



VIA HAND DELIVERY

April 1, 2021

Mr. Douglas Miles, AICP, CZA
Community Development Director
Fluvanna County Department of Planning and Community Development
P.O. Box 540
Palmyra, VA 22963

RE: **Dominion Energy – Bremo Power Station – Proposed CCR Landfill
Rezoning and Special Use Permit Applications Submittal**

Mr. Miles:

The attached material is being submitted in support of the above referenced project and in accordance with the County of Fluvanna Planning and Community Development Department requirements.

This submittal includes both the Rezoning Application and Special Use Permit Application components as well as the associated review fee checks.

Should you have any questions or require additional information, please contact Laura Zuranski at (804) 512-1326 or laura.m.zuranski@dominionenergy.com

Sincerely,

A handwritten signature in black ink that reads "T. A. Effinger". The signature is fluid and cursive, with the first and last names being clearly legible.

Thomas Effinger
Director, Environmental

Section 1

Rezoning Application

Virginia Electric and Power Company

Bremo Power Station



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Application for Rezoning

Owner of Record: Virginia Electric and Power Company **Applicant of Record:** Brandon Stites
Address: 120 Tredegar St, Richmond, VA 23219 Address: 600 E. Canal St, Richmond, VA 23219
Phone: 804-921-4710 Fax: N/A Phone: 804-921-4710 Fax: N/A
Email: PG.Environmental@dominionenergy.com Email: brandon.stites@dominionenergy.com

Representative: Laura Zuranski
Address: 120 Tredegar St, Richmond, VA 23219
Phone: 804-512-1326 Fax: N/A
Email: PG.Environmental@dominionenergy.com

Tax Map and Parcel(s) 62-A-7, and 59-A-27

Acreage 216 and 7.3 **Current Zoning** A-1

Location of Parcel: See Attached

Requested Zoning I-1 **Proposed Use of Property** Coal Combustion Residuals (CCR) Landfill and associated support structures

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:
N/A

Is parcel in Land Use Valuation Program? ☒ No ☐ Yes

Deed Book and Page: D.B.72, PG. 353, D.B. 308, PG

If any Deed Restrictions, please attach a copy

Affidavit to Accompany Petition for Rezoning

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the Board of Supervisors during the normal discharge of their duties in regard to this request.

I/We, being duly sworn, depose and say that we are Owner/Contract Owner of the property involved in this application and that we are familiarized ourselves with the rules and regulations of the Zoning Ordinance with respect to preparing and filing this application, and that the foregoing statements and answers herein contained and the information on the attached map to the best of our ability present the argument on behalf of the application herewith requested and that the statements and information above referred to are true and respects true and correct to the best of our knowledge.

Date: 3/31/2021 Signature of Owner/Applicant: *Brandon Stites*
Subscribed and sworn to before me this 31 day of March, 2021 Register # 253183
My commission expires: SEPT. 30, 2024 Notary Public: *Kathy W. Prokopis*

All plats must be folded prior to submission to the Planning Department for review. Rolled plats will not be accepted.

Office Use Only	
Date Received:	Pre-Application Meeting: PH Sign Deposit Received: Application #: ZMP _____
\$1,000 fee paid: Mailing Costs: \$20.00 per Adjacent Property Owner after first 15, Certified. Paid:	
Proffer or Master Plan Amendment: \$750.00 plus mailing costs. Paid:	
Election District:	Planning Area:
Public Hearings	
Planning Commission	Board of Supervisors
Advertisement Dates:	Advertisement Dates:
APO Notification:	APO Notification:
Date of Hearing:	Date of Hearing:
Decision:	Decision:



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

Name: Brandon Stites

Address: 600 E. Canal St

City: Richmond

State: VA Zip Code: 23219

I hereby certify that the sign issued to me is my responsibility while in my possession.
Incidents which cause damage, theft, or destruction of these signs will cause a partial or full
forfeiture of this deposit.

 3/31/2021
Applicant Signature Date

*Number of signs depends on number of roadways property adjoins.

Office Use Only	
Application #: BZA _____ : CPA _____ : SUP _____ : ZMP _____ : ZTA _____ :	
\$90 deposit paid per sign*:	Approximate date to be returned:



Commonwealth of Virginia
County of Fluvanna
Rezoning Application Checklist

The following information shall be submitted with the application and is to be provided by the applicant for the processing of the application:

Applicant must supply	Staff Checklist
Completed Rezoning Application signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application	
<ul style="list-style-type: none"> • Statement on proposed use of property and reason for rezoning • Ten (10) copies of plats showing existing and proposed improvements (if applicable) • Deed restrictions (if applicable) • Copy of the Tax Map showing the site (preferred) • General Location Map (preferred) 	
Supporting photographs are not required, but suggested for evidence	

All maps and plans submitted are to be either 8.5"x 11" or 11"x 17". One original of any size may be for staff use at the public hearing.

Staff Only	Staff Checklist
Preliminary review by planning staff for completeness and content:	
<ul style="list-style-type: none"> • Technical Review Committee review and comment • Determine all adjacent property owners • Placed as a Public Hearing on the next available agenda of the Planning Commission. 	
Notification of the scheduled Public Hearing to the following:	
<ul style="list-style-type: none"> • Applicant • All adjacent property owners • Local Newspaper advertisement 	
Staff Report to include, but not be limited to:	
<ul style="list-style-type: none"> • General information regarding the application • Any information concerning utilities or transportation • Consistency with good planning practices • Consistency with the comprehensive plan • Consistency with adjacent land use • Any detriments to the health, safety and welfare of the community. 	

For Applicant

The Rezoning Application fee is made payable to the **County of Fluvanna**.

Meetings for the processing of the application

Applications must be submitted by the first working day of the month to have the process start that month. Applications received after the first working day will have the process start the following month.

Process:

1. Placed on next available Technical Review Committee Agenda.
2. Placed as a Public Hearing on the next available agenda of the Planning Commission the following month. Staff Report and Planning Commission recommendation forwarded to the Board.
3. Placed as a Public Hearing on the next available agenda of the Board of Supervisors (usually the same month as the Planning Commission).

Applicant or a representative must appear at the scheduled hearings.

The Technical Review Committee provides a professional critique of the application and plans. The Planning Commission may recommend to the Board of Supervisors: approval; approval subject to resubmittal or correction; or denial of the special use permit.

Board Actions

After considering all relevant information from the applicant and the public, the Board will deliberate on points addressed in the Staff Report.

The Board may approve; deny; or defer the request pending further consideration; or remand the case back to the Planning Commission for further consideration.

With **approval**, the development may proceed.

If **denied**, an appeal to the Courts may be prescribed by law

No similar request for a Rezoning for the same use at the same site may be made within one year after the denial.

**Rezoning Statement
Fluvanna County
Bremo Power Station CCR Landfill**

A. Proposed Use of Property

Virginia Electric and Power Company d/b/a Dominion Energy Virginia (“VEPCO”) is seeking to rezone two parcels identified as Tax Parcel Nos. 62-A-7 and 59-A-27 (collectively, the “Property”) from A-1, General Agricultural to I-1, Limited Industrial in order to construct a lined landfill (the “Landfill”) for the final disposition of coal combustion residuals (CCRs) that are currently located on the adjacent Bremo Power Station property (the “Power Station”).

Parcel 62-A-7 is 216.6 acres and has no habitable or functional structures. It is bounded to the north by Bremo Road, to the east by a private parcel, to the south by the James River and to the west by Parcel 59-A-27. A CSX Transportation right-of-way is located along the southern boundary while a VEPCO transmission line right-of-way bisects the site in an east-west direction. The parcel is tree and scrub covered and has been recently logged but is not suitable for agricultural activities.

Parcel 59-A-27 is approximately 7.3 acres and is located to the west of adjacent Parcel 62-A-7. It is bounded to the north by Bremo Road, to the east and south by Parcel 62-A-7, and to the west by the Power Station. The parcel is heavily wooded, and an unoccupied mobile home is present on site. The parcel is not suitable for agricultural activities.

