

**07-31-2007**

A public meeting was held at Gunston Elementary School last Wednesday regarding the issue of the Harbor View wastewater treatment facility.

The Harbor View wastewater treatment facility is currently operated by Utilities Inc., a private company that recently announced it plans to discontinue its services and return its operating permit to Fairfax County by September 3, 2007.

The meeting was arranged by Mt. Vernon District Supervisor Gerry Hyland in order to determine the desire of the Harbor View residents for alternate sewer services for their community. Approximately 70 - 100 persons attended all or a portion of the meeting. Supervisor Hyland, his aide Tom Howard, Jimmy Jenkins and other county officials were in attendance.

Hyland presented several options; the utility could be sold to another company; a.) Harbor View could purchase the treatment facility; b.) Fairfax County could install a "Pump and Haul" system as in Gunston-Wiley; c.) Fairfax County could acquire the treatment facility; or d.) a sewer main could be extended to Harbor View from the Noman M. Cole, Jr., Pollution Control Plant.

Residents of Harbor View currently pay \$21 per month to Utilities Inc. for sewer service. Estimated cost to purchase the wastewater treatment facility and necessary repair and upgrade to meet current effluent discharge standards is \$2 million. If the facility was purchased by Fairfax County the cost of sewer service would rise to the county-wide rate of \$120 - 180 per month per household.

Hyland stated he is committed to maintain the current costs for sewer service to the residents. He said the pump and haul concept is not feasible since it is applicable mainly to communities served by septic systems. The other Supervisors apparently favor a pump and haul system. Harbor View residents are consistently opposed to the "Pump & Dump" concept which is the cheapest option for the County. A number of residents spoke against introduction of a public sewer main as it would promote unwanted development and urban sprawl into Mason Neck. Most agreed a public sewer line is not an option to be considered. Gerry stated he is well aware of the wishes of the community. He asked for residents to help informing the other nine Supervisors about the views of the community on this issue. Tom Howard (703) 780-7518 provided contact information for each of the other Supervisors.

A decision will be made in an executive session of the Board of Supervisors at the August 6th BOS meeting. This is not open to the public.

Best regards,

Joe Chudzik  
(703) 541-3123

08 -02-2007

**From:** Peter@Look.Net  
**Subject:** [MNCA] Letter of Support for Harbor View wastewater treatment service

**Date:** August 2, 2007 1:23:54 PM EDT

**To:** MNCA@ListServe.com

**Reply-To:** mnca@ListServe.com

***Mason Neck Citizens Association***

P.O. Box 612  
Mason Neck, VA 22199  
August 2, 2007

Chairman Gerry Connolly  
Fairfax County Board of Supervisors  
12000 Government Center Parkway  
Suite 530  
Fairfax, VA 22035

**RE: Harbor View Subdivision Wastewater Treatment System**

Dear Chairman Connolly:

The issue of how to provide wastewater treatment service to the Harbor View Subdivision will come up in Executive Session of the Board of Supervisor's on Monday, August 6, 2007. The Harbor View meeting held on July 25<sup>th</sup> raised several options for providing continuing wastewater treatment for the residents of HarborView.

Purported to be the least costly of these options, "Pump and Haul" would bring daily truck traffic into the neighborhood and likely an unfavorable impact on property values. Moreover, this option is as unacceptable as a sewer main extending from Harbor View to the Noman M. Cole, Jr., Pollution Control Plant. It is imperative that this community retain and preserve the unique and valuable and environmental and historical qualities.

Alternatively, if Fairfax County rescinds the significant subsidy involved in operating the local facility, homeowners would bear the burden of a very significant cost increase despite annual hikes in our property taxes.

The most favorable option to the Harbor View community is for the County to purchase, rehabilitate and operate the local sewer system with customers continuing to pay the same sewer rate as the rest of the customers in the county. There is a precedent for this since Fairfax County made a decision in 1979 to subsidize the local sewer system so that charges to the HarborView community would be no greater than charges to comparable customers on the Integrated County Sewer System.

The Mason Neck Citizens Association strongly supports the county purchasing, rehabilitating and operating the wastewater treatment system for the residents of Harbor View and encourages the Fairfax County Board of Supervisors to do the same.

