# CITY OF FALLS CHURCH, VIRGINIA

# UPDATED POLYCHLORINATED BIPHENYL (PCB) TOTAL MAXIMUM DAILY LOAD (TMDL) ACTION PLAN

*In compliance with General Permit for Discharges of Stormwater from Small Municipal Storm Sewer Systems*

*Registration Number VAR040065*

City of Falls Church

Department of Public Works

300 Park Avenue, Falls Church, VA 22046

www.fallschurchva.gov


Updated: 05/02/2020

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Attachment 2. City of Falls Church, VA, PCB Employee Training Module

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## Acronyms

| | |
|---|---|
| BMP | Best Management Practice |
| DEQ | Virginia Department of Environmental Quality |
| EPA | United States Environmental Protection Agency |
| g | Gram (system of measurement for a unit of mass or weight) |
| IDDE | Illicit Discharge Detection and Elimination |
| MS4 | Municipal Separate Storm Sewer System |
| PCB | Polychlorinated Biphenyl |
| TMDL | Total Maximum Daily Load |
| VDEM | Virginia Department of Emergency Management |
| VPDES | Virginia Pollutant Discharge Elimination System |
| VSMP | Virginia Stormwater Management Program |

## Updated PCB TMDL Action Plan Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name _____ Signature _____

Title _____ Date _____

# 1.0 Introduction

As an operator of an MS4 regulated under the General VPDES Permit for Stormwater Discharges from Small MS4s (MS4 General Permit), the City of Falls Church (Registration Number VAR040065) developed a PCB TMDL Action Plan (Attachment 1) to address the following TMDL:

- "Total Maximum Daily Loads of Polychlorinated Biphenyls (PCBs) for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia"

On November 1, 2018, DEQ authorized City coverage under the reissued MS4 General Permit. The reissued MS4 General Permit requires that the City update its PCB TMDL Action Plan to meet the amended MS4 General Permit conditions contained within 18-months of the renewed permit's effective date (by May 1, 2020) and develop an implementation schedule through October 30, 2023. As required by the MS4 General Permit, the following information is contained in Table 1 for the applicable approved TMDL:

- The TMDL project name;
- The EPA approval date of the TMDL;
- The wasteload allocated to the City of Falls Church; and
- The corresponding percent reduction.

**Table 1. City of Falls PCB TMDLs Addressed in the Updated PCB TMDL Action Plan**

| TMDL Project Name | | Total Maximum Daily Loads of Polychlorinated Biphenyls (PCBs) for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia |
|---|---|---|
| **EPA Approval Date** | | 10/31/2007 |
| **Pollutant of Concern** | | PCBs |
| **Contributing Sources** | Non-Tidal Potomac River at Chain Bridge | -- |
| | Lower Basin Tributaries | ✓ |
| | Direct Drainage | -- |
| | Wastewater Treatment Plants | -- |
| | Combined Sewer Overflows | -- |
| | Atmospheric Deposition to Surface Water | -- |
| | Contaminated Sites | -- |
| **Type of Wasteload Allocation** | Aggregate | -- |
| | Individual | ✓ |
| **Tributary Name** | | Four Mile Run, Lower Potomac |
| **PCB WLA** | | 0.293 g/year |
| **Percent Reduction** | | 95.2% |

As part of the development of the original PCB TMDL Action Plan (dated June 21, 2016), the City did not identify any City properties or facilities as significant sources of PCBs.