See Exhibit A for a general location map and Exhibit B for tax maps associated with this application.

Landfills are not permitted in the A-1 district, but are permitted by special use permit (“SUP”) in the I-1 district. VEPCO proposes to file an accompanying SUP application for approval of the Landfill.¹ The proposed Landfill will be located on the northern portion of Parcel 62-A-7 and will occupy approximately 65 acres. Proffers included with this application voluntarily restrict any other industrial use on the Property. The proposed setbacks from adjacent parcels, roadways, and water bodies will meet or exceed regulatory location criteria. The limits of the proposed Landfill have been established to minimize visual impacts from neighboring properties, Bremo Road, and the James River. The minimum distance from the southern limit of the Landfill materials to the James River exceeds 2,000 feet. The Landfill will be designed, constructed and operated in strict accordance with federal and state laws and regulations. See Exhibit C for additional details on proposed improvements. The need for the Landfill and the requested rezoning is set forth in greater detail below.

B. General Information and Reasons for Request

The Power Station began operating as a coal-fired plant in the County in 1931. The four power units at the Power Station burned coal until units 1 and 2 were retired in 1972. In 2014, units 3 and 4 were converted to gas and then retired in 2019. The CCRs that were produced as a by-product of energy generation at the Power Station have been processed and stored in impoundments (ponds) at the Power Station site.

¹ While the Landfill will be located entirely on Parcel 62-A-7, Parcel 59-A-27 will be used during construction as a construction laydown yard and accessory staging area to support the Landfill. While storage yards, machine shops, and other light manufacturing uses are permitted by-right in the I-1 district, VEPCO intends to include Parcel 59-A-27 in the SUP to authorize any other accessory uses that would not otherwise be permitted by-right on that parcel. Following construction, this parcel will remain undeveloped as a buffer for the Landfill. See SUP application for additional information.

In 2019, the General Assembly of Virginia enacted legislation that requires VEPCO to remove the CCRs from the existing CCR impoundments at the Power Station and deposit the CCRs into a lined landfill that meets federal and state regulatory requirements and/or be recycled.² In order to comply with this state law mandate, VEPCO is seeking to rezone the Property so that the Landfill may be constructed and the CCRs transferred accordingly. The Power Station property, which is comprised of an assemblage of parcels includes portions zoned I-1 (Limited Industrial) and A-1 (General Agricultural). The requested rezoning is consistent with the zoning and use of the Power Station and other uses in the area, including the CSX rail line and the transmission line that bisects the Property.

C. Consistency with Good Planning Practices, the Comprehensive Plan, and Adjacent Land Uses

As described above, the proposed zoning to I-1 and the use of the Property for a Landfill and related purposes is consistent with health, safety, welfare and good zoning practices. The removal of CCRs from the Power Station site and their disposition in the Landfill is required and will be conducted in accordance with controlling federal and state laws. Additional information will be included in the forthcoming SUP application.

The location of the proposed Landfill is adjacent to the Power Station industrial zoning. CCRs will be hauled by truck from the existing impoundments to the Landfill using on-site access roads that will prevent hauled material from being transported upon or through County roads. The site will be designed to minimize visual impacts from surrounding properties and will have no adverse impacts on neighboring landowners.

Based on the future land use designations included in the Fluvanna County *2015 Comprehensive Plan* (the “Comprehensive Plan”), the Property is designated for Rural Residential (Parcel 59-A-27) and Rural Preservation (Parcel 62-A-7). The Rural Residential designation anticipates primarily residential - clustered residential with conserved open space or large-lot development. The primary land uses planned in the Rural Preservation areas are “farmland, preservation zones, or otherwise environmentally sensitive land with scattered housing.”³ Given the location of the Property directly adjacent to the Power Station, it is unreasonable to expect that it would develop in a residential manner. However, upon final closure, the Landfill will be covered by soil and native vegetation or an engineered composite barrier overlain by synthetic turf. It will remain in open space and “preserved” from future development. Accordingly, the proposed Landfill is consistent with the preservation goals of the Comprehensive Plan and will retain the Rural Preservation character of the area, particularly as it transitions from the A-1 property to the east (Parcel 62-A-8) to the industrially zoned Power Station property to the west.

² Federal (40 C.F.R. § 257 et seq.) and Commonwealth of Virginia (9VAC20-81-130) regulations.

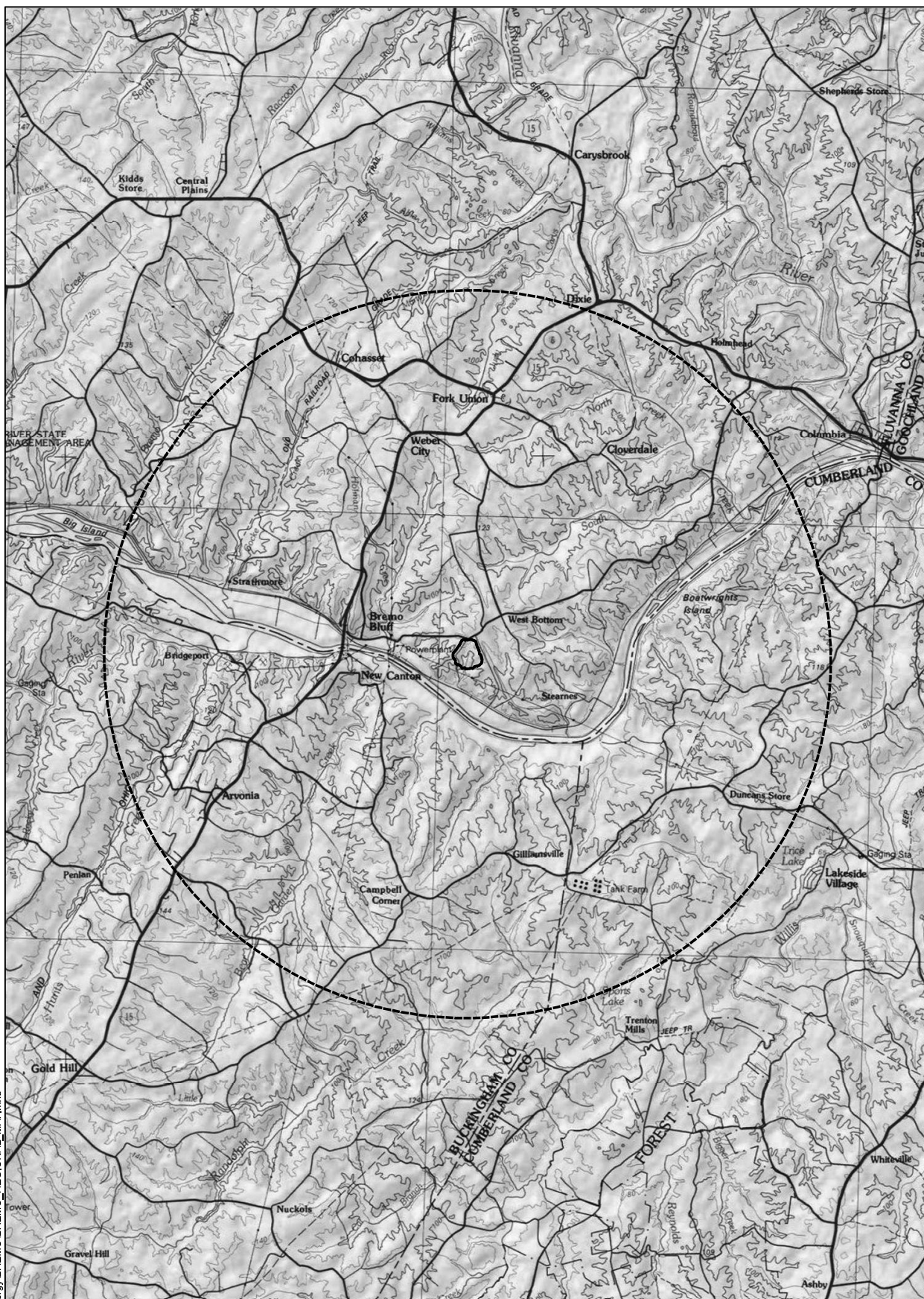
³ Comprehensive Plan at p. 37.