Sincerely,

Bruce Scott, President  
Mason Neck Citizens Association

cc: Senator Toddy Puller  
Delegate Dave Albo

Supervisor Gerry Hyland, Mt. Vernon District

Supervisor Michael R. Frey, Sully District

Supervisor Penelope "Penny" A. Gross, Environmental Chairperson

Supervisor Sharon Bulova, Braddock District

Supervisor Linda Q. Smyth, Providence District

Supervisor Dana Kauffman, Lee District

Supervisor Catherine M. Hudgins, Hunter Mill District

Supervisor Elaine McConnell, Springfield District

Supervisor Joan DuBois, Dranesville District

**08-03-2007**

Repost and forwarding. Gerry Hyland and Jerry Connelly's email addresses are below.

-PJW

Dear neighbors,

This is an extremely important issue that requires your immediate action TODAY.

Harbor View residents were approached by the County several weeks ago with notice that the company maintaining and operating the wastewater treatment plant servicing their neighborhood (located near the Harbor View marina) was ending service effective September 2007. The County presented several options to residents to remedy the problem and the residents of Harbor View are supporting the option that allows the County to purchase, maintain, and operate their wastewater treatment plan (it is currently privately operated with a subsidy from the County).

The Board of Supervisors will vote and determine an approach for handling the issue in a closed meeting on Monday, August 6th -- this meeting is not open to the public.

It is also important that the County knows that the greater Mason Neck community supports Harbor View's desire to have their wastewater treatment plant purchased, maintained, and operated by the County and that we do not support extension of sewer lines from the Noman M. Cole, Jr., Pollution Control Plant onto Mason Neck.

Please take a moment to send an email TODAY to Supervisor Gerry Hyland ([gerald.hyland@fairfaxcounty.gov](mailto:gerald.hyland@fairfaxcounty.gov)) and Chairman Jerry Connelly ([chairman@fairfaxcounty.gov](mailto:chairman@fairfaxcounty.gov)) to voice your opinion and commitment to the preservation of Mason Neck.

We are all residents of Mason Neck and enjoy the special resources available on the Neck. It is all of our responsibility to ensure that we protect the environmental, historic, archeological, and natural resources for generations to come.

Thank you.

**08-05-2007**

FYI - My message to the BOS regarding the Harbor View waste water treatment facility.

Best regards,

Joe Chudzik  
(703) 541-3123

----- Original Message -----

**From:** [JOSEPH AMP FA Chudzik](#)

**To:** [Dana Kauffman](#) ; [Elaine McConnell](#) ; [Michael Frey](#) ; [Sharon Bulova](#) ;  
[Catherine Hudgins](#) ; [Penelope Gross](#) ; [Gerald Connolly](#) ; [Gerry Hyland](#)

**Cc:** [dranesville@co.fairfax.va.gov](mailto:dranesville@co.fairfax.va.gov) ; [provdist@co.fairfax.va.gov](mailto:provdist@co.fairfax.va.gov)

**Sent:** Sunday, August 05, 2007 6:31 PM

**Subject:** Harbor View Waste Water Treatment Facility

The Fairfax County Board of Supervisors should consider the strong opposition of the residents to introducing a public main sewer line into Mason Neck. The residents of Mason Neck wish to protect their community from unwanted development and urban sprawl. We understand that our only defense is the lack of a public sewer!

A pump and haul system is not the desired solution. Many residents of Harbor View that attended the meeting at Gunston Elementary School last Wednesday had voiced their opposition to a "pump and dump" system.. Supervisor Hyland was present and heard these comments "loud and clear".

I believe the best outcome would result in Fairfax County acquiring the Harbor View wastewater treatment facility from the current operator Utilities, Inc. and upgrading it to meet current effluent discharge standards.

I also believe this would be the most economically feasible solution in the long term and would serve to preserve the environmental and historic heritage resources of Mason Neck.

Best regards,

Joe Chudzik  
(703) 541-3123  
10916 Harley Road  
Mason Neck VA 22079

**08-06-2007**

Joe/Mary Jane

As President of MNCA, I am more than happy to respond to any Mason Neck resident on behalf of MNCA. It seems that Mary Jane is referring to an email you sent to her, thus I was unaware that she had an issue.

Mary Jane, thanks for your question.

I believe the MNCA Board has been very active on the issue of the Harbor View Waste Water Treatment Facility. When we learned of the planned meeting, Lucia Ferguson, MNCA Secretary, contacted the Harbor View Assn to ensure they were appropriately represented at the discussion. I will let her respond with specifically who was there.

