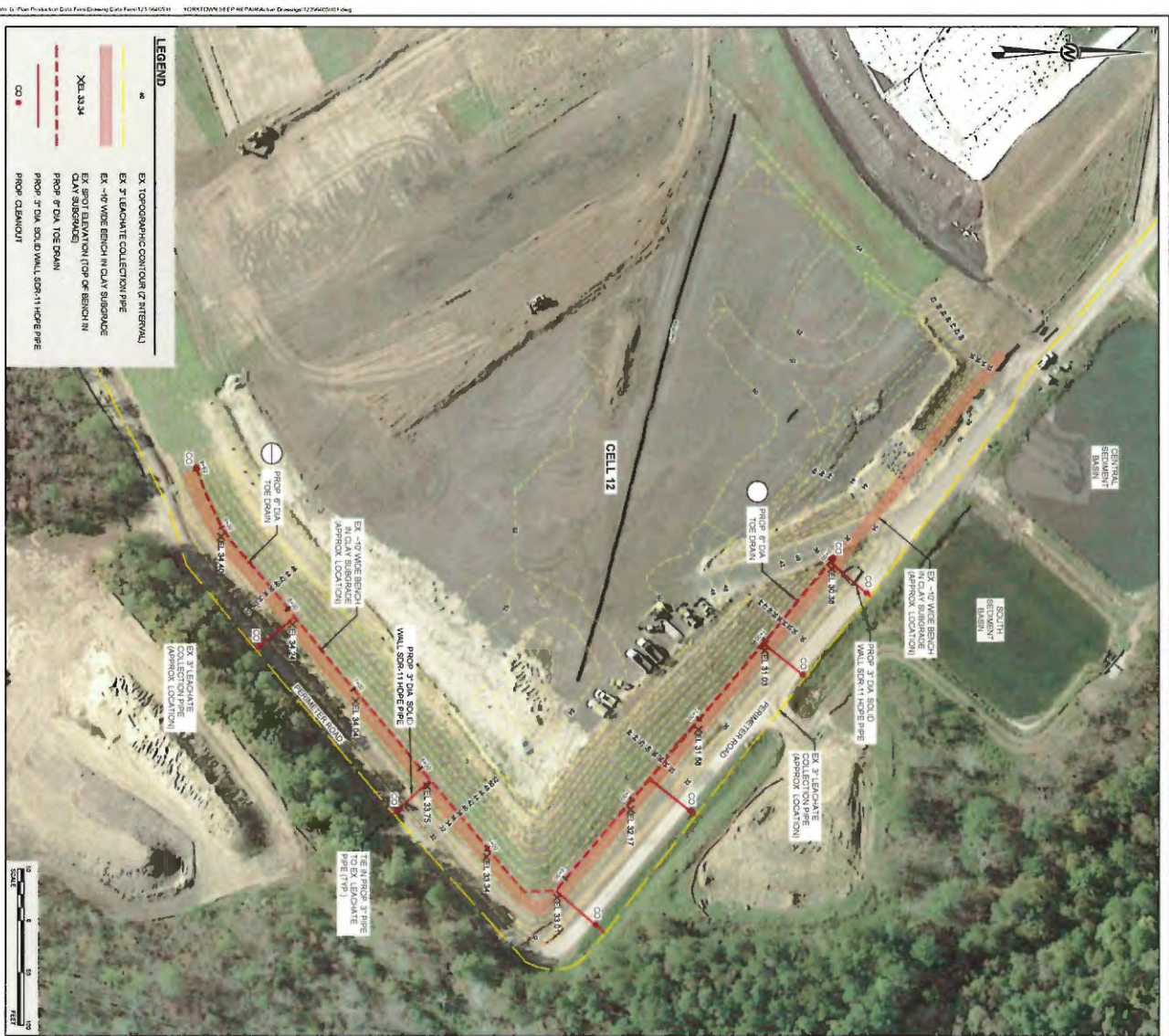
D. Cheatham

S. Morelen

J. Showalter

E. Heath





- NOTES**
1. AERIAL IMAGE TAKEN FROM GOOGLE EARTH PRO ON 10/12/2018
  2. MAP DATA BY GOOGLE, INADVERTENT DATE 11/6/2016
  3. EXISTING TOPOGRAPHIC CONTOURS BASED ON AS-BUILT SURVEY DATED 02/22/2018
  4. LOCATION OF EXISTING BENCH IN CLAY SUBGRADE (AND ASSOCIATED SPOT ELEVATIONS) BASED ON AS-BUILT SURVEY DATED 08/07/2008 BY DAW SURVEYORS
  5. P.O. COORDINATION TO FIELD VERIFY LOCATION
  6. LOCATION OF EXISTING LOCATE COLLECTION PIPE BASED ON PLAT LOCATION AND SHALL BE CONSIDERED APPROXIMATE. COORDINATION TO FIELD VERIFY LOCATION