Rezoning Application

Exhibit A

General Location Map

Document Path: C:\DATA\Dominion_Energy\BREMO\BREMO_REGIONAL_MAP.mxd



LEGEND
[Solid Line] Proposed Facility Boundary
[Dashed Line] 5 mile Buffer

AECOM

ALEXANDER PROPERTY
REGIONAL MAP

DRAWN BY: M.SMITH	REVIEWED BY: P.THIBODEAU	APPROVED BY:	REVISION NUMBER: REV. 0
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FIGURE

DATE: 4/29/2020	DEPT: DOMINION POWER - BREMO POWER STATION
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Data Source: National Geographic Society, AECOM

Rezoning Application

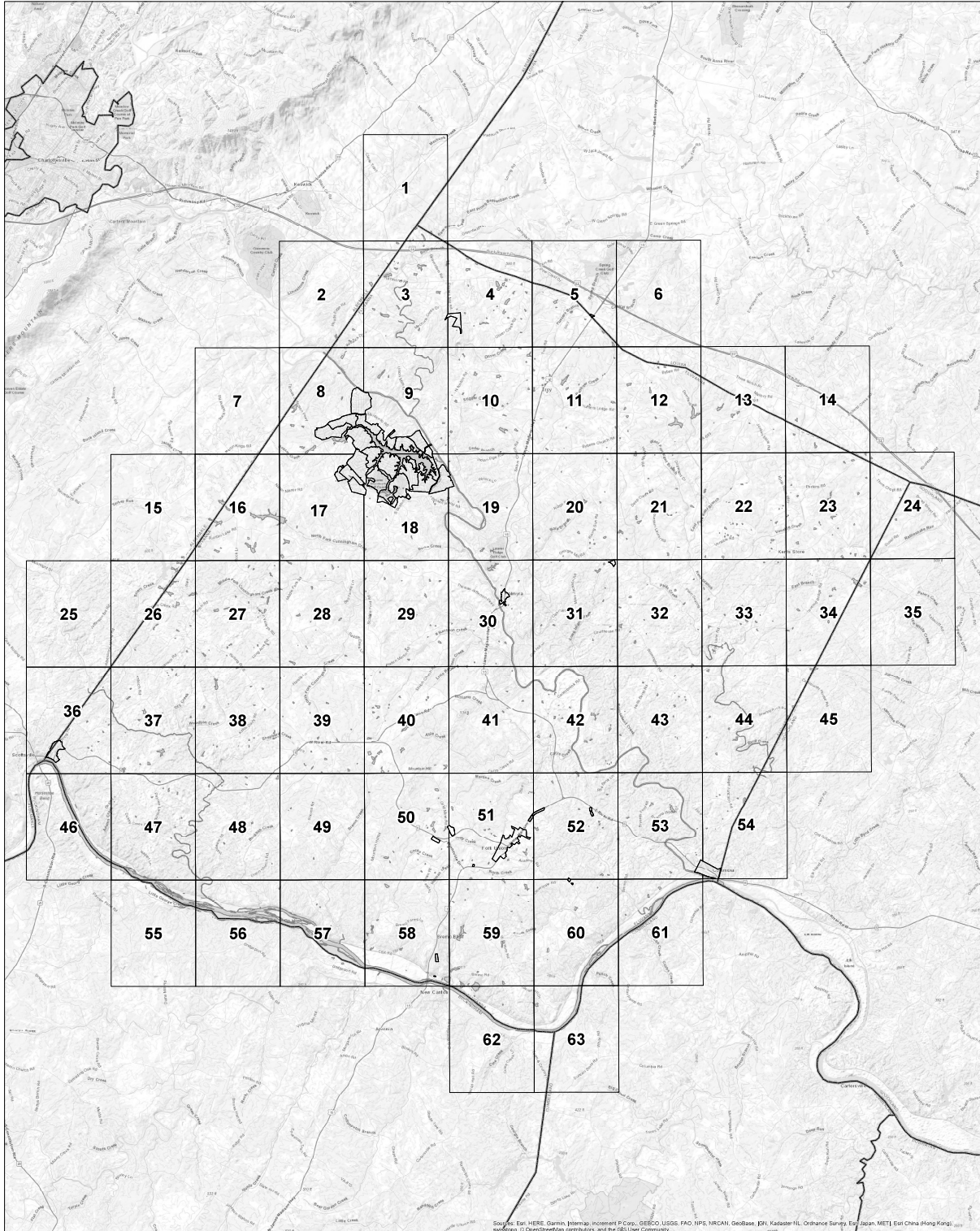
Exhibit B

Tax Map Index

Tax Maps 59

Tax Map 62

FLUVANNA COUNTY, VIRGINIA



INDEX MAP

0 12,000 24,000
Feet

Legend

- Waterbodies
- Tax Sheet Grid
- County Boundaries

1 inch = 7,000 feet

REVISION NOTES

Revised by Hurt & Proffitt, Inc. on: 3/3/2020
Data updated as of: 12/31/2019



—— Roads

--- Waterline
 Waterbodies

 County Boundaries

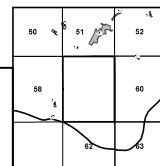
☐ Parcels
☐ Tax Sheet Grid

0 1,000 2,000
Feet

1 inch = 600 feet

Revised by Hurt & Proffitt, Inc. on: 3/3/2020
Data updated as of: 12/31/2019

MATCHING SHEET



FLUVANNA COUNTY, VIRGINIA

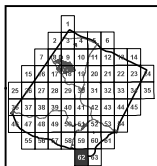


SECTION 62

0 1,000 2,000
Feet

1 inch = 600 feet

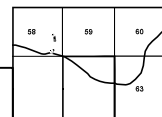
MAP LOCATION



Legend

- Roads
- - - Waterline
- Waterbodies
- County Boundaries
- Parcels
- Tax Sheet Grid