## 2.0 PCB TMDL Action Plan Strategy Evaluation

The MS4 General Permit provides for the phased implementation of TMDL action plans over more than one permit cycle using the adaptive, iterative approach. Utilization of this approach allows the City to evaluate implemented strategies in order to supplement, eliminate or modify their implementation in order to most effectively reduce PBCs associated with MS4 discharges. As part of the required PCB TMDL Action Plan update, the City conducted a comprehensive evaluation of each of the individual strategies provided in the original June 21, 2016 submission and developed recommendations as to how to implement each strategy through October 31, 2023. Recommendations considered were as follows:

- Retain – Retain the strategy in the updated Bacteria TMDL Action Plan as proposed and implemented;
- Eliminate – Eliminate the strategy from continued implementation in the updated Bacteria TMDL Action Plan;
- Modify – Significantly modify how the strategy is implemented in the updated Bacteria TMDL Action Plan; or
- Reclassify – Reclassify the strategy as a co-beneficial strategy in the updated Bacteria TMDL Action Plan. Co-beneficial strategies are those efforts implemented by the City as part of its overall stormwater strategies and not specifically for the reduction of bacteria. Reclassified strategies continue to be implemented and progress will be documented in accordance with the MS4 Program Plan and not the updated Bacteria TMDL Action Plan.

Tables 2 through 4 provide a summary of evaluation results for each strategy included in the 2016 PCB TMDL Action Plan.

**Table 2. Evaluation Summary of PCB TMDL Strategy - Update of the IDDE Manual**

| Intended Source Control | Illicit Discharge |
|---|---|
| Description | The City proposed to update the IDDE Manual to include methods to identify and eliminate sources of PCBs discharged into the MS4. |
| Evaluation | The IDDE Manual has not been updated to include a section on PCBs. The TMDL Action Plan references employee awareness, improper disposal of solid waste and demolition debris and emergency response coordination as the primary points of concern to best control PCB contribution. Updating the IDDE manual to include a section on PCBs does not appear to be necessary or effective in order to address these points of concern. |
| Recommendation(s) | Eliminate. Eliminate the updated IDDE manual from the updated PCB TMDL Action Plan. The strategy should be replaced with more effective and direct means of addressing the points of concern. |

**Table 3. Evaluation Summary of PCB TMDL Strategy – Enhanced Education Training and Outreach**

| Intended Source Control | Illicit Discharge |
|---|---|
| Description | Enhancements to public education, outreach, and employee training programs to also promote methods to eliminate and reduce discharges of PCBs for which a pollutant load has been assigned. |
| Evaluation | The City developed and incorporated a Microsoft PowerPoint PCB Training Module (Attachment 2) into its biennial employee training. The PCB Training Module addresses both the employee awareness and the emergency response coordination points of concern identified in the PCB TMDL Action Plan. Additionally, the IDDE SOP includes generic hazardous response procedures. |
| Recommendation(s) | Retain. Retain the Enhanced Education Training and Outreach strategy outlined in the PCB TMDL Action Plan. The PPT presentation should be reviewed and updated to more succinctly address the identified points of concern. |

**Table 4. Evaluation Summary of PCB TMDL Strategy – Emergency Spill Response Training**

| Intended Source Control | Illicit Discharge |
|---|---|
| Description | The City should ensure that staff responsible for emergency response, including response for spills or materials that may contain PCBs, be educated and trained to most effectively eliminate and reduce discharges of PCBs. |
| Evaluation | The City contracts with Arlington County to provide fire and emergency services to the City (Attachment 3). The Arlington County Fire Department provides emergency response of trained professionals 24-hours/day, 7-day/week response to emergency situations including chemical and petroleum spills and leaks. Fire Department personnel receive specific training on hazardous waste materials and awareness and operations including spill response. Arlington Fire Department's emergency response personnel are trained and certified during recruit school to the VA State Hazardous Materials Operations Level. Fire Department Hazardous Materials Technicians and Specialists are required to maintain VDEM certification. Additional City training specific to PCBs is unnecessary and may even result in contractual issues with the County. |
| Recommendation(s) | Eliminate. Eliminate the Emergency Response Training Strategy from the updated PCB TMDL Action Plan. By contracting with Arlington County, the City is assured of professional emergency response personnel training in properly addressing spills, releases, and leaks involving PCBs. Services relating to spills or materials cleanup that may contain PCBs. |

## 3.0 Updated PCB TMDL Action Plan and Implementation Schedule[1]

Consistent with the adaptive iterative approach for TMDL action plan implementation described in the MS4 General Permit, the City has updated its PCB TMDL Action Plan and associated implementation schedule to include the strategies aimed at reducing the PCB loads in stormwater runoff by addressing the previously identified points of concern - employee awareness, improper disposal of solid waste and demolition debris and emergency response coordination. The City will retain implementation of its Enhanced Education Training and Outreach strategy in accordance with the implementation schedule included in Table 5.