PROJECT	YORKTOWN POWER STATION YORK COUNTY, VIRGINIA	CLIENT	DOMINION ENERGY	DATE	
TITLE	CELL 12 TOE DRAIN	CONSULTANT	GOLDER ASSOCIATES 2108 WEST LABURNUM AVENUE SUITE 200 RICHMOND, VA 23227 (804) 354-7900 www.golder.com		
PROJECT NO	123-96405				
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Dominion Resources Services, Inc.  
5000 Dominion Boulevard, Glen Allen, VA 23060  
Web Address: www.dom.com



**OVERNIGHT**  
**RETURN RECEIPT REQUESTED**

April 6, 2011

Ms. Debra Trent  
Virginia DEQ - Tidewater Regional Office  
5636 Southern Boulevard  
Virginia Beach, VA 23462

**Re: Dominion – Yorktown Power Station – Solid Waste Landfill Berm Root Cause Analysis**

Dear Ms. Trent:

This letter provides the Root Cause Analysis (RCA) that was performed on the Yorktown Power Station Landfill Ash Cell 12 berm, which was damaged on September 30, 2010 during several days of excessive rain. Dominion provided verbal notification of the incident on October 1, 2010 and written notification was provided on October 5, 2010 to DEQ Tidewater Regional office.

Should you have any questions or comments please contact Rick Woolard, of Dominion Electric Environmental Services, at (804) 273-2991 and/or Yorktown Power Station's Environmental Compliance Coordinator, Laura Shumaker at (757) 898-2555.

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.

Sincerely,

Cathy C. Taylor,  
Director of Electric Environmental Services

Enclosure:

- Root Cause Analysis of Ash Cell 12 Berm
- Reference Map

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Oct 02 2019

Ms. Debra Trent  
April 6, 2011  
Page 2

Cc: w/enclosure:

Mr. Milt Johnston  
Department of Environmental Quality  
Tidewater Regional Office  
5636 Southern Boulevard  
Virginia Beach, VA 23462

Mr. Mark Sauer  
Department of Environmental Quality  
Tidewater Regional Office  
5636 Southern Boulevard  
Virginia Beach, VA 23462

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Oct 02 2019



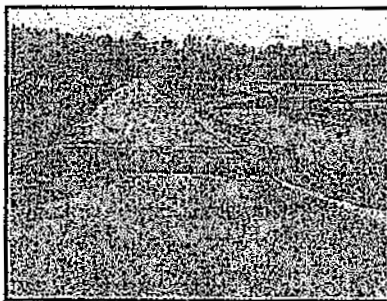
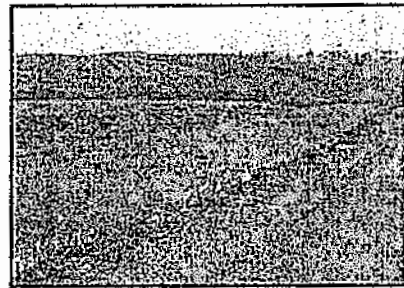
September 30, 2010

**Analysis of the Event & Contributing Factors:**

Throughout the summer severe drought conditions existed in the area. Required sampling at the sedimentation ponds last occurred in June prior to the September 30<sup>th</sup> sample event. There was no discharge flow from the ponds, therefore, no samples were collected during July and August.

Soils became partially saturated on September 27<sup>th</sup> after almost two inches of rain. Rain continued to fall throughout the week keeping soils hydrated. Both sedimentation ponds began to fill but not to the point of discharging. The remnants of Tropical Storm Nicole then organized with an approaching low pressure system. The storm stalled over the area late September 29<sup>th</sup> lasting until the early morning hours of October 1<sup>st</sup>. The majority of rain fell on September 30<sup>th</sup>. At this point, most of the rainfall was unable to soak into the soil and became runoff. The excessive flow of water exceeded the treatment capabilities of the sedimentation ponds and began to discharge for the first time in almost 3 months.

During the rain event, the berm failure occurred where the installed check dam was located. The perimeter ditch was filled to capacity with ash laden rainwater. A previously placed straw bale was in front of the culvert pipe leading from the Cell 12 check dam into the center sedimentation pond. The straw bale restricted flow into the culvert pipe and filled the perimeter ditch to capacity.



Overflow from the perimeter ditch migrated towards the south sedimentation pond which contains Outfall 004. The sheet flow entered into the northwest corner of the pond. Once the straw bale was removed from the culvert pipe, flow was restored into the culvert pipe. The perimeter ditch then drained into the center pond more effectively.

**Significant Contributor #1: Significant Rain Event**

After months of severe drought conditions, over eight inches of rain fell within four days, most of which occurred on September 30<sup>th</sup>. Already saturated soils were unable to absorb additional rain effectively and excessive amounts of runoff ensued.

**Significant Contributor #2: Improperly Installed Rock Check Dam**

Improper construction of the check dam allowed for rapid erosion of the berm. Filter fabric provides a protective layer between the soil and rock. Filter fabric was not used in the installation of the check dam. In addition, two types of rock are necessary for proper construction. Only small gravel was used. Omitting class I rip rap allowed the flow to carry off the small gravel.