In addition, on behalf of the MNCA, I faxed and mailed the attached letter to the ELEVEN elected officials so indicated on Thursday of last week.

For a completely volunteer association, I think we acted appropriately, quickly and with determined resolve.

Mary Jane, should you have any additional questions, please don't hesitate to contact me or the Board directly.

Bruce

**From:** JOSEPH AMP FA Chudzik [mailto:forsevice@verizon.net] **\_Sent:** Monday, August 06, 2007 7:11 PM **To:** the.lees@cox.net; Tamara Harvie; rhutson2@cox.net; Peter Weyland; Pam Cressey; Marvin Miller; Marilyn Hildebeidel; Kimberly Kern; John Pionzio; Jim York; Cindy Rufty; Scott, Bruce - DEFHQ; Lucia Ferguson **\_Cc:** Mary Jane Reyes **\_Subject:** Harbor View Waste Water Treatment Facility

Can someone at MNCA respond to the question raised by Mary Jane Reyes? Thanks.

Best regards,  
Joe Chudzik\_(703) 541-3123

----- Original Message -----

**From:** [WESI@aol.com](mailto:WESI@aol.com)

**To:** [forsevice@verizon.net](mailto:forsevice@verizon.net)

**Cc:** [squint1@cox.net](mailto:squint1@cox.net)

**Sent:** Monday, August 06, 2007 3:42 PM

**Subject:** Re: Harbor View Waste Water Treatment Facility

Joe,

Has the Mason Neck Citizens Ass. known about this before this weekend? If they did know about this then why didn't they notify the residents before now?

If they didn't know, why didn't they know?  
Strange.

Mary Jane

**08-06-2007**

-----Original Message-----

**From:** Howard, Thomas C. [<mailto:Thomas.Howard@fairfaxcounty.gov>]

**Sent:** Monday, August 06, 2007 4:40 PM

**To:** Lucia Ferguson

**Cc:** Kenney, Brett W

**Subject:** Update

At closed session today, the county has directed staff to continue negotiations with Colchester Inc. in order to buy the plant.

They made no other decisions about the plant, and directed staff to come back with an update on negotiations at the next meeting on September 10, 2007.

That is all the information I have for now.

Thanks,

Tom

Thomas Howard  
Staff Aide  
Gerry Hyland, Mount Vernon  
Fairfax County Board of Supervisors  
703-780-7518

08-07-2007

-----Original Message-----  
\_From: Chairman Email  
[mailto:chairman@fairfaxcounty.gov] \_Sent: Tuesday, August 07, 2007  
3:14 PM \_To: Jpolyc@aol.com \_Subject: RE: Harbor View Wastewater  
System

Dear Mr. Policastro,

Thank you for writing regarding sewage treatment for your neighborhood. The treatment plant is owned by Utilities, Inc., which has failed to maintain the sewage treatment system properly, resulting in several sewage backups and other problems. While the ideal solution would be purchase of the treatment system by the county, this is contingent upon Utilities Inc offering a fair price that recognizes future costs associated with remedying problems associated with negligent maintenance. Because county staff have not inspected the treatment facility itself, at this point it is not possible to determine precisely what a fair price would be, due to variables associated with repairs that may need to be made not only to the sewage lines but potentially to the treatment facility as well. Ultimately, my goal is to provide a level of service equal to that which citizens in the rest of the county receive, for a comparable price. While I believe that purchasing the plant and associated infrastructure would be the ideal solution, it is not possible to authorize that purchase at this point in time because of uncertainties about the state of the infrastructure and Utilities Inc.'s interest in selling. I will keep your comments in mind as we attempt to solve this problem. Thank you again for writing.

Sincerely,  
Gerald E. Connolly  
Chairman, Fairfax County Board of Supervisors

08-07-2007

-----Original Message-----  
\_From: Howard, Thomas C.  
[mailto:Thomas.Howard@fairfaxcounty.gov] \_Sent: Tuesday, August 07,  
2007 4:50 PM \_To: Lucia Ferguson \_Subject: FW: Update

Ms. Ferguson:

This is the email I have been sending out, slightly updated in regards to the information about yesterday meeting.

