

Appendix D

PROPOSAL FOR WATER AND WASTEWATER TREATMENT PLANT IMPROVEMENTS

Wastewater Treatment Plant Improvements.

1. Brown & Root will prepare an application for a VPDES permit to submit on behalf of the Town to the State Water Control Board (SWCB) for the initial expansion of the plant within 90 days of the effective date of annexation.
2. Prior to the initial expansion of the plant, Brown & Root will agree to coordinate the connection of residential units to the plant with the capacity of the plant to accommodate the connections. The "capacity of the plant" shall be based upon SWCB regulations, including but not limited to, Section 4.1 "Special Permit Requests" of VR 680-14-01, or as otherwise allowed by the SWCB.
3. Following the initial expansion, Brown & Root will likewise coordinate the connection of additional units in Accawmacke Plantation with the capacity of the improvements Brown & Root has constructed and reserved in the plant, unless otherwise allowed by the SWCB and/or State Health Department. Should the Town construct additional capacity beyond that provided by Brown & Root, then such additional capacity may be used to extend the unit construction limits otherwise applicable.
4. Brown & Root will monitor the Town's wastewater treatment capacity and coordinate the expansion and development of its project accordingly. The Town will provide information to Brown & Root, in a timely manner, of its ongoing plant operations, of any proposed changes to the plant's capacity and of proposed new demands on the plant's capacity.
5. Following review by the Town, the Town authorizes Brown & Root to file the necessary applications for the plant expansion(s) to accommodate Accawmacke Plantation with the appropriate permitting State agencies. Brown & Root agrees that its proposed expansion(s) of the Town's plant will not interfere with the Town's provision of wastewater treatment services to its citizens.
The Town will agree to immediately proceed with the expansion of the plant when the SWCB and State Health Department permits are obtained or it will authorize Brown & Root to begin the expansion(s) of the plant upon receipt of the necessary permits.
6. These obligations and conditions shall apply to the Town and Brown & Root, their respective successors and/or assigns.

Proposed Schedule for Water Treatment Plant Improvements

1. Prior to the initial expansion of the plant, Brown & Root will agree to coordinate the connection of residential units to the plant with the capacity of the plant to accommodate the connections. The "capacity of the plant" shall be based upon health department regulations, including but not limited to, Section 5.08 "Waterworks Expansion" of the State Health Department waterworks regulations, or as otherwise allowed by the State Health Department.

2. Following the initial expansion, Brown & Root will likewise coordinate the connection of additional units in Accawmacke Plantation with the capacity of the improvements Brown & Root has constructed and reserved in the plant, unless otherwise allowed by the SWCB and/or State Health Department. Should the Town construct additional capacity beyond that provided by Brown & Root, then such additional capacity may be used to extend the unit construction limits otherwise applicable.

3. Following review by the Town, the Town authorizes Brown & Root to file the necessary applications for the plant expansion(s) to accommodate Accawmacke Plantation with the appropriate permitting State agencies. Brown & Root agrees that its proposed expansion(s) of the Town's plant will not interfere with the Town's provision of water treatment services to its citizens. The Town will agree to immediately proceed with the expansion of the plant when the SWCB and State Health Department permits are obtained or it will authorize Brown & Root to begin the expansion(s) of the plant upon receipt of the necessary permits.

4. Brown & Root will monitor the Town's water treatment capacity and coordinate the expansion and development of its project accordingly. The Town will provide information to Brown & Root, in a timely manner, of its ongoing plant operations, of any proposed changes to the plant's capacity and of proposed new demands on the plant's capacity.

5. These obligations and conditions shall apply to the parties, their successors and/or assigns.