September 30, 2010

**Summary of Event:**

On September 30<sup>th</sup>, 2010 a portion of the perimeter berm at the Yorktown Power Station coal combustion byproduct (CCB) landfill failed around 1500 hours. The failure occurred during an unusual rain event caused by the remnants of Tropical Storm Nicole colliding with a low pressure system. The system stalled in the area after several months of severe drought conditions. Rainfall totaled 8.24 inches over four days. The majority of the rainfall occurred on September 30<sup>th</sup>, the day of the berm failure.

As a result of the berm failure, water laden with ash flowed into the perimeter ditch, then into the center sedimentation pond via a culvert pipe located under the landfill perimeter road. Additionally, sheet flow across the haul road carried ash into the sedimentation pond where Outfall 004 is located.

Station management and Headwaters Resources, Inc. personnel responded immediately. Headwaters is contracted by Dominion to operate and maintain the landfill. Heavy equipment was utilized to divert flow from the berm failure location back into Cell 12. Soil was delivered around 1700 and placed where the berm failure occurred. Straw bales were delivered and staked at several locations as best management practices (BMPs).

The berm was temporarily repaired and the sheet flow from the perimeter ditch was stopped that evening, though heavy rain continued to fall until morning. Visual observations during the evening hours and the next day showed no sign that ash was released into the stream serviced by Outfalls 003 and 004. An inspection by Ms. Debra Trent, Virginia Department of Environmental Quality (DEQ), confirmed that ash did not appear to have been released offsite.

**Drainage Design:****A. Cell 12**

Rainwater that falls within Cell 12 is designed to flow to the Northeast corner of the cell. During the construction of Cell 12, ponding became a problem. A rock check dam was installed in the eastern berm to alleviate the effects of rainwater. Check dams promote the deposition of ash sediment and slow the flow of water preventing erosion. A culvert pipe under the landfill perimeter road directs rainwater from the perimeter ditch into the center sedimentation pond.

**B. Bottom Ash Storage Pile/Cell 11 Drainage**

Rainwater that falls within the bottom ash storage area, located on top of Cell 11, is designed to flow into Cell 12. All other flow from Cell 11 is directed to the south end of Cell 11 to lay down pipes. Flow from the lay down pipes flows directly into the south sedimentation pond and did not have an effect upon the breached berm.

**C. Vertical Expansion Bump Out**

The landfill will be going through a vertical expansion in 2011. The north section of Cell 12 was built up to provide a working surface for Phase I of the expansion. This area is referred to as the "bump out". Rainwater that falls onto this area flows towards the check dam.