MATCHING SHEET



REVISION NOTES

Revised by Hurt & Proffitt, Inc. on: 3/3/2020
Data updated as of: 12/31/2019

Rezoning Application

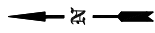
Exhibit C

Plats and Existing and Proposed Improvements





- WETLAND BOUNDARY
- STREAM
- TREELINE
- UNKNOWN NHRP STATUS
- OLD FOUNDATIONS
- PROPERTY LINE



DRAFT

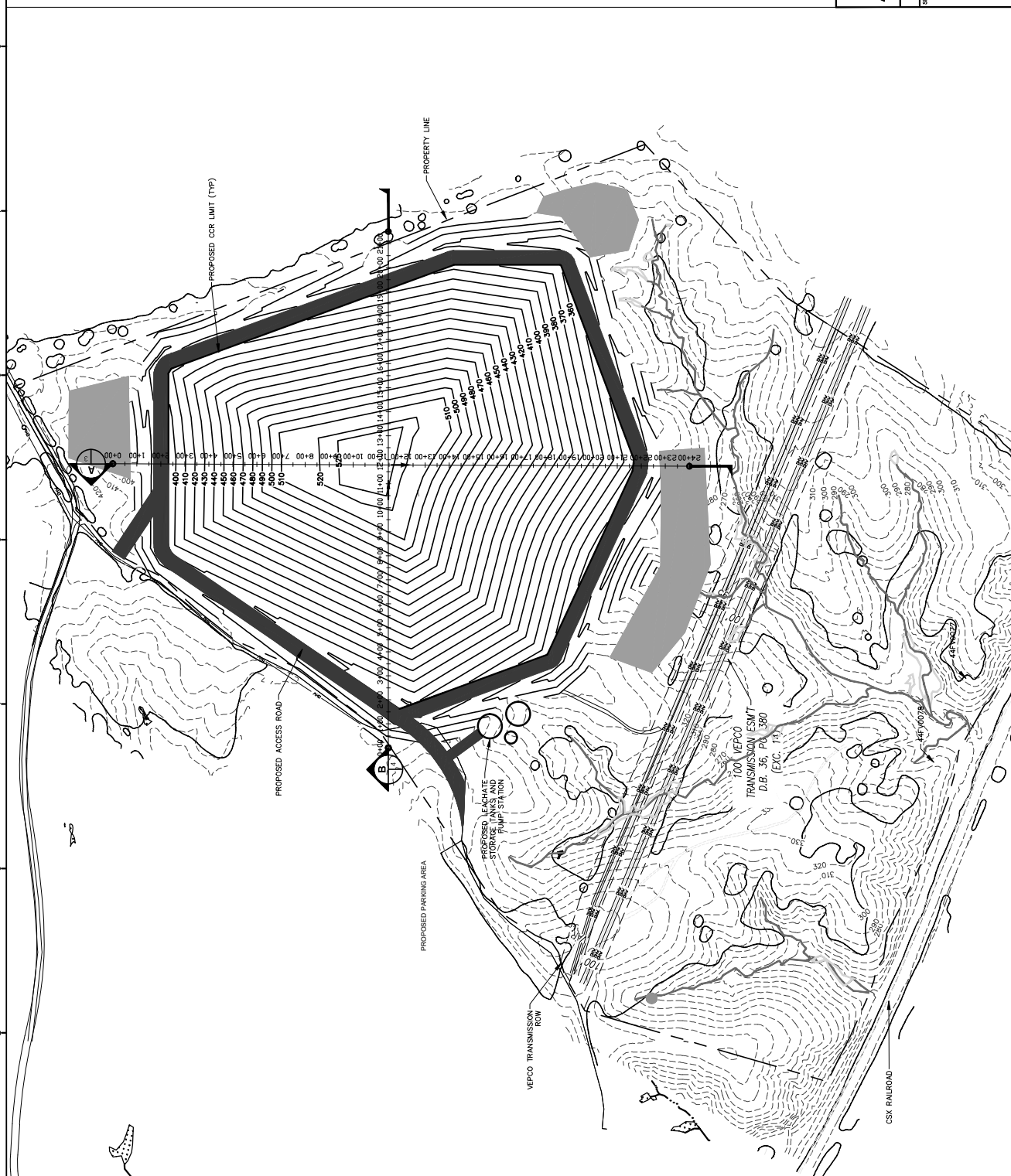
CONCEPTUAL AND CONFIDENTIAL

EXISTING CONDITIONS SITE PLAN

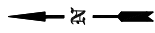


PROPOSED CCR LANDFILL, ALEXANDER PROPERTY

FOR	ISSUED FOR REVIEW
VA ENGINEERING LICENSE	
SEAL	
SCALE: NONE	DATE: 04/03/2020
DWG. TYPE: JWG	FILENAME: EXISTING CONDITIONS.DWG
DWG. NO: 00014283	DWG. SIZE: 11x17
DATE: 04/03/2020	REASON: A
001	



- WETLAND BOUNDARY
- STREAM
- TREELINE
- UNKNOWN NHP STATUS
- OLD FOUNDATIONS
- CONCEPTUAL LANDFILL FOOTPRINT
- PROPOSED ACCESS ROAD
- PROPERTY LINE



DRAFT

CONCEPTUAL AND CONFIDENTIAL



GENERAL SITE PLAN
PROPOSED DEVELOPMENT
PROPOSED CCR LANDFILL, ALEXANDER PROPERTY

FOR VA ENGINEERING LICENSE

SCALE: NONE
DWG TYPE: JWG
JOB NO: 00014293
DATE: 04/03/2020
FILE NAME: SITE PLAN.DWG
DWG SIZE: 112K
DRAWING NO: 002



ISSUED FOR REVIEW
REASON: A

Rezoning Application

Exhibit D

Deed Restrictions (Not Applicable)

Rezoning Application
Statement of Proffers

STATEMENT OF PROFFERS
Virginia Electric and Power Company
Bremo Power Station

March 31, 2021

Virginia Electric and Power Company (the “Applicant”) in this zoning case, pursuant to §15.2-2298 of the *Code of Virginia* (1950)(as amended) and the Fluvanna County Zoning Ordinance, for itself and its successors and/or assigns, voluntarily proffers that the development of the property known as Fluvanna County PIN Numbers 59-A-27 and 62-A-7 (the “Property”) under consideration will be developed according to the following conditions if the zoning to Industrial, Limited, District I-1 is granted.

1. USE RESTRICTIONS: The Property shall only be used for the following uses (which are otherwise permitted in the I-1 District):
 - A. Uses Permitted By-Right
 - i. Offices
 - ii. Contractor’s storage yards
 - iii. Lumberyards
 - iv. Machine shops
 - v. Manufacturing, light
 - vi. Solid waste collection facilities
 - vii. Utilities, minor
 - viii. Uses accessory to the above uses
 - B. Uses permitted by Special Use Permit only
 - i. Sanitary landfills
 - ii. Solid waste material recovery facilities
 - iii. Telecommunication facilities
 - iv. Utilities, major
 - v. Uses accessory to the above uses
2. WATER SUPPLY IMPROVEMENTS: To ensure the continued provision of a safe and reliable potable water source for residents and users in the Fork Union Sanitary District (“FUSD”), the Applicant shall pay the County an amount (the “Water Supply Payment”) to be used towards the construction of and connection to a new water intake from the James River to serve the FUSD, and related water treatment, storage and connection costs related to provision of potable water to the FUSD (collectively, the “Water Supply Improvements”).
 - A. The Water Supply Payment shall be calculated as either 1.) that portion of a new joint water system (the “Joint Water System”) to be developed pursuant to certain agreements with Louisa County, Virginia (“Louisa”) that is attributable to

providing water to the FUSD (the “Joint Water System Payment Option”) or 2.) the County’s cost to develop and operate a new water system constructed solely to serve the FUSD (the “FUSD System Option”), if the County and Louisa mutually agree to terminate the Joint Water System project. Regardless of whether the County chooses the Joint Water System Payment Option or the FUSD System Option, the Applicant’s obligation to make the Water Supply Payment shall not exceed \$47,148,330.00 (the “Dominion Cap”). The Dominion Cap includes \$35,361,247.00 for anticipated project costs in accordance with Schedule A and \$11,787,083.00 set aside for unanticipated project costs.¹ Unanticipated project costs shall be utilized only in the event that the amounts listed in Schedule A are insufficient to cover anticipated project costs.

- B. Applicant shall not be required to pay the FUSD System Option if the Joint Water System project is terminated as a result of any unilateral action by the County or an action otherwise within the County’s reasonable control (excluding any action(s) arising under Section 3.1.c of that certain “Agreement Between Louisa County, Virginia, Fluvanna County, Virginia, the Louisa County Water Authority, and the James River Water Authority Regarding the James River Water Pipeline” dated October 1, 2013, should Louisa fail to cure an asserted breach of such agreement by the County).
- C. If the Dominion Cap is met before the completion of the Water Supply Improvements, the remaining cost(s) that exceed the Dominion Cap shall be borne by the County (the “County Contribution”), however the County is under no obligation to complete any of the Water Supply Improvements if the Dominion Cap is exceeded. FUSD System Option payments may not be used to fund a Joint Water System Payment Option and vice versa, except that should the County’s chosen Water Supply Improvements option terminate (in accordance with the termination limitations set forth in Section 2.B. above), the County may use paid portions of the Water Supply Payment towards the remaining Water Supply Improvements option and the Applicant shall pay the remainder of the remaining option, up to the Dominion Cap for that option.

- 3. PUBLIC AMENITY/RECREATION AND GREEN INFRASTRUCTURE MITIGATION PAYMENT: The Applicant shall pay the County \$500,000 (the “Public Amenity Payment”) to construct park, recreation and/or green space area(s)(i.e., playground, baseball field, basketball court)(the “Public Amenities”) in a location or locations to be determined by the Board at its sole discretion.