Tom  
Thomas Howard  
Staff Aide to  
Gerry Hyland  
Mount Vernon District Supervisor  
Fairfax County Board of Supervisors  
Direct Line: 703-619-4335

Thank you for your recent letter regarding the situation at Harbor view.

As you are aware there are a number of options that were presented by county staff at the July 25, 2007 meeting at Gunston Elementary School. These options included the county operating the plant, the county contracting out operations, or the set up of a pump and haul system to transport sewage to the Norman Cole facility.

*As of the August 6, 2007 Board Meeting, the county is still attempting to negotiate a reasonable price by which it can purchase the plant from the current owners, which include much needed repairs to the infrastructure. Most recently, staff has been instructed to continue negotiations with Colchester Inc, in hopes of reaching a mutually agreeable sales prices.*

At the July 25 meeting it was clear from those community members who were present that they did not support the pump and haul option. They believed it would be an undue burden on their community, congesting the streets and potentially presenting a safety hazard for pedestrians. It became apparent that most community members would like to see the county purchase and operate the plant, essentially retaining the status quo in regards to the impact on the community.

This office supports the will of the community in regards to the future of the Harbor view waster water facility. In order to help Gerry present this position to the other members of the Fairfax County Board of Supervisors he has requested that the community contact all members, especially the chairman. The e-mail you sent Gerry exemplifies the community input that helps make a strong case that the community-supported option involves the purchasing and operation of the plant – and that pump and haul is not suitable.

With your help, this office will do its very best to ensure the will of the community is heard and acted upon by the Board of Supervisors. Thank you and do not hesitate to contact me at 703-780-7518 or **Error! Hyperlink reference not valid..**

Thomas Howard  
Staff Aide  
Gerry Hyland, Mount Vernon  
Fairfax County Board of Supervisors  
703-780-7518

08-07-2007

**From:** George Arnold [mailto:GArnold@vigilant-services.com] **\_Sent:** Tuesday, August 07, 2007 10:13 AM **To:** NealeCosby@cox.net; DaveAlbo@aol.com **Cc:** Scott, Bruce - DEFHQ; poetic2@cox.net; kern\_kimberly@bah.com; m2atlaw@aol.com; Pamela.Cressey@alexandriava.gov; peter@look.net **Subject:** FW: Sewage treatment plant in Mason Neck

Members of the MNCA and Belmont Board.  
The attached information is provided by Dave Albo and our response.

Dave,  
Thanks for the information. Please keep digging. We appreciate the tips on how we might defend this action, and I guess, we need to see what "voluntary" legal resources we have available. Citizen's Association's rarely have a treasury for legal fights. If you know some legal resources we should be using, please let us know. Meanwhile, I'm sending a copy of your email to some of the members of the MNCA and BBCAI board so that we won't be duplication efforts. Obviously we need to start getting our other representatives involved as well. I will attempt to get a Belmont Board resolution approved by our board and off to Gerry Hyland today/tommorrow.

Thanks, and please keep us posted.

George Arnold  
President  
Belmont Bay Community Association, Inc.

**Subject:** Sewage treatment plant in Mason Neck

George, Neal and friends:\_\_\_Let the battle begin. We have BIG problems.\_\_\_I spoke with the Dept. of Environmental Quality. A permit for the sewage treatment plant has already been awarded unbeknownst to me, George or Neal (neighbors of this plant) or others in Mason Neck.\_\_\_A copy of the permit is being mailed to me. Here are my notes from my conversation with DEQ:\_\_\_GMU Foundation (Note it is the Foundation) has an existing permit granted in 2000 and reissued in Sept 2005 for a sewage treatment facility that has two tears of