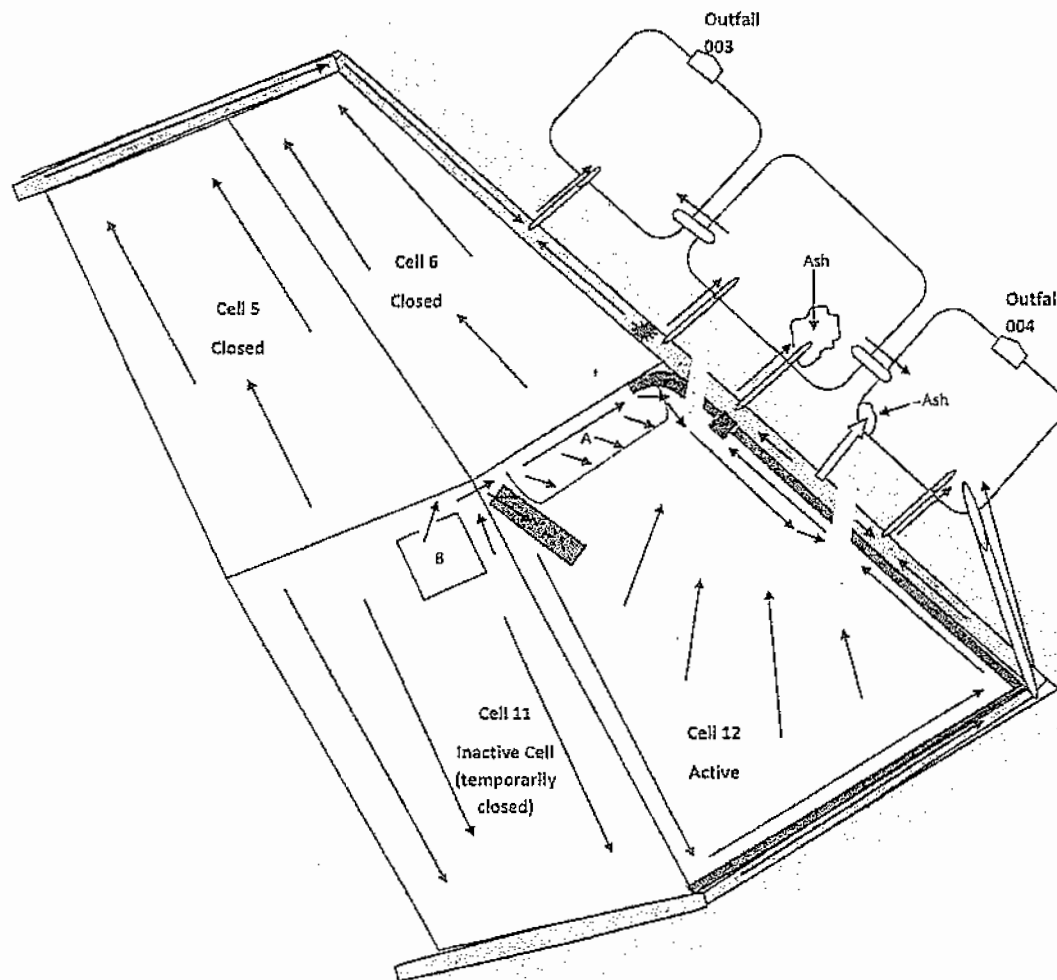


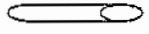










September 30, 2010

**Recommendations/Action Items:**

1. F&H Engineering, Golder Engineering and Joyce Engineering to visit the site and provide support/recommendations concerning the event. COMPLETE
2. Ash and cenosphere removal from the perimeter ditch, culvert pipe, center and 004 sedimentation ponds. COMPLETE
3. Re-build soil berm and rock check dam per the recommendations of Golder Engineering and in accordance with Virginia Erosion and Sediment Control specifications. COMPLETE
4. Place Virginia Erosion and Sediment Control approved filter at the culvert pipe servicing the center sedimentation pond per the recommendation of Golder Engineering. COMPLETE
5. Rebuild the vertical expansion bump out. COMPLETE
6. Survey Cell 11 to determine the extent of incorrect grading that effected flow into Cell 12. Grade area to designed level. COMPLETE
7. Management review of the station hurricane preparation procedure. Implement improvements found from review. COMPLETE
8. Headwaters personnel to familiarize themselves with the Virginia Erosion & Sediment Control standards (contractual requirement). COMPLETE
9. Headwaters to review operations at the CCB facility. COMPLETE (a new manager with a Class II waste management facility operator license has been selected to oversee operations).

N



-  original haul road to access Cell 12
-  storm water culvert (goes under the ash haul road)
-  storm water flow
-  grass-lined perimeter ditch
-  soil berm
-  sheet flow
-  original rock check dam
-  outfall structure
-  new Cell 12 access road
-  bottom ash storage ramp
-  grass dam in the perimeter ditch (directs flow into culverts)
- A vertical expansion bump out
- B bottom ash storage pile
- landfill perimeter road

**Yorktown Power Station Landfill**  
**30 September 2010 Berm Failure Event**

# Compliance Inspection Report

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## Inspection Summary

**Facility:** Dominion - Yorktown Power Station

**Permit:** SWP457

**Region:** Tidewater

**Inspection Type:** Records Review

**Facility Staff:** Records review

**Inspector:** Debra Trent

**Inspection Date:** 5/23/2017

**Approximate Arrival Time:** NA

**Inspection Method:** Unannounced

**Exit Interview:** Yes

**Weather Conditions:** NA

## Industrial Landfill (Active)

Reference	Description	SL	Result
<b>Compliance Area: Operator Information</b>			
10.1-1408.1	Disclosure Statement	I	X
10.1-1408.2	Operator Certification	II	
<b>Compliance Area: Recordkeeping, Reporting &amp; Permit</b>			
20-81-80	Waste Assessment Program	II	
20-81-100.B	Compliance with the facility's permit	II	X
20-81-100.E	Unauthorized waste program and inspection	II	
20-81-140.A.16	Facility self inspections	I	
20-81-140.A.17	Record maintained of waste received and processed	I	
20-81-485	Operations Manual	II	
20-81-530	Permittee recordkeeping and reporting	II	✓
<b>Compliance Area: Design, Construction &amp; Operation</b>			
20-81-110.C	Prohibited waste	II	
20-81-130	Facility design / construction	I	X
20-81-140.A.1,4	Safety and fire control	II	
20-81-140.A.6	Pollutant discharge	III	X
20-81-140.A.7	Stormwater control system maintenance	II	
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	X
20-81-140.A.9-13	Hazard and nuisance control	I	
20-81-140.D	Compaction and cover	I	
20-81-610-660	Special Waste	II	
<b>Compliance Area: Closure &amp; Post-Closure Care</b>			
20-81-160	Closure requirements	II	
20-81-170	Post-closure care requirements	II	
<b>Compliance Area: Decomposition Gas Control</b>			
20-81-200	Decomposition gas control	II	
<b>Compliance Area: Leachate Control</b>			
20-81-210	Leachate control	II	X
<b>Compliance Area: Groundwater Monitoring</b>			
20-81-250	Groundwater monitoring program	II	
20-81-260	Corrective action program	II	
<b>Compliance Area: Landfill Mining</b>			
20-81-385 & 395	Landfill Mining	II	
<b>Compliance Area: CCR Requirements</b>			
20-81-800-810	Requirements for CCR Landfills and Surface Impoundments	II	

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40 CFR 257.70(d)	Leachate Collection System	II	
40 CFR 257.80	Fugitive Dust Control, Plan, and Annual Reports	I	
40 CFR 257.81	Run-on/Run-off Control System Maintenance and Periodic Plans	II	
40 CFR 257.84(a)	Weekly Inspections	I	
40 CFR 257.84(b)	Annual PE Inspections	II	
40 CFR 257.90-98	Groundwater Monitoring and Corrective Action Program	II	
40 CFR 257.101-103	Closure Standards	II	
40 CFR 257.104	Post-Closure Care	II	
40 CFR 257.105	Recordkeeping Requirements	II	
40 CFR 257.106	Notification Requirements	II	
40 CFR 257.107	Public Website	I	

