

## RESOLUTION

### CONSENT ORDER – DEPARTMENT OF ENVIRONMENTAL QUALITY -

#### SEWER SYSTEM OVERFLOWS

- WHEREAS, the Hampton Roads Sanitation District (“HRSD”) provides sewage treatment service to the cities of Chesapeake, Hampton, Newport News, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg; the counties of Gloucester, Isle of Wight, York, and James City ; and the town of Smithfield (collectively, the “Localities”); and
- WHEREAS, the James City Service Authority provides sewer services in James City County, other Localities individually own and operate sanitary sewer collection systems, which collect sewage within their individual jurisdictional boundaries that is delivered to the HRSD system for treatment; and
- WHEREAS, due to pipe breaks, electrical outages, wet weather events, insufficient capacity in the collection, interceptor and treatment systems, and other factors, untreated sewage is, on occasion, discharged from various locations in the HRSD sewer system and from the Localities’ sanitary sewer systems; and
- WHEREAS, at the encouragement of the Virginia Department of Environmental Quality (“VDEQ”) and the U.S. Environmental Protection Agency (“EPA”), the HRSD and the Localities, working with the support and facilitation of the Hampton Roads Planning District Commission (“HRPDC”), have expeditiously developed a comprehensive program to address these problems. This program consists of regional and individual elements. The regional element requires the Localities and HRSD to use uniform standards to design the infrastructure improvements needed to manage peak wet weather flows throughout the Hampton Roads Sewer System in a cost-effective manner. The HRSD and Localities are required to address their individual system conditions that cause or contribute to discharges of untreated sewage; and
- WHEREAS, these regional and individual commitments are set forth in the following three documents that have been developed collectively and in consultation with the staff of the VDEQ: (1) State Water Control Board Enforcement Action: Special Order by Consent Issued to the Hampton Roads Sanitation District; the cities of Chesapeake, Hampton, Newport News, Poquoson, Portsmouth, Suffolk, Virginia Beach and Williamsburg; the counties of Gloucester, Isle of Wight and York; the James City Service Authority; and the Town of Smithfield (“Regional Consent Order”); (2) Memorandum of Agreement for Regional Sanitary Sewer System Operation, Maintenance and Enhancement (“Memorandum of Agreement”); and (3) Attachment 1 to the Special Order by Consent: Regional Technical Standards (“Regional Technical Standards”), (collectively, these documents are referred to as the “Regional Consent Order Package”); and
- WHEREAS, the success of these regional and individual Locality efforts depends upon the cooperative efforts of the HRSD and the Localities, and the approval of the Virginia State Water Control Board (“SWCB”) and its VDEQ staff; and

WHEREAS, the ongoing efforts of the Localities and HRSD to maintain, repair and improve the sanitary sewer system at substantial cost, for the benefit of the region's quality of life, is endorsed and commended.

NOW, THEREFORE, BE IT RESOLVED that by the Board of Directors of the James City Service Authority, James City County, Virginia, hereby:

- (1) approves the Regional Consent Order Package as presented on this date to (the Board of Directors of the James City Service Authority, James City County, VA); and
- (2) authorizes and directs the General Manager to execute the Regional Consent Order and Memorandum of Agreement on behalf of the James City Service Authority and submit the Regional Consent Order Package to DEQ for public notice and approval by the SWCB; and
- (3) authorizes the General Manager and the County Attorney to take such other actions as may be reasonably necessary to implement the intent of this resolution.



Bruce C. Goodson  
Vice Chairman, Board of Directors

ATTEST:



Sanford B. Wanner  
Secretary to the Board

<u>DIRECTOR</u>	<u>VOTE</u>
BRADSHAW	AYE
MCGLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
HARRISON	ABSENT

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 26th day of June, 2007.