discharge: \_\_1. Tier is 10,000 gallons. \_2. Tier is 250,000 gallons per day. \_\_The Tiers are for stages in development. The first Tier would be for the initial development and the second is for a second stage of development. \_\_The permit is for discharge into Kane's creek. \_\_The permit is up for re-issue in 2011. \_\_ (Note, my bet is that existing permits are very difficult to overturn since a land owner should be able to rely on a government action. As a lawyer, my initial bet is that the only way you overturn it is to find out if the original grant was done in accordance with the rules. You will most likely not be able to get a permit revoked based upon water quality issues, etc. Only to have it revoked for not having gone through the proper procedures. It seems to me that George and Neal and other adjacent land owners should have received notices in the mail. An advertisement for 2-4 weeks in a paper of general circulation was required for the permit. There are other direct notice requirements, that George and Neal may be able to hang their hat on. For example, I believe there are requirements to notify "riparian" owners, are supposed to be given notice.) \_\_All this is in a legal area in which I am not an expert on \_\_My thought would be that the only way to attack this would be to overturn it b/c improper notice was given. \_\_If the center is supported by any state funds, then DEQ has to do an environmental review. But if the Foundation builds this with private money, there will be no further review. \_\_I think that the next step is for the Mason Neck Citizens Association to meet and develop a game plan. We need to elicit the assistance of an environmental attorney to find out what our options are. \_\_The reason i am worried is that if this is done with all private money through the Foundation, then as your Delegate, I won't have any avenue to affect the development (e.g. cut off funds or put in language in the Appropriations Act limiting the sewage treatment facility to 10,000 gallons or barring discharge in Kane's creek.) \_\_George and Neal, I will take your lead on this. What do you want to do? \_\_Dave \_\_

**08-07-2007**

Dear Mr. Weyland,

Thank you for writing regarding sewage treatment for the Harbor View neighborhood. The treatment plant is owned by Utilities, Inc., which has failed to maintain the sewage treatment system properly, resulting in several sewage backups and other problems. Utilities Inc. has chosen to petition the State Corporation Commission to raise the sewage rates, precluding the County from maintaining the old system of rate subsidies. While the ideal solution would be purchase of the treatment system by the county, this is contingent upon Utilities Inc offering a fair price that recognizes future costs associated with remedying problems associated with negligent maintenance. Because county staff have not inspected the treatment facility itself, at this point it is not possible to determine precisely what a fair price would be, due to variables associated with repairs that may need to be made not only to the sewage lines but potentially to the treatment facility as well. Ultimately, my goal is to provide a level of service equal to that which citizens in the rest of the county receive, for a comparable price. While I believe that purchasing the plant and associated infrastructure would be the ideal solution, it is not possible to authorize that purchase at this point in time because of uncertainties about the state of the infrastructure and Utilities Inc.'s interest in selling. I will keep your comments in mind as we attempt to solve this problem. Thank you again for writing.

Sincerely,

Gerald E. Connolly

Chairman

Fairfax County Board of Supervisors

**From:** Peter Weyland [mailto:Peter@Look.Net]

**Sent:** Friday, August 03, 2007 4:06 PM **To:** Chairman Email

**Subject:** Support Harbor View and Mason Neck

Dear Mr. Connelly:

Please support Harbor View and Mason Neck's wishes. The greater Mason Neck community supports Harbor View's desire to have their wastewater treatment plant purchased, maintained, and operated by the County and that we do not support extension of sewer lines from the Noman M. Cole, Jr., Pollution Control Plant onto Mason Neck.

We wish to ensure that we protect the environmental, historic, archeological, and natural resources of Mason Neck for generations to come.

Thank you.

08-07-2007

**From:** aqua7@cox.net  
**Subject: RE: [MNCABoard] RE: Harbor View Waste Water Treatment Facility**  
**Date:** August 7, 2007 9:10:31 PM EDT  
**To:** mncaboard@ListServe.com, forservice@verizon.net,  
**Reply-To:** [mncaboard@ListServe.com](mailto:mncaboard@ListServe.com)

Hi Mary Jane,

I live in HarborView and Gerry Hyland asked if I would organize a neighborhood meeting to present the options concerning our wastewater treatment system. His request came the last week of June.

Approximately 70 residents plus a few MNCA Board members attended the meeting, held on July 25. Also represented was the South County Federation.

Subsequent to the meeting, the residents of HarborView decided to embark on a letter/email campaign to the Board of Supervisors to voice our opposition to the proposed "pump and haul" option and our support of the county purchasing and maintaining our wastewater treatment facility. HarborView is a small community of 168 homes. Therefore, we asked the MNCA Board to send a letter supporting our position to each member of the Board of Supervisors and both state representatives, which they did. The residents are grateful for the support of the MNCA Board.

The deadline for all letters, emails and faxes was August 6, the date the Board of Supervisors held their meeting.

I do not know if my reply answers your question, but I hope it helps in some way. If you have other questions pertaining to HarborView, please do not hesitate to contact me. My email is [aqua7@cox.net](mailto:aqua7@cox.net)

Sincerely,

Lucia