SL = Severity Level      ✓ = In Compliance      X = Alleged Violation      N/A = Not Applicable      Blank = Not Inspected

### Alleged Violations

Reference	Comments
10.1-1408.1	Disclosure Statement - On May 23, 2017, Dominion - Yorktown notified the DEQ Tidewater Regional Office that there was an unauthorized discharge event at Dominion-Yorktown Landfill. Leachate overflowed into the stormwater basins and then discharged to surface waters. On May 23, 2017, Dominion-Yorktown notified the DEQ Tidewater Regional Office the cause of the unauthorized discharge was that the pump for the leachate pump station to the publicly owned wastewater treatment facility was turned off on May 22, 2017 and resulted in an overflow at the leachate pump station.
20-81-100.B	Compliance with the facility's permit - On May 23, 2017, Dominion-Yorktown notified the DEQ Tidewater Regional Office that there was an unauthorized discharge event at Dominion-Yorktown. Leachate overflowed into the stormwater basins and then discharged to surface waters. On May 23, 2017, Dominion-Yorktown notified the DEQ Tidewater Office the cause of the unauthorized discharge was that the pump for the leachate pump station to the publicly owned wastewater treatment facility was turned off on May 22, 2017 and resulted in an overflow at the leachate pump station. The leachate overflowed into the stormwater basins which were discharged to surface waters.
20-81-130	Facility design / construction - On May 23, 2017, Dominion-Yorktown notified the DEQ Tidewater Office the cause of the unauthorized discharge was that the pump for the leachate pump station to the publicly owned wastewater treatment facility was turned off on May 22, 2017 and resulted in an overflow at the leachate pump station. The leachate overflowed into the stormwater basins which were discharged to surface waters.
20-81-140.A.6	Pollutant discharge - On May 23, 2017, Dominion-Yorktown notified the DEQ Tidewater Regional Office that there was an unauthorized discharge event at Dominion-Yorktown. Leachate overflowed into the stormwater basins and then discharged to surface waters.
20-81-140.A.8,14-15	Facility operation, maintenance, and training - On May 23, 2017, Dominion-Yorktown notified the DEQ Tidewater Office the cause of the unauthorized discharge was that the pump for the leachate pump station to the publicly owned wastewater treatment facility was turned off on May 22, 2017 and resulted in an overflow at the leachate pump station. The leachate overflowed into the stormwater basins which were discharged to surface waters.
20-81-210	Leachate control - On May 23, 2017, Dominion-Yorktown notified the DEQ Tidewater Office the cause of the unauthorized discharge was that the pump for the leachate pump station to the publicly owned wastewater treatment facility was turned off on May 22, 2017 and resulted in an overflow at the leachate pump station. The leachate overflowed into the stormwater basins which were discharged to surface waters.

### General Comments

Reference	Comments
20-81-530	Permittee recordkeeping and reporting - On May 23, 2017, Dominion-Yorktown notified the DEQ Tidewater Regional Office that there was an unauthorized discharge event at Dominion-Yorktown. Leachate overflowed into the stormwater basins and then discharged to surface waters. On May 23, 2017, Dominion-Yorktown notified the DEQ Tidewater Office the cause of the unauthorized discharge was that the pump for the leachate pump station to the publicly owned wastewater treatment facility was turned off on May 22, 2017 and resulted in an overflow at the leachate pump station. The leachate overflowed into the stormwater basins which were discharged to surface waters.

### Waste Management Facility Operators

Licensed Operator	License #	Expiration Date
Jeff Stevens	4605003113	5/31/2019



PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding any alleged violations.

PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act (VA Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.

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Oct 02 2019



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Craig R. Nicol  
Regional Director

June 19, 2017

Ms. Paula A. Hamel  
Director, Generation Environmental Services  
Dominion Generation  
5000 Dominion Boulevard  
Glenn Allen, VA 23060

### NOTICE OF VIOLATION

RE: Dominion – Yorktown Power Station Landfill, Yorktown  
Solid Waste Permit No. 457

Dear Ms. Hamel:

This letter notifies you of information upon which the Department of Environmental Quality ("Department" or "DEQ") may rely in order to institute an administrative or judicial enforcement action. Based on this information, DEQ has reason to believe that the Dominion – Yorktown Power Station Landfill (Dominion–Yorktown) may be in violation of the Virginia Waste Management Act, Va. Code § 10.1-1400 *et seq.* ("Act"), the Virginia Solid Waste Management Regulations, 9 VAC 20-81-10 *et seq.* ("Regulations"), and Solid Waste Permit No. 457.

This letter addresses conditions at the facility named above and also cites compliance requirements of the Act, Regulations, and Solid Waste Permit No. 457. Pursuant to Va. Code § 10.1-1455 (G), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* ("APA"). DEQ requests that you respond **within 10 days of the date of this letter** to arrange a prompt meeting.

