



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Oil Discharge Enforcement: Virginia Department of Environmental Quality and Manassas Biological Resource Center Enter into Order by Consent

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The Virginia Department of Environmental Quality ("VDEQ") and America Type Culture Collection ("ATCC") entered into a August 31st Order by Consent ("Order") addressing an alleged discharge of oil.

The Order provides that ATCC owns and operates a private, nonprofit, global biological resource center and standards organization in Manassas, Virginia.

ATCC is stated to be building a new manufacturing facility on its premises.

VDEQ staff are stated to have received a report from an ATCC General Contractor on April 30th regarding a discharge of diesel fuel from an emergency generator. A discharge is stated to have occurred at the construction site originating from a loose fuel transfer line between two electrical generators.

The construction site and the generator operation were under the operational control of a General Contractor and its sub-contractors. The General Contractor immediately self-reported the incident to Virginia Emergency Operations Center and contractors and ATCC personnel immediately initiated cleanup activities.

The discharge is stated to be approximately 1,000 gallons and eventually entering a stormwater management pond which ("SWMP ") discharges to an unnamed tributary to Cannon Branch. The discharge is stated to have been contained within the SWMP and did not reach the unnamed tributary of Cannon Branch or any other state waters.

Contractors and ATCC personnel are stated to have initiated containment and cleanup activities which continued until the site was returned to compliance.

The Order cites Va. Code § 62.1-44.34: 18.A, which states:

... The discharge of oil into or upon state waters, lands, or storm drain systems within the Commonwealth is prohibited...

The Order assesses a civil penalty of \$5,190.

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