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Stormwater Enforcement/Construction: Virginia Department of Environmental Quality and Carroll Site Operator Enter into Order by Consent

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The Virginia Department of Environmental Quality ("VDEQ") and Lineberrys Logistics, LLC ("LL") entered into a July 9th Order by Consent ("Order") addressing alleged violations of Virginia State Water Control Law and regulations associated with stormwater construction permitting.

The Order provides that LL is the responsible party for construction at a site in Carroll County, Virginia. The associated receiving water is stated to be Little Cranberry Creek - Tributary of New River.

LL is stated to have not obtained coverage under the General Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater From Construction Activities ("Permit") for discharges from the site.

The Order lists the following alleged violations:

- Failure to obtain under the Permit.
- Failure to develop a Stormwater Pollution Prevention Plan ("SWPPP").
- Failure to have an approved an erosion and sediment control plan or agreement in lieu of a plan for the site.
- Failure to properly install, implement, and/or maintain control measures.

The Order contains a Schedule of Compliance requiring a number of actions to be undertaken, such as:

- Develop and submit a complete Stormwater Management Plan.
- Develop and submit a complete Erosion and Sediment Control Plan.
- Develop an SWPPP for the entire site.
- Develop a Pollution Prevention Plan.
- Apply for coverage under the Permit.

A copy of the Order can be found [here](#).