**Table 5. Implementation Schedule Through October 31, 20203 for Enhanced Education Training and Outreach Strategy**

| Implementation Schedule | Completion Date | | | |
|---|---|---|---|---|
| | 10/31/2020 | 10/31/2021 | 10/31/2022 | 10/31/2023 |
| The City will review and update, as necessary, the existing Microsoft PowerPoint PCB Training Module. | ✓ | -- | -- | -- |
| The City will utilize the updated PCB Training Module to supplement the biennial employee training as described in the MS4 Program Plan, BMP 6F. | -- | ✓ | ✓ | ✓ |

The updated PCB TMDL Action Plan also includes the following two (2) new strategies:

- Solid Waste and Demolition Debris Management

  The City requires review and approval of plans prior to the demolition of existing structures. The specific level of review and permit type are based on various factors including land-use, demolition size and intended future use. Dust and debris control are required regardless of the demolition-type. For the demolition of single-family residential structures that result in a total land disturbance greater than 2,500 ft2, a grading plan must also be developed and implemented. As a VSMP authority, the City is required to ensure that specific TMDL requirements contained in the General VPDES Permit for Discharges of Stormwater from Construction Activities have been integrated into the construction SWPPP and are implemented as described. TMDL requirements for PCBs these requirements are effective if the regulated construction activity also results in the demolition of any structure with at least 10,000 ft2 of floor space built or renovated before January 1, 1980.

  The City will build upon the existing administrative infrastructure to increase the development community's awareness of potential PCB sources associated with their activities, how to best control potential PCB releases and the regulatory requirements resulting from the PCB TMDL. In addition, the City will place greater emphasis on ensuring proper solid waste management and demolition debris disposal through VSMP implementation.

[1] The strategies and associated schedules contained in the updated PCB TMDL Action Plan are subject to modification based on both the short-term and long-term impacts to City resource availability as a result of the COVID-19 pandemic.

The Solid Waste and Demolition Debris Management Strategy details and the associated implementation schedule are outlined in Table 6.

**Table 6. Implementation Schedule Through October 31, 2023, for Identification of Additional Medium and Priority Sites**

| Implementation Schedule | Completion Date | | | |
|---|---|---|---|---|
| | 10/31/2020 | 10/31/2021 | 10/31/2022 | 10/31/2023 |
| The City will continue to require City approval prior to the demolition of existing structures as per Section 15-21 of the City Code of Ordinances. | ✓ | ✓ | ✓ | ✓ |
| The City will continue to review SWPPPs for integration and implementation of TMDL requirements including PCBs in the Four Mile Run watershed. | ✓ | ✓ | ✓ | ✓ |
| The City will develop an informational handout aimed at the development community regarding PCBs and place it on the City's license and permits webpage with existing information for the development community. | ✓ | -- | -- | -- |
| The City will retain the informational handout aimed at the development community regarding PCBs on the license and permits webpage with existing City information for the development community. | -- | ✓ | ✓ | ✓ |
| The City will develop an internal guidance document and distribute it to City VSMP inspectors to inform them of the specific PCB TMDL requirements associated with the CGP. | ✓ | -- | -- | -- |

- Emergency Spill Response and Coordination

  The City's current mechanism for delivery of emergency services ensures the response of professionals trained in hazardous materials response and coordination. The continued implementation of this mechanism of delivery will continue to provide for access to emergency spill response and cleanup of potential PCB releases. Concurrently, the City will notify DEQ in writing within thirty (30) days of discovery of any previously unidentified significant sources of PCBs.

