



May 23, 2022

Brandon Stites
Vice President, Project Construction
Dominion Energy
600 E. Canal St.
Richmond, VA 23219

RE: Public Facility Review Determination Request
Case #PFR2022-00017; Possum Point
19000 Possum Point Rd.
Dumfries, VA 22026

Dear Mr. Stites:

This letter is in response to your request, dated March 7, 2022, on behalf of Virginia Electric Power Company d/b/a Dominion Energy Virginia ("Dominion") for a determination of consistency with the Comprehensive Plan to construct a solid waste landfill at the Possum Point Power Station located at 19000 Possum Point Road (GPIN 8288-96-2368). This proposed landfill will be used for the disposal of certain coal ash ("CCR") previously generated by the power station facility and currently stored in the on-site coal ash Pond D. The proposed landfill would replace the existing coal ash ponds relocating over 4 million cubic yards of CCR from Pond D. Under Virginia Code § 10.1-1402.03(B), the "permitted landfill" will "include", at a minimum, a composite liner and leachate collection system that meets or exceeds the federal Criteria for Municipal Solid Waste Landfills pursuant to 40 C.F.R. Part 258." Per your request, the relocation of CCR to the proposed on-site landfill will be by truck using only on-site access roads; the CRR will not be transported outside of the Possum Point Power Station property. Your request does not include any provision for importing any off-site dirt, soil, or similar material onto the Possum Point Power Station property by truck or removing any on-site dirt, soil, rock, or similar material from the Possum Point Power Station property by truck.

The Possum Point Power Station is defined as a public facility and public use as defined in Sec. 32-201.10 of the Prince William County Zoning Ordinance. Under Prince William County Zoning Ordinance Sec. 32-201.11(1), public facilities are permitted in all zoning districts, subject to a public facility review ("PFR") and Virginia Code § 15.2-2232. Under the Prince William County Zoning Ordinance, Article I, Part 100: "Landfill, debris shall mean a landfill used to dispose of only the following materials when expressly permitted by the Board of County Supervisors: Tree stumps, brush, logs, limbs, and root material; construction and/or demolition rubble; excavation material; major household appliances; **ash (thoroughly quenched)**; machinery and metals. **Ash ponds shall be deemed debris landfills.**" (Emphasis provided). Both the proposed landfill and existing coal ash pond D are considered a debris landfill. (Coal ash ponds A, B, C, and E are being closed pursuant to already-issued State Solid Waste Permit No. 617). In 1986, the Prince William County Zoning Administrator issued a determination that a coal ash pond was a "continuation of the existing use," and therefore, a PFR was not required.

Prince William County Zoning Ordinance Sec. 32-201.12. (b) states: "Paving, repair, reconstruction, improvement, drainage or similar work and normal service extensions of public utilities or public

service corporation facilities shall not require a public facility determination.” The proposed landfill is a reconstruction/improvement of an existing debris landfill (coal ash ponds) to dispose of and relocate the existing on-site CCR. Per your request, the facility and use will remain within the existing ±714-acre facility and relocation of the CCR will occur on-site and will not impact County roads. Therefore, the proposal does not substantially change the location, character, and extent of the Possum Point Power Station facility, and is exempted from the requirement for a PFR.

Please note that the proposed improvements must also comply with the Zoning Ordinance and the Design and Construction Standards Manual. As you acknowledge in your request, a site plan will be required in accordance with Part 800 of the Zoning Ordinance and closure of Pond D and the construction of the new on-site landfill must comply with the approved site plan. A finding of exception from public facility review does not provide relief, in any way, from applying for and obtaining building, land disturbance and other relevant permits from Development Services prior to construction. This letter should be retained for your files and presented to the County Department of Development Services when pursuing such permits.

The new on-site landfill is subject to all applicable federal and state laws, regulations, permits, and approvals, including, but not limited to, a Virginia solid waste permit.

Dominion’s closure of Pond D, including the dewatering process, is subject to the existing Settlement Agreement between Dominion and the County, as amended (collectively “Settlement Agreement”), including, but not limited to, minimum water treatment, enhanced water treatment, independent water quality monitoring, briefings and consultation with County staff, and the opportunity for County staff comment on permit materials. Consistent with the Settlement Agreement and Virginia Code § 10.1-1402.03, the County requests that Dominion provide the County with its current reclamation plan for the Possum Point Power Station property and its current transportation plan for the transport of any equipment and materials to/from the Possum Point Power Station property related to the closure of Pond D and construction of the new landfill. During the review of the solid waste permit, staff intends to comment on impacts to the County and our residents, including, but not limited to, drinking water, stormwater runoff, transportation and meeting the Board’s endorsed greenhouse gas emission targets.

If you have any questions, please feel free to contact Rebecca Horner at 703-792-6854 or by email at RHorner@pwcgov.org.

Sincerely,



Rebecca Horner, AICP, CZA
Acting Director of Planning

cc: Lisa Fink-Butler, Zoning Administrator
Joyce Fadeley, Land Development Division Chief
David J. McGettigan, Long-Range Planning Manager