- 4. TRANSPORTATION IMPROVEMENTS AND ROAD MAINTENANCE:

¹ The anticipated project costs identified on Schedule A for each component of the Water Supply Improvements are estimates. The amounts are not based on final engineering calculations and are not intended to reflect the budgeted or actual cost of each category of improvements. Budgeted and actual costs shall be identified and paid in accordance with Section 5 of these proffers.

- A. The Applicant shall submit a traffic management plan as part of the overall site development plan. The traffic management plan shall, at minimum, i.) address the location and use of construction entrances and access roads, ii) ensure that oversized deliveries are scheduled during off-peak times, and iii) ensure that access routes to and from the site are planned to minimize conflicts.
- B. The Applicant shall reimburse the Virginia Department of Transportation (“VDOT”) for such improvements and road maintenance to Bremono Road and West Bottom Road that are agreed to between the Applicant and VDOT related to the development and use of the Property, up to but not to exceed \$2 million dollars (the “Transportation Payment”).

5. PAYMENT AND PERMITTING CONTINGENCIES:

- A. Within a reasonable time prior to committing to the Water System Improvements option it will undertake, the County shall submit to Applicant an initial scope of work, schedule, and total budget for each phase of the Water Supply Improvements (each a “Project Budget” and collectively, the “Project Budgets”). Nothing herein shall prohibit the County from submitting Project Budgets that, in total, exceed the Dominion Cap, provided that the collective costs for the Water Supply Improvements that exceed the Dominion Cap shall be paid, if at all, pursuant to a County Contribution.
- B. Dominion will only reimburse the County for actual costs incurred and paid by the County for Water System Improvements under the following conditions:
 - i. Within sixty (60) calendar days of receipt of an approved Project Budget and proof of a contract or contracts for Water Supply Improvements, Applicant shall pay the County a construction advance in the amount of \$2,128,300.00 (the “Advance”).
 - ii. Following payment of the Advance, the County will provide Dominion with a monthly accounting (“Monthly Accounting”) of all invoices the County has paid, along with evidence of such payment by the County, for invoices the County has paid in satisfaction of work performed on the Water Supply Improvements that are in accordance with an approved Project Budget and contractual obligations related to the Water Supply Improvements. If the County has paid no invoices in any month, the County will submit documentation to Dominion of “no activity.” Dominion shall have the right to request evidence of the completion of work undertaken or payment of invoices for reimbursement before providing reimbursement to the County.
 - iii. Within sixty (60) days of Dominion’s receipt of invoices paid by the County, or if additional information is requested by Dominion, within thirty (30) days after receipt of that

information (whichever is longer), Dominion shall reimburse the County for actual costs incurred and paid by the County for Water System Improvements.

- iv. In the event the actual cost of the completed Water System Improvements to Fluvanna County is less than the Dominion Cap, the Dominion Cap shall be reduced to reflect actual costs, and Dominion's reimbursement shall be adjusted to reflect actual costs to the County.
- v. If the cost of Water System Improvements is offset by the James River Water Authority, Louisa County, or any other source, then that portion of any invoice shall be specifically identified in the Monthly Accounting and that portion of any invoice or payment is not subject to reimbursement under this agreement. Where state and/or federal funding sources become available to pay for all or a portion of the Water System Improvements, the Water Supply Payment shall be reduced up to any such amount unless i) the County reasonably applies for and is denied such funding or ii) the County obtains funding but reasonably uses such funds to pay for alternative improvements outside of the FUSD.

C. Other than reimbursing the County for the Water Supply Improvement in the manner described in this Section, the Applicant shall have no right or obligation to control, direct and/or participate in any aspect of the design, cost, or construction of the Water Supply Improvements, which authority shall remain within the Board's sole discretion, at all times.

D. Except for the Advance, Applicant's obligation(s) to pay i) the Water Supply Payment, ii) the Public Amenity Payment and iii) the Transportation Payment shall be contingent on Applicant's obtaining all local and state permits and any other applicable approvals required to construct a CCR Landfill on the Property as required by *Code of Virginia* §10.1-1402.03, and other applicable authorities. Notwithstanding any provision(s) herein to the contrary, the Applicant's obligation to make all or any unpaid portion of the Water Supply Payment shall terminate if construction of the Water Supply Improvements has not commenced by the time the Landfill begins accepting CCRs or is not completed within three (3) years after the Landfill is fully closed and covered.

6. USE OF LOCAL WORKFORCE: The Applicant shall work with its contractors to identify opportunities for utilizing, developing, and hiring local workers in accordance with *Code of Virginia* § 10.1-1402.03(F).

7. PERMITS: The Applicant shall acquire all necessary permits from all applicable regulatory bodies of the state and federal government and copies of such permits shall be provided to the County upon request. The Applicant shall prepare and maintain periodic

reports as required by the permits, and copies of such reports shall be provided to the County upon request.

OWNER

By: 

Brandon Stites

Vice President

Project Construction

Virginia Electric and Power Company d/b/a
Dominion Energy Virginia, a wholly owned
subsidiary of Dominion Energy Inc.

Schedule A

Raw Water Intake on the James River and Raw Waterline to Route 6

Detail	Costs
Construction and Support	
Raw Water Intake & Pump Station (1MGD)	\$3,000,000
12" Raw Waterline (2.75 miles)	\$2,750,000
Easement Acquisition	\$1,361,000
Environmental Costs	\$282,330
Cultural Resource Phase 1 Costs	\$255,000
Total	\$7,648,330

Raw Waterline on Rt. 6 & Water Treatment Plant/Pump Station on County-Owned Property

Detail	Costs
Raw Water Storage Tank and Pump Station (1MGD)	\$3,000,000
12" Raw Waterline (3.5 miles)	\$3,500,000
Water Treatment Plant & Pump Station	\$6,500,000
Onsite Lab & Chemical Storage Building	\$1,000,000
Easement Acquisition	\$1,400,000
Total	\$15,400,000

FUSD New Waterlines & Existing Waterline Upgrades within 1.5 miles of Bremo Coal Ash Boundary

Detail	Costs
New Finished Waterlines (4.8 miles)	\$4,800,000
Elevated Water Storage Tank (.5MGD)	\$2,500,000
Existing Waterline Upgrades (3.5 miles)	\$3,500,000
Easement Acquisition (10%) (EWST)	\$1,080,000
Total	\$11,880,000

Partial Engineering	\$432,917
Total	\$35,361,247

Section 2

Special Use Permit

Virginia Electric and Power Company

Bremo Power Station



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

Owner of Record: Virginia Electric and Power Company **Applicant of Record:** Brandon Stites

Address: 120 Tredegar St, Richmond, VA 23219 **Address:** 600 E. Canal St, Richmond, VA 23219

Phone: 804-921-4710 **Fax:** N/A **Phone:** 804-921-4710 **Fax:** N/A

Email: PG.Environmental@dominionenergy.com **Email:** brandon.stites@dominionenergy.com

Representative: Laura Zuranski

Address: 120 Tredegar St, Richmond, VA 23219

Phone: 804-512-1326 **Fax:** N/A

Email: PG.Environmental@dominionenergy.com

Tax Map and Parcel(s): 62-A-7, and 59-A-27

Acreage: 216 and 7.3 **Zoning:** A-1

Location of Parcel: See Attachment

Deed Book and Page: D.B.72, PG. 353, D.B. 308, PG

If any Deed Restrictions, please attach a copy

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:
N/A

Request for an SUP for the purpose of: See Attachment

*Ten copies of a sketch plan (8.5x11inches or 11x17inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledges that county employees will make regular inspections of the site.

