

# RESOLUTION

Whereas, the Virginia Department of Environmental Quality (“DEQ”) cited the Town of Colonial Beach (“Town”) with Notices of Violation (“NOVs”) regarding Colonial Beach’s Wastewater Treatment Plant (“WWTP”) and spills related thereto; and

Whereas, the Town acknowledged the NOVs; and

Whereas, DEQ has enforcement authority, including the ability to enter into consent orders with localities; and

Whereas, following months of negotiation between officials of the Town and DEQ, DEQ, with input from the Town, finalized a proposed a consent order to address the NOVs (“Consent Order”), and

Whereas, as a term of the Consent Order, upon approval by the Town Council, the Town is offering to voluntarily implement a Supplemental Environmental Project which will benefit the Town, its citizens, visitors and businesses and reduce the amount of the civil fine; and

Whereas, as part of the Consent Order, the initial fine proposed by DEQ has been substantially reduced; and

Whereas, because the Consent Order is still in the negotiation phase until finally approved by both the Town Council and DEQ, representatives of DEQ discussed key points of the proposed Consent Order with Town Council in a closed meeting on Wednesday, June 5, 2024; and

Whereas, assuming prompt approval by Town Council, DEQ will publish the Consent Order for public comment on July 1, 2024, and will receive public comments for a thirty-day period thereafter; and

Whereas, if DEQ does not need to propose to the Town changes to the Consent Order based upon public comments, at the conclusion of the public comment period, DEQ will execute the Consent Order and it will be binding on both the Town and DEQ.

Now therefore, on this 5<sup>th</sup> day of June, following a motion by Councilmember Wood and a second by Councilmember Allison, the Town Council, by the vote set forth below, hereby agrees to or takes the following actions:

- 1) Approves the Consent Order as described by DEQ.
- 2) Authorizes either the Mayor or the Town Manager to sign the Consent Agreement on behalf of the Town.
- 3) Agrees that its members should not comment on the terms of the Consent Order until DEQ releases it to the public for comment on July 1, 2024.

	<b>AYE</b>	<b>NAY</b>		<b>AYE</b>	<b>NAY</b>
WOOD	✓		ALLISON	✓	
WILLIAMS	✓		BROWN	✓	
ROBERSON	✓		SELF SULLIVAN	✓	
SCHICK	✓				