  The Emergency Spill Response and Coordination Strategy details and the associated implementation schedule are outlined in Table 7.

**Table 7. Implementation Schedule Through October 31, 20203 for Emergency Spill Response Strategy**

| Implementation Schedule | Completion Date | | | |
|---|---|---|---|---|
| | 10/31/2020 | 10/31/2021 | 10/31/2022 | 10/31/2023 |
| The City will continue to ensure the coordinated response of properly trained emergency personnel to potential PCB spills and releases. | ✓ | ✓ | ✓ | ✓ |
| The City will notify DEQ in writing within 30-days of discovery of any previously unidentified significant sources of PCBs. | ✓ | ✓ | ✓ | ✓ |

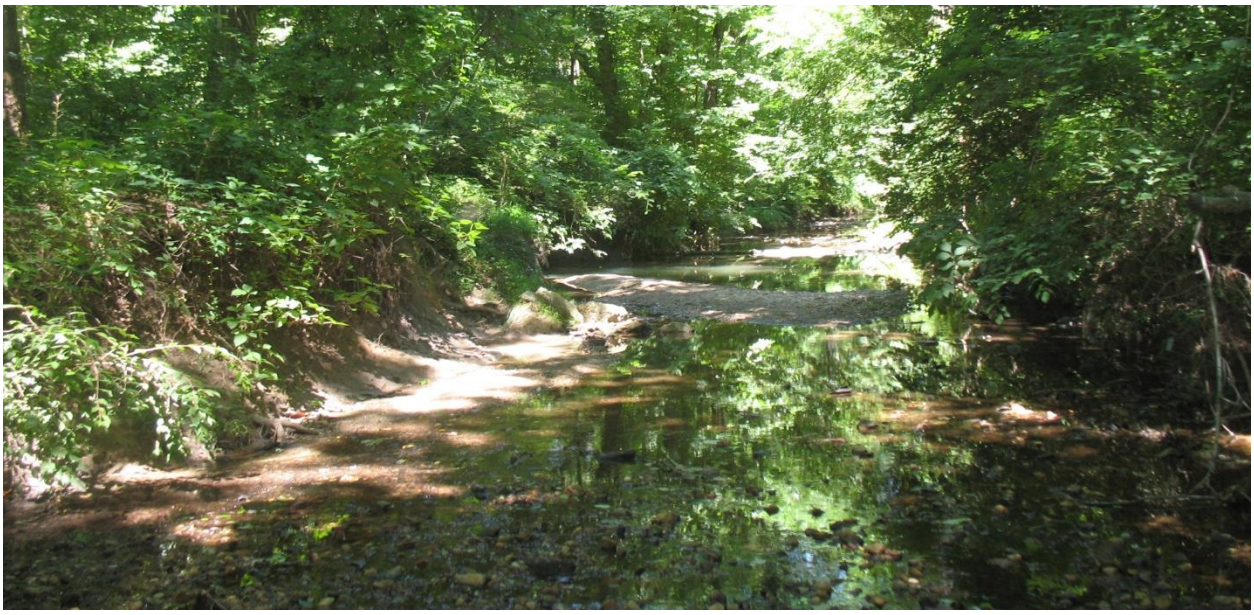
**Attachment 1**

**City of Falls Church, VA, Polychlorinated Biphenyl (PCB) TMDL Action Plan, June 21, 2016**

CITY OF FALLS CHURCH, VIRGINIA

# Polychlorinated Biphenyl (PCB) TMDL Action Plan for Four Mile Run

In compliance with General Permit for Discharges of Stormwater from Small Municipal Storm Sewer Systems VAR040065



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**DEQ Submittal – June 21, 2016**

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# CERTIFICATION

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

| Name | Title | Date |
|---|---|---|
| [illegible] | Civil Engineer | 6/27/16 |

# City of Falls Church, Virginia
## Polychlorinated Biphenyl (PCB) TMDL Action Plan for Four Mile Run

June 21, 2016

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# City of Falls Church, Virginia
# Polychlorinated Biphenyl (PCB) TMDL Action Plan for Four Mile Run