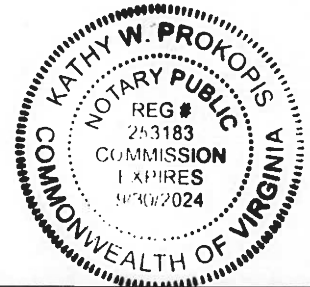
Date: 3/31/2021 Signature of Owner/Applicant: *Brandon Stites*

Subscribed and sworn to before me this 31 day of MARCH, 2021

Notary Public: *Kathy W. Prokopia* Register # 253183

My commission expires: SEPT. 30, 2024

Certification: Date: N/A



Office Use Only			
Date Received:	Pre-Application Meeting:	PH Sign Deposit Received:	Application #: SUP _____
\$800.00 fee plus mailing costs paid:		Mailing Costs: \$20.00 Adjacent Property Owner(APO) after 1st 15, Certified Mail	
Amendment of Condition: \$400.00 fee plus mailing costs paid:			
Telecommunications Tower fee plus mailing costs paid:		Telecom Consultant Review fee paid:	
Election District:	Planning Area:		
Public Hearings			
Planning Commission		Board of Supervisors	
Advertisement Dates:		Advertisement Dates:	
APO Notification:		APO Notification:	
Date of Hearing:		Date of Hearing:	
Decision:		Decision:	



Commonwealth of Virginia
County of Fluvanna
Public Hearing Sign Deposit

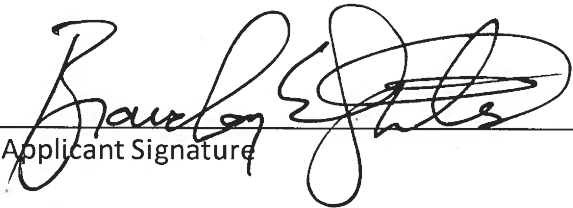
Name: Brandon Stites

Address: 600 E. Canal St

City: Richmond

State: VA Zip Code: 23219

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.


3/31/2021
 Applicant Signature Date

*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY	
Application #: BZA : CPA : SUP : ZMP : ZTA :	
\$90 deposit paid per sign*:	Approximate date to be returned:

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

See Attachment

NECESSITY OF USE: Describe the reason for the requested change.

See Attachment

PROTECTION OF ADJOINING PROPERTY: Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

See Attachment

ENHANCEMENT OF COUNTY: Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

See Attachment

PLAN: Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application.
Remarks:

See Attachment

Commonwealth of Virginia**County of Fluvanna****Special Use Permit Checklist**

The following information shall be submitted with the application and is to be provided by the applicant for the processing of the application:

Applicant must supply	Staff Checklist
Completed Special Use Permit signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application	
Ten (10) copies of a Site Plan for any expansion or new construction Include: <ul style="list-style-type: none"> • Plot plan or survey plat at an appropriate scale • Location and dimension of existing conditions and proposed development • <i>Commercial and Industrial Development</i>: parking, loading, signs, lighting, buffers and screening • Copy of the Tax Map showing the site (preferred) • General Location Map (preferred) 	
Supporting photographs are not required, but suggested for evidence	

All maps and plans submitted are to be either 8.5"x 11" or 11"x 17". One original of any size may be for staff use at the public hearing.

Staff Only	Staff Checklist
Preliminary review by planning staff for completeness and content:	
<ul style="list-style-type: none"> • Technical Review Committee review and comment • Determine all adjacent property owners • Placed as a Public Hearing on the next available agenda of the Planning Commission. 	
Notification of the scheduled Public Hearing to the following:	
<ul style="list-style-type: none"> • Applicant • All adjacent property owners • Local Newspaper advertisement 	
Staff Report to include, but not be limited to:	
<ul style="list-style-type: none"> • General information regarding the application • Any information concerning utilities or transportation • Consistency with good planning practices • Consistency with the comprehensive plan • Consistency with adjacent land use • Any detriments to the health, safety and welfare of the community. 	

The Special Use Permit application fee is made payable to the **County of Fluvanna**.

Meetings for the processing of the application

Applications must be submitted by the first working day of the month to have the process start that month. Applications received after the first working day will have the process start the following month.

Process:

1. Placed on next available Technical Review Committee Agenda.
2. Placed as a Public Hearing on the next available agenda of the Planning Commission the following month. Staff Report and Planning Commission recommendation forwarded to the Board.
3. Placed as a Public Hearing on the next available agenda of the Board of Supervisors (usually the same month as the Planning Commission).

Applicant or a representative must appear at the scheduled hearings.

The Technical Review Committee provides a professional critique of the application and plans. The Planning Commission may recommend to the Board of Supervisors: approval; approval subject to resubmittal or correction; or denial of the special use permit.

Board Actions

After considering all relevant information from the applicant and the public, the Board will deliberate on points addressed in the Staff Report.

The Board may approve; deny; or defer the request pending further consideration; or remand the case back to the Planning Commission for further consideration.

With **approval**, the development may proceed.

If **denied**, an appeal to the Courts may be prescribed by law

No similar request for a Special Use Permit for the same use at the same site may be made within one year after the denial.

**Special Use Permit Statement
Fluvanna County
Bremo Power Station CCR Landfill**

A. Purpose of Proposed Use

In order to satisfy state law requirements enacted by the Virginia General Assembly in 2019, Virginia Electric and Power Company d/b/a Dominion Energy Virginia (“VEPCO”) is seeking to construct a lined landfill (the “Landfill”) for the final disposition of coal combustion residuals (“CCRs”), on property located adjacent to the Bremo Power Station (the “Power Station”). The property where the proposed Landfill will be located is comprised of two (2) parcels identified as Tax Parcel Nos. 62-A-7 and 59-A-27 (collectively, the “Property”).

Parcel 62-A-7 is 216.6 acres and has no habitable or functional structures. It is bounded to the north by Bremo Road, to the east by a private parcel, to the south by the James River and to the west by Parcel 59-A-27. See Exhibits A and B. A CSX Transportation right-of-way is located along the southern boundary while a VEPCO transmission line right-of-way bisects the site in an east-west direction. The parcel is tree and scrub covered and has been recently logged but is not suitable for agricultural activities.

Parcel 59-A-27 is approximately 7.3 acres and is located to the west of adjacent Parcel 62-A-7. It is bounded to the north by Bremo Road, to the east and south by Parcel 62-A-7, and to the west by the Power Station. The parcel is heavily wooded, and an unoccupied mobile home is present on site. The parcel is not suitable for agricultural activities.

Both parcels are currently zoned A-1, Agricultural, and a rezoning of the Property to I-1, Limited Industrial and the approval of a special use permit (“SUP”) is required before the Landfill may be constructed. VEPCO has filed an accompanying rezoning application seeking a rezoning of the Property to I-1. The Landfill will be designed, constructed and operated in strict accordance with federal and state laws and regulations. The need for the Landfill and supporting information for the requested SUP is set forth in greater detail below.

B. Necessity of the Use

The Power Station began operating as a coal-fired plant in the County in 1931. The four power units at the Power Station burned coal until units 1 and 2 were retired in 1972. In 2014, units 3 and 4 were converted to gas and then retired in 2019. The CCRs that were produced as a by-product of energy generation at the Power Station have been processed and stored at the Power Station site. CCRs include various by-products from the burning of coal (commonly known as coal ash), some of which can be beneficially reused by binding the coal residuals/coal ash for use in wallboard, concrete, roofing materials, and bricks. The remaining CCRs are primarily inert materials similar in nature to fine, dark grey sand.

During the time that the Power Station burned coal for energy production, the CCRs were removed from the Power Station’s various burners, stacks, and other equipment and either sent off-site for reuse or stored in various impoundments on the Power Station site. Originally, these impoundments were scheduled to be closed in-place in accordance with the state and federal regulations and permits in existence and applicable at the time. However, in 2019, the General Assembly of Virginia enacted legislation that requires VEPCO to remove the CCRs from the existing CCR impoundments at the Power Station and deposit the CCRs into a lined landfill that meets federal and state regulatory requirements.¹

¹ See federal regulations at 40 C.F.R. § 257 et seq., and Commonwealth of Virginia regulations at 9VAC20-81-130.