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Oct 02 2019

### **OBSERVATIONS AND LEGAL REQUIREMENTS**

On May 23, 2017, DEQ Tidewater Regional Office staff received notification from Dominion–Yorktown of an unauthorized discharge event resulting from an overflow from the leachate pump station into stormwater basins to Chisman Creek. A copy of the email notification, the five-day follow-up letter and the records review checklist are attached. The following describe the staff’s factual observations and identify the applicable legal requirements:

1. *Observations:* On May 23, 2017, Dominion - Yorktown notified the DEQ Tidewater Regional Office that there was an unauthorized discharge event at Dominion-Yorktown. Leachate overflowed into the stormwater basins and then discharged to surface waters.

#### ***Legal Requirements:***

**Solid Waste Permit No. 457, Permit Module I Part (I)(A) states “The permittee is allowed to dispose and/or manage solid waste on-site in accordance with the conditions of this permit. Any disposal/management of solid waste not authorized by this permit prohibited...”**

**9VAC20-81-140(A)(6). states “Landfills shall not allow leachate from the landfill to drain or discharge into surface waters except when treated onsite and discharge into surface waters as authorized under a VPDES Permit (9VAC23-31).”**

**9VAC20-81-100(B) states: “All solid waste disposal facilities shall be maintained and operated in accordance with the permit issued pursuant to this regulation, an in accordance with the approved design and intended use for the facility.**

**VA Code § 10.1-1408.1(N) states in part: “Every solid waste management facility shall be operated in compliance with the regulations promulgated by the Board pursuant to this chapter.”**

2. *Observations:* On May 23, 2017, Dominion-Yorktown notified the DEQ Tidewater Regional Office the cause of the unauthorized discharge was that the pump for the leachate pump station to the publicly owned wastewater treatment facility was turned off on May 22, 2017 and resulted in an overflow at the leachate pump station. The leachate overflowed into the stormwater basins which were discharged to surface waters.

***Legal Requirements:***

**Solid Waste Permit No. 457, Module I, Part (1)(B)(5) as per 9VAC20-81-140.(A).(14) states that “All landfill appurtenances listed in 9VAC20-81-130 shall be properly maintained and operated as designed and approved in the facility’s permit.”**

**9VAC20-81-130 (L) states “Leachate control and monitoring systems are subject to the requirements in 9VAC20-81-210.”**

**9VAC20-81-210(D)(1)1 and 4 states “The collected leachate shall be: 1) Discharged directly or after pretreatment into a line leading to the publicly owned treatment works or other permitted wastewater treatment facility; 4) Treated onsite and discharged into surface water when authorized under VPDES permit...”**

**9VAC20-81-100(B) states: “All solid waste disposal facilities shall be maintained and operated in accordance with the permit issued pursuant to this regulation, and in accordance with the approved design and intended use for the facility.”**

**VA Code § 10.1-1408.1(N) states in part: “Every solid waste management facility shall be operated in compliance with the regulations promulgated by the Board pursuant to this chapter.”**

**ENFORCEMENT AUTHORITY**

Va. Code § 10.1-1455 of the Waste Management Act provides for an injunction for any violation of the Waste Management Act, Waste Management Board regulations, an order, or permit condition, and provides for a civil penalty up to \$32,500 per day of each violation of the Waste Management Act, regulation, order, or permit condition. In addition, Va. Code § 10.1-1455 (G) authorizes the Waste Management Board to issue orders to any person to comply with the Waste Management Act and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the Waste Management Act and regulations. Va. Code §§ 10.1-1455 (D) and 10.1-1455 (I) provide for other additional penalties.

**FUTURE ACTIONS**

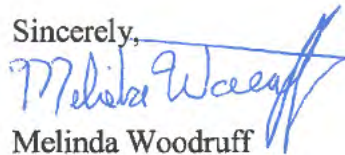
DEQ staff wishes to discuss all aspects of their observations with you, including any actions needed ensure compliance with state law and regulations, any relevant or related

measures you plan to take or have taken, and a schedule, as needed, for further activities. In addition, please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In order to avoid adversarial enforcement proceedings, Dominion - Yorktown Power Station may be asked to enter into a Consent Order with the Department to formalize a plan and schedule of corrective action and to settle any outstanding issues regarding this matter, including the assessment of civil charges.

In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. Also, if informal discussions do not lead to a satisfactory conclusion, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred. For further information on the [Process for Early Dispute Resolution](#), please see Agency Policy Statement No. 8-2005 posted on the Department's website under "Programs," "Enforcement," and "Laws, Regulations, & Guidance" (<http://www.deq.virginia.gov/Programs/Enforcement/Laws,Regulations,Guidance.aspx>) or ask the DEQ contact listed below.

Please contact Russell Deppe at (757) 518-2021 or [Russell.deppe@deq.virginia.gov](mailto:Russell.deppe@deq.virginia.gov) within 10 days to discuss this matter and arrange a prompt meeting.