June 21, 2016

## 1. Introduction

### 1.1 Purpose

Polychlorinated Biphenyls (PCBs) are considered a legacy pollutant and were used as a coolant and as an insulator, particularly in transformers, hydraulic equipment, and electrical equipment. According to the U.S Environmental Protection Agency (U.S. EPA), PCBs "have been shown to cause cancer in animals as well as a number of serious non-cancer health effects, including: effects on the immune system, reproductive system, nervous system, endocrine system and other health effects."[1] The manufacture of PCBs was banned in 1979; however, PCBs are persistent in the environment and do not readily biodegrade under normal conditions. PCBs may still be released by illegal or improper dumping of PCB-containing wastes or leaks from legacy electrical transformers or other equipment containing PCBs.

The City's Municipal Separate Storm Sewer System (MS4) permit (VAR040065) requires the development of action plans for impaired streams where a Total Maximum Daily Load (TMDL) approved by the State Water Control Board[2] assigns a Waste Load Allocation (WLA) to the City. A TMDL establishes the maximum amount of a pollutant that can enter a water body without violating water quality standards.

The City is subject to the "Total Maximum Daily Loads of Polychlorinated Biphenyls (PCBs) for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia" (PCB TMDL). The PCB TMDL was developed by the U.S. EPA in 2007 and approved by the State Water Control Board on April 11, 2008. It establishes WLAs for direct drainage watershed segments. In Falls Church, this includes the area of the City that drains to Four Mile Run. Table 12 of the PCB TMDL provides a baseline load of 6.16 g/year and a WLA of 0.293 g/year for the regulated MS4 area of the City. This translates to a target reduction of 95.2%. An action plan is not required for areas of the City outside of the Four Mile Run watershed.

### 1.2 Permit Compliance Crosswalk

DEQ published draft guidance in April 2015 for MS4s to use in the development of TMDL action plans. Table 1A provides an overview of the organization of this plan and how each section addresses the City's MS4 permit and the draft guidance.

[1] https://www.epa.gov/pcbs/learn-about-polychlorinated-biphenyls-pcbs#healtheffects
[2] MS4 permit Section I, Part B "Special condition for approved TMDLs other than the Chesapeake Bay TMDL."

***Table 1A – Action Plan and Permit Compliance Crosswalk***

| Action Plan | Action Plan Element | DEQ Action Plan Guidance | MS4 Permit |
|---|---|---|---|
| Section 1 | Introduction | 1. The name(s) of the Final TMDL report(s). | Section I.B |
| | | 2. The pollutant(s) causing the impairment(s). | Section I.B.2.a |
| | | 3. The WLA(s) assigned to the MS4 as aggregate or individual WLAs. | Section I.B.2.b |
| Section 2 | Evaluation of Significant Sources of PCBs | 4. Significant sources of POC(s) from facilities of concern owned or operated by the MS4 operator that are not covered under a separate VPDES permit. A significant source of pollutant(s) from a facility of concern means a discharge where the expected pollutant loading is greater than the average pollutant loading for the land use identified in the TMDL; | Section I.B.2.d |
| Section 3 | Current Program and Legal Authority | 5. Existing or new management practices, control techniques, and system design and engineering methods that have been or will be implemented as part of the MS4 Program Plan that are applicable to reducing the pollutant identified in the WLA; | Section I.B.2.b |
| | | 6. Legal authorities such as ordinances, state and other permits, orders, specific contract language, and inter-jurisdictional agreements applicable to reducing the POCs identified in each respective TMDL; | Section I.B.2.a |
| Section 4 | Enhanced Education, Outreach, and Training | 7. Enhancements to public education, outreach, and employee training programs to also promote methods to eliminate and reduce discharges of the POC(s) for which a WLA has been assigned; | Section I.B.2.c |
| Section 5 | Schedule and Milestones | 8. A schedule of interim milestones and implementation of the items in 5, 6, and 7; | Section I.B.2.e |
| Section 6 | Assessment of Effectiveness | 9. Methods to assess TMDL Action Plans for their effectiveness in reducing the pollutants identified in the WLAs; and | Section I.B.2.e |
| | | 10. Measurable goals and the metrics that the permittee and Department will use to track those goals (and the milestones required by the permit). Evaluation metrics other than monitoring may be used to determine compliance with the TMDL(s). | Section I.B.2.e |