In the County, landfills are only permitted in the I-1 district by SUP.² The approval of the SUP will allow VEPCO to deposit the CCRs into a lined landfill that meets federal and state regulatory requirements and/or recycled.³ Notably, while the Landfill will be subject to strict design requirements (like a municipal sanitary waste landfill) including the construction/installation of a liner, a cap, and a leachate collection system, impacts to the surrounding area resulting from materials disposal will be significantly less than a sanitary landfill. Instead of trucks hauling solid waste to the site, CCRs from the adjacent property will be transported to the Landfill via internal access roads, then deposited, compacted, and covered in a phased manner that will result in final closure in a shorter timeframe. Additionally, since VEPCO will be working with a known quantity of CCR materials, it can efficiently plan and manage the relocation of the material to the Landfill Property. VEPCO anticipates that it will take approximately 2 years to construct the Landfill, and 8 years to relocate the CCRs and close the Landfill in accordance with state and federal law. Once closed and covered, the Landfill area will be seeded or covered with synthetic turf.

C. Improvements

The Landfill is proposed on Parcel 62-A-7. The proposed Landfill will occupy approximately 65-acres on the north side of the existing transmission line. See Exhibit C. The Landfill will be sized to manage all of the CCRs excavated from the current impoundments and will not receive CCRs from any other location. The location limits of the Landfill are established by federal and state regulations.

Parcel 59-A-27 will be used as the construction lay-down yard (the “Construction Yard”) for the Landfill.

The anticipated scope of work for construction of the Landfill is generally as follows.

First, the proper erosion and sediment controls will be installed. Once the controls are installed and the proper Fluvanna County representative approves of controls installation, the ground will be cleared and graded and the stormwater retention ponds created. After the base elevations are established, the Landfill will be overlaid with a composite liner system and the leachate collection system will be installed. The CCRs will be hauled by truck from the existing impoundments on the adjacent property to the Landfill using on-site access roads. The Landfill will be filled, covered, and closed in phases based on the final design elevations. A final cover/cap will consist of a composite barrier system overlain by soil and native vegetation or an engineered composite barrier overlain by synthetic turf. Finally, once the cover system is in place, the site will resemble a natural grassy hill. (See Exhibit D)

A series of storage tanks will also be constructed on the Property to manage leachate collected from the Landfill. This leachate will be treated utilizing a future treatment facility located on Parcel 59-6-2. Paved parking for up to five vehicles will be provided at the storage tanks for maintenance and inspection purposes. (See Exhibit C.)

No permanent habitable structures are proposed. Temporary structures, including mobile office trailers may be installed as needed during construction and operation of the landfill. Any temporary structures will be removed once they are no longer needed. Internal access roads will be constructed on the parcels to facilitate construction, operation, closure, and post-closure care of the Landfill and the leachate storage tanks. Off-site access to the Landfill will be from Bremono Road. No public roads or

² Ordinance at Section 22-11-2.2. While the Ordinance lists “sanitary landfills” as the permitted use, this classification is defined as “a place for the disposal of solid wastes approved in accordance with the regulations of the [Virginia] Department of Environmental Quality (DEQ)”. While the Landfill is not a “sanitary landfill” as defined by DEQ regulations, it is a “sanitary landfill” for the purposes of the County’s Ordinance because it is a “place for the disposal of solid wastes approved in accordance with [DEQ] regulations...”

³ See Exhibit B, a tax map showing the VEPCO parcels with current and proposed uses.

sidewalks will be constructed and no public access will be provided to the Power Station, the Construction Yard, or the Landfill.

D. Protection of Adjoining Property

The location and limits of the proposed Landfill have been established to minimize visual impacts from neighboring properties, Bremono Road, and the James River. Because the Landfill will be north of the VEPCO transmission line, the minimum distance from the southern limit of the Landfill materials to the James River exceeds 2,000-feet. The proposed setbacks from adjacent parcels, roadways, and water bodies will meet or exceed the regulatory location criteria. (See Exhibit C.) Permanent exterior lighting will be provided at the leachate storage tanks, at access road entrances, and at other locations where required for maintenance or inspection. Such lighting will be downward facing.

E. Enhancement of County

The removal of CCRs from the Power Station site and their disposition in the Landfill is required and will be conducted in accordance with controlling federal and state laws. Once closed, the Landfill will be covered by soil and native vegetation or an engineered composite barrier overlain by synthetic turf. It will remain in open space and “preserved” from future development.

F. Consistency with Good Planning Practices, the Comprehensive Plan, and Adjacent Land Uses

As described above and more fully in the Rezoning application, the proposed zoning to I-1 and the use of the Property for a Landfill and related purposes is consistent with health, safety, welfare and good zoning practices. The proposed Landfill and Construction Yard will not be detrimental to the character and development of the adjacent area and will not change the character and the established pattern of the area or community in which it is located. The Landfill is compatible with by-right uses in the I-1 district and will not adversely affect the use and/or value of neighboring property. Draft Conditions that relate to the issuance of the SUP have been provided with this application.

Special Use Permit Application

Exhibit A

General Location Map

Document Path: C:\DATA\Dominion_Energy\BREMO\BREMO_REGIONAL_MAP.mxd



LEGEND
[Solid Line] Proposed Facility Boundary
[Dashed Line] 5 mile Buffer

AECOM

ALEXANDER PROPERTY
REGIONAL MAP

DRAWN BY: M.SMITH	REVIEWED BY: P.THIBODEAU	APPROVED BY:	REVISION NUMBER: REV. 0
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FIGURE

DATE: 4/29/2020	DEPT: DOMINION POWER - BREMO POWER STATION
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Data Source: National Geographic Society, AECOM

