



*Municipal Corp. of  
Cape Charles*

October 5, 2022

Ms. Julianne N. Laferriere  
Water Compliance Manager  
Mr. John Brandt  
Regional Enforcement Manager, Regional Air Compliance & Monitoring Manager  
Commonwealth of Virginia  
Department of Environmental Quality  
Tidewater Regional Office  
5636 Southern Blvd. Virginia Beach, Virginia 23462

RE: NOV No. W2022-09-T-0008 Town of Cape Charles WWTP VPDES Permit or Registration No. VAN050001

Dear Ms. Laferriere and Mr. Brandt,

Please find enclosed our written response (required by October 9, 2022) to the finding listed on the inspection report issued on September 12, 2022 (site inspections of the Cape Charles WWTP conducted on September 8, 2022), and the corresponding Notice Of Violation associated with that site visit.

The Virginia American Water management team, being a proxy for the Town of Cape Charles and the Cape Charles WWTP did meet with Mr. Brandt, Ms. Laferriere and Mr. Kline on September 29, 2022, and discussed all aspects of the inspection and actions needed to maintain compliance with the terms of VPDES Discharge permit VA0021288 and VAN050001. Mr. Kline did advise the team during that meeting that the earlier NOV for permit number VA0021288 relating to improper composite sample collection times would also apply to the general permit number VAN050001.

Virginia American Water will continue to provide all necessary help to manage the wastewater system and provide guidance to ensure that future compliance is achieved and maintained. Please let me know if another follow up meeting with Mr. Brandt is required.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

  
John Hozey  
Town Manager

Enclosure

Municipal Building · 2 Plum Street · Cape Charles, Virginia 23310

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## VA DEQ Site Reconnaissance Inspection Report and Notice of Violation No. W2022-09-T-0008 Responses - Town of Cape Charles WWTP- VPDES Permit VAN050001

### Site Inspection Observation from September 8, 2022

Observations: The WWTP operator reported the collection of 8 hour composite (8-HC) effluent samples was conducted over a timeframe less than 8 hours, typically 6.5 to 7 hours. 8-HC effluent samples for total Kjeldahl Nitrogen (TKN), nitrate (NO<sub>3</sub>), nitrite (NO<sub>2</sub>), Total Nitrogen (TN), and Total Phosphorus (TP) are required a minimum twice per month. According to DEQ records, the Cape Charles WWTP is a 0.25 MGD facility, or 0.040 – 0.499 MGD as illustrated in the Table below.

Legal Requirement: Permit Part I.E.,1, Monitoring Requirements: “Discharges shall be monitored by the permittee during weekdays as specified in the table below unless the department determines that weekday only sampling results in a non-representative load. Weekend monitoring or alternative monthly load calculations to address production schedules or seasonal flows shall be submitted to the department for review and approval on a case-by-case basis. Facilities that exhibit instantaneous discharge flows that vary from the daily average discharge flow by less than 10% may submit a proposal to the department to use an alternative sample type; such proposals shall be reviewed and approved by the department on a case-by-case basis.

### Response-

- 1- Arrangements are now in place with our compliance laboratory courier to alter his/her schedule to arrive after the eight (8) hour compliance period has been completed. No further exceptions will be made. If the courier arrives early and cannot wait for the sampling completion, a staff member from the wastewater plant will bring the samples to the Lab.
- 2- The daily log sheet will include a section regarding compliance sample collection to ensure that 8-hr composite samples are collected over a timeframe of exactly 8 hours.