Sincerely,



Melinda Woodruff  
Land Protection Program Manager

cc: Russell Deppe, DEQ-TRO Enforcement Specialist  
Debra Trent, DEQ-TRO Solid Waste Compliance Inspector  
Priscilla Fisher, CO Solid Waste Compliance Coordinator  
ECM – SWP No. 457





Rec 7/14/2017

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# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### TIDEWATER REGIONAL OFFICE

Molly Joseph Ward  
Secretary of Natural Resources

5636 Southern Boulevard, Virginia Beach, Virginia 23462  
(757) 518-2000 Fax (757) 518-2009  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

David K. Paylor  
Director

Craig R. Nicol  
Regional Director

July 10, 2017

Ms. Paula A. Hamel  
Director, Generation Environmental Services  
Dominion Generation  
5000 Dominion Boulevard  
Glenn Allen, VA 23060

### NOTICE OF VIOLATION

RE: Dominion – Yorktown Power Station, Yorktown, VA  
VPDES Permit No. VA0004103  
NOV No. W2017-07-T-0001

Dear Ms. Hamel:

This letter notifies you of information upon which the Department of Environmental Quality (“Department” or “DEQ”) may rely in order to institute an administrative or judicial enforcement action. Based on this information, DEQ has reason to believe that the Dominion Generation (Dominion) may be in violation of the State Water Control Law and Regulations at the Dominion Yorktown Power Station (Facility).

This letter addresses conditions at the facility named above, and also cites compliance requirements of the State Water Control Law and Regulations. Pursuant to Va. Code § 62.1-44.15 (8a), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* (APA). The Department requests that you respond **within 10 days of the date of this letter** to arrange a prompt meeting.

### OBSERVATIONS AND LEGAL REQUIREMENTS

Dominion owns and operates a landfill at the Yorktown Power Station, in Yorktown Virginia. The facility operates under Virginia Pollutant Discharge Elimination System (VPDES) Permit No. VA0004103 (Permit) issued November 14, 2012 and expires on November 13, 2017. On May 23, 2017, DEQ Tidewater Regional Office staff received notification from Dominion of an unauthorized discharge event resulting from an overflow from the leachate pump station into

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stormwater basins to Chisman Creek. The following describe the staff's factual observations and identify the applicable legal requirements:

1. **Observations:** On May 23, 2017, Dominion notified the DEQ Tidewater Regional Office that there was an unauthorized discharge event at the facility. Dominion reported that the pump for the landfill leachate pump station was turned off on May 22, 2017 and resulted in an overflow of landfill leachate into the central stormwater basin. The valve was secured on May 23, 2017. Dominion also reported an estimated 29,109 gallons of leachate might have been released into the central stormwater basin that overflows to the north and south basins associated with VPDES permitted outfalls 003 and 004, respectively. Dominion reported there was a subsequent discharge from outfalls 003 and 004 on May 24, 2017 to an unnamed tributary of Chisman Creek.

***Legal Requirements:***

The Permit, Part I.B.7 states: "Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of and/or stored in such a manner so as not to permit a discharge of such product, materials, industrial wastes and/or other wastes to State waters, except as expressly authorized."

The Permit, Part II.F.1-2 of the Permit states: "Except in compliance with this permit, or another permit issued by the Board, 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."

The Permit, Part II.Q states: "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."

9VAC25-31-50(A)(1-2) states in part: "Except in compliance with a VPDES permit, or another permit, issued by the board or other entity authorized by the board, it shall be unlawful for any person to: (1.) Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; (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."

9VAC25-31-190(E) states: "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 the permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit."

VA Code §62.1-44.5(A) states in part: "Except in compliance with a certificate or permit issued by the Board or other entity authorized by the Board to issue a certificate or permit pursuant to this chapter, it shall be unlawful for any person to: (1.) Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; (3.) Otherwise alter the physical, chemical or biological properties of state waters and make them detrimental to the public health, or to animal or aquatic life, or to the uses of such waters for domestic or industrial consumption, or for recreation, or for other uses."

#### ENFORCEMENT AUTHORITY

Va. Code § 62.1-44.23 of the State Water Control Law provides for an injunction for any violation of the State Water Control Law, any State Water Control Board rule or regulation, an order, permit condition, standard, or any certificate requirement or provision. Va. Code §§ 62.1-44.15 and 62.1-44.32 provide for a civil penalty up to \$32,500 per day of each violation of the same. In addition, Va. Code § 62.1-44.15 authorizes the State Water Control Board to issue orders to any person to comply with the State Water Control Law and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the State Water Control Law and regulations, and to impose a civil penalty of not more than \$10,000. Va. Code §§ 62.1-44.32 (b) and 62.1-44.32 (c) provide for other additional penalties.



The Court has the inherent authority to enforce its injunction, and is authorized to award the Commonwealth its attorneys' fees and costs.

### FUTURE ACTIONS

DEQ staff wishes to discuss all aspects of their observations with you, including any actions needed ensure compliance with state law and regulations, any relevant or related measures you plan to take or have taken, and a schedule, as needed, for further activities. In addition, please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In order to avoid adversarial enforcement proceedings, Dominion - Yorktown Power Station may be asked to enter into a Consent Order with the Department to formalize a plan and schedule of corrective action and to settle any outstanding issues regarding this matter, including the assessment of civil charges.