Special Use Permit Application

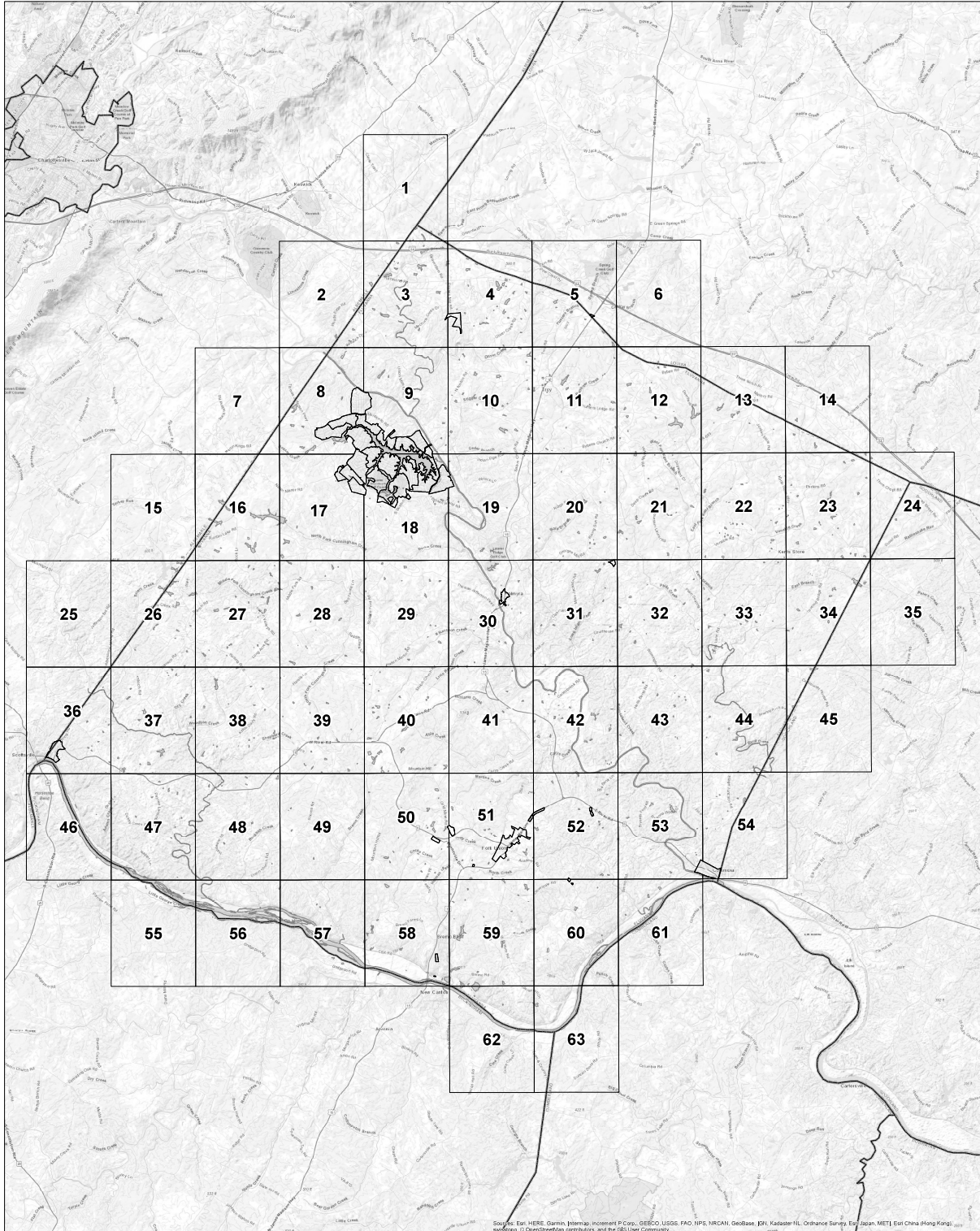
Exhibit B

Tax Map Index

Tax Maps 59

Tax Map 62

FLUVANNA COUNTY, VIRGINIA



INDEX MAP

0 12,000 24,000
Feet

Legend

- Waterbodies
- Tax Sheet Grid
- County Boundaries

1 inch = 7,000 feet

REVISION NOTES

Revised by Hurt & Proffitt, Inc. on: 3/3/2020
Data updated as of: 12/31/2019

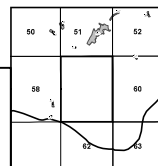


- SECTION 59

1 inch = 600 feet

REVISION NOTES

Revised by Hurt & Proffitt, Inc. on: 3/3/2020
Data updated as of: 12/31/2019



FLUVANNA COUNTY, VIRGINIA

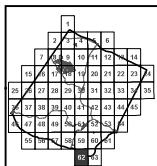


SECTION 62

0 1,000 2,000
Feet

1 inch = 600 feet

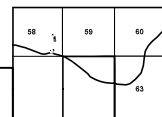
MAP LOCATION



Legend

- Roads
- - - Waterline
- Waterbodies
- County Boundaries
- Parcels
- Tax Sheet Grid

MATCHING SHEET



REVISION NOTES

Revised by Hurt & Proffitt, Inc. on: 3/3/2020
Data updated as of: 12/31/2019

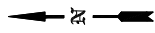
Special Use Permit Application

Exhibit C

Existing and Proposed Improvements



- WETLAND BOUNDARY
- STREAM
- TREELINE
- UNKNOWN NHRP STATUS
- OLD FOUNDATIONS
- PROPERTY LINE



DRAFT

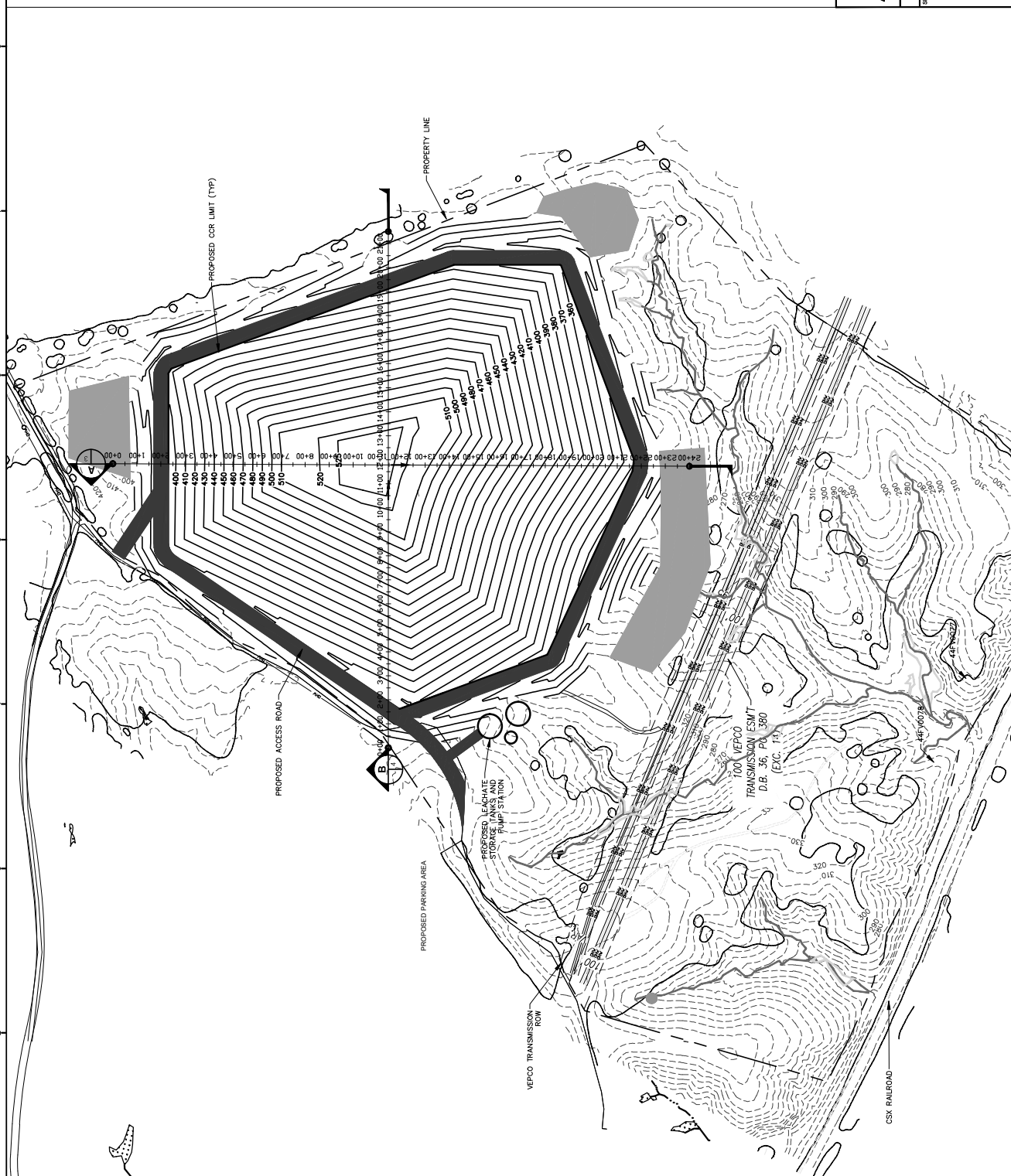
CONCEPTUAL AND CONFIDENTIAL

EXISTING CONDITIONS SITE PLAN

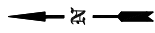


PROPOSED CCR LANDFILL, ALEXANDER PROPERTY

FOR	ISSUED FOR REVIEW
VA ENGINEERING LICENSE	
SEAL	
SCALE: NONE	DATE: 04/03/2020
DWG. TYPE: JWG	FILENAME: EXISTING CONDITIONS.DWG
DWG. NO: 00014283	DWG. SIZE: 11x17
DATE: 04/03/2020	REASON: A
001	



- WETLAND BOUNDARY
- STREAM
- TREELINE
- UNKNOWN NHP STATUS
- OLD FOUNDATIONS
- CONCEPTUAL LANDFILL FOOTPRINT
- PROPOSED ACCESS ROAD
- PROPERTY LINE



DRAFT

CONCEPTUAL AND CONFIDENTIAL



GENERAL SITE PLAN
PROPOSED DEVELOPMENT
PROPOSED CCR LANDFILL, ALEXANDER PROPERTY

FOR VA ENGINEERING LICENSE

SEAL



ISSUED FOR REVIEW

SCALE:	NONE	DATE:	04/03/2020
DWG. TYPE:	CDG	DWG. NO.:	00014293
DESIGNER:	SPH	ENGINEER:	SPH
FILE NAME:	SITE PLAN.DWG	DWG. SIZE:	11x17
REASON:			

002	A
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Special Use Permit Application

Exhibit D

Renderings