In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. Also, if informal discussions do not lead to a satisfactory conclusion, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred. For further information on the [Process for Early Dispute Resolution](#), please see Agency Policy Statement No. 8-2005 posted on the Department's website under "Programs," "Enforcement," and "Laws, Regulations, & Guidance" (<http://www.deq.virginia.gov/Programs/Enforcement/Laws,Regulations,Guidance.aspx>) or ask the DEQ contact listed below.

Please contact Jennifer Coleman at (757) 518-2019 or [jennifer.coleman@deq.virginia.gov](mailto:jennifer.coleman@deq.virginia.gov) within 10 days to discuss this matter and arrange a prompt meeting.

Sincerely,



Roger K. Everton  
Water Monitoring & Compliance Manager

cc: Jennifer Coleman, DEQ-TRO Enforcement Specialist  
TRO File/ECM

Summary of Groundwater Wells and Dates of First Sampling

Attachment to Company's Response to  
Public Staff Data Request 3-10

Station	Unit	First GW Sampling Date	Number of Monitoring Wells Per Unit and Monitoring Program																																
			2000				2010				2013				2014				2015				2016				2017				2018				
			NPDES	CUP	Solid Waste	CCR	NPDES	CUP	Solid Waste	CCR	NPDES	CUP	Solid Waste	CCR	NPDES	CUP	Solid Waste	CCR	NPDES	CUP	Solid Waste	CCR	NPDES	CUP	Solid Waste	CCR	NPDES	CUP	Solid Waste	CCR	NPDES	CUP	Solid Waste	CCR	
Bremo Power Station	NAP	5/10/2000	2	--	--	--	2	--	--	--	4	--	--	--	4	--	--	--	4	--	--	--	4	--	--	8	4	--	--	8	4	--	--	8	
	WAP	3/11/2013	--	--	--	--	--	--	--	--	4	--	--	--	4	--	--	--	4	--	--	--	4	--	--	--	4	--	--	5	4	--	--	5	
	EAP	3/11/2013	--	--	--	--	--	--	--	--	4	--	--	--	4	--	--	--	7	--	--	--	4	--	--	--	4	--	--	9	4	--	--	9	
Chesapeake Energy Center	Landfill	12/20/1983	--	--	10	--	--	--	12	--	--	--	23	--	--	--	23	--	--	--	23	--	--	--	23	--	--	--	23	--	--	--	23	--	
	BAP (w/ Historic Pond)	6/4/2018	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	27		
Chesterfield Power Station	FFCPMF	8/6/2015	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	10	10	--	--	10	10	--	--	10	10	--	--	10	10	--	--	10	10
	LAP	1/22/1986	4	--	--	--	4	--	--	--	4	--	--	--	4	--	--	--	4	--	--	--	4	--	--	--	4	--	--	16	4	--	--	16	
	UAP	11/20/1985	7	--	--	--	10	--	--	--	10	--	--	--	10	--	--	--	10	--	--	--	10	--	--	27	10	--	--	27	10	--	--	27	
Clover Power Station	Stage I&II LF	12/21/1993	--	--	9	--	--	--	8	--	--	--	8	--	--	--	8	--	--	--	8	--	--	8	--	--	--	8	--	--	8	--	--	8	--
	Stage III LF	3/15/2000	--	--	9	--	--	--	8	--	--	--	8	--	--	--	8	--	--	--	8	--	--	8	8	--	--	8	8	--	--	8	8		
	Sludge Basins	3/23/1994	4	--	--	--	4	--	--	--	4	--	--	--	4	--	--	--	4	--	--	6	4	--	--	6	4	--	6	6	4	--	6	6	
Mt. Storm Power Station	Phase A LF	9/2/1987	7	--	--	--	9	--	--	--	9	--	--	--	9	--	--	--	9	--	--	--	9	--	--	6	9	--	--	6	9	--	--	6	
	Phase B LF	9/2/1987	6	--	--	--	8	--	--	--	8	--	--	--	8	--	--	--	8	--	--	--	8	--	--	8	8	--	--	8	8	--	--	8	
	LVWSP	11/3/2015	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	7	--	--	--	7	--	--	--	7	--	--	--	7	--	--	--	7	
Possum Point Power Station	Ponds ABC	11/4/2016	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	4	--	--	--	4	--	--	--	4		
	Pond D	12/31/1985	14	--	--	--	12	--	--	--	12	--	--	--	12	--	--	--	12	--	--	--	12	--	--	6	12	--	--	6	12	--	--	6	
	Pond E	12/5/1990	3	--	--	--	3	--	--	--	3	--	--	--	3	--	--	--	3	--	--	--	4	--	--	5	3	--	--	5	3	--	--	5	
VCHC	Landfill	6/3/2010	--	--	--	--	--	--	8	--	--	--	8	--	--	--	8	--	--	--	8	--	--	8	7	--	--	8	7	--	--	8	7		
Yorktown Power	Landfill	12/5/1985	--	25	11	--	--	21	11	--	--	21	11	--	--	21	11	--	--	21	11	--	--	21	11	11	--	21	11	11	--	21	11	11	