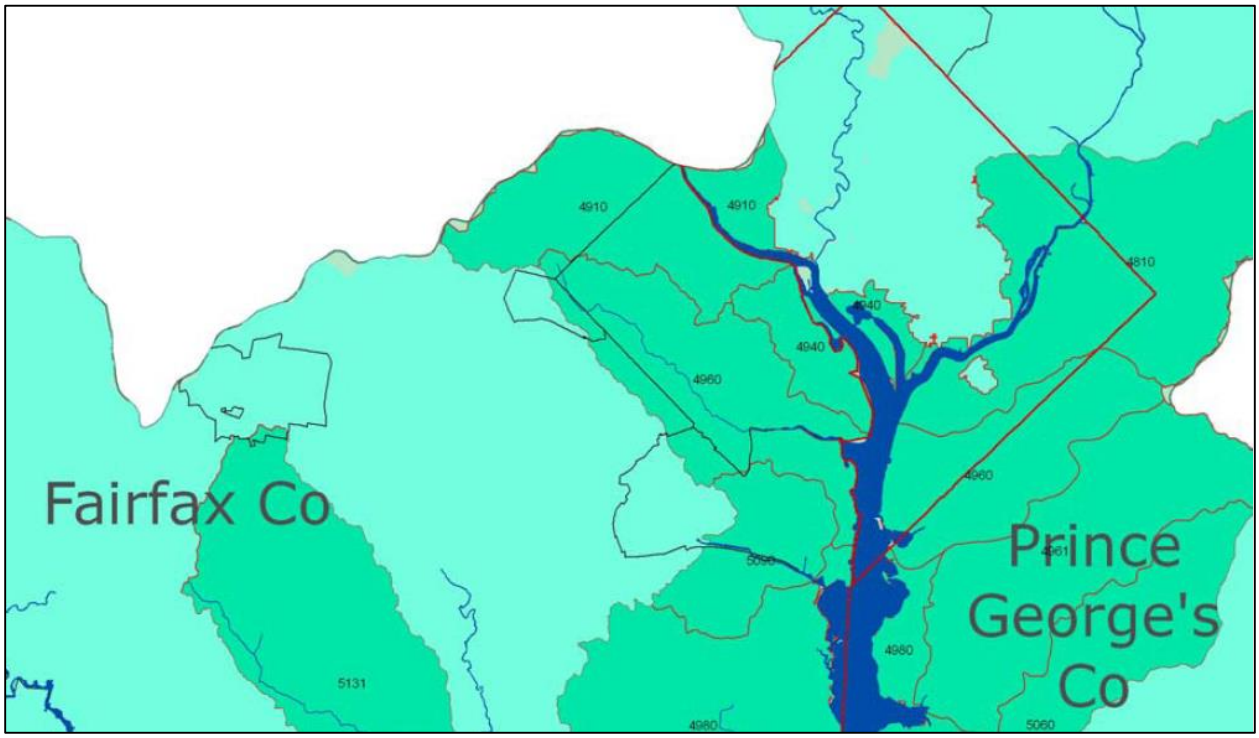
## 2. Evaluation of Significant Sources of PCBs

The purpose of this section is to identify any facilities and activities that are likely to constitute a significant source of PCBs to surface waters so that specific actions can be developed, if necessary, to reduce and eliminated those sources. As provided in the MS4 permit, a significant source is defined as "a discharge where the expected pollutant loading is greater than the average pollutant loading for the land use identified in the TMDL."

### 2.1 Identification of Areas Subject to the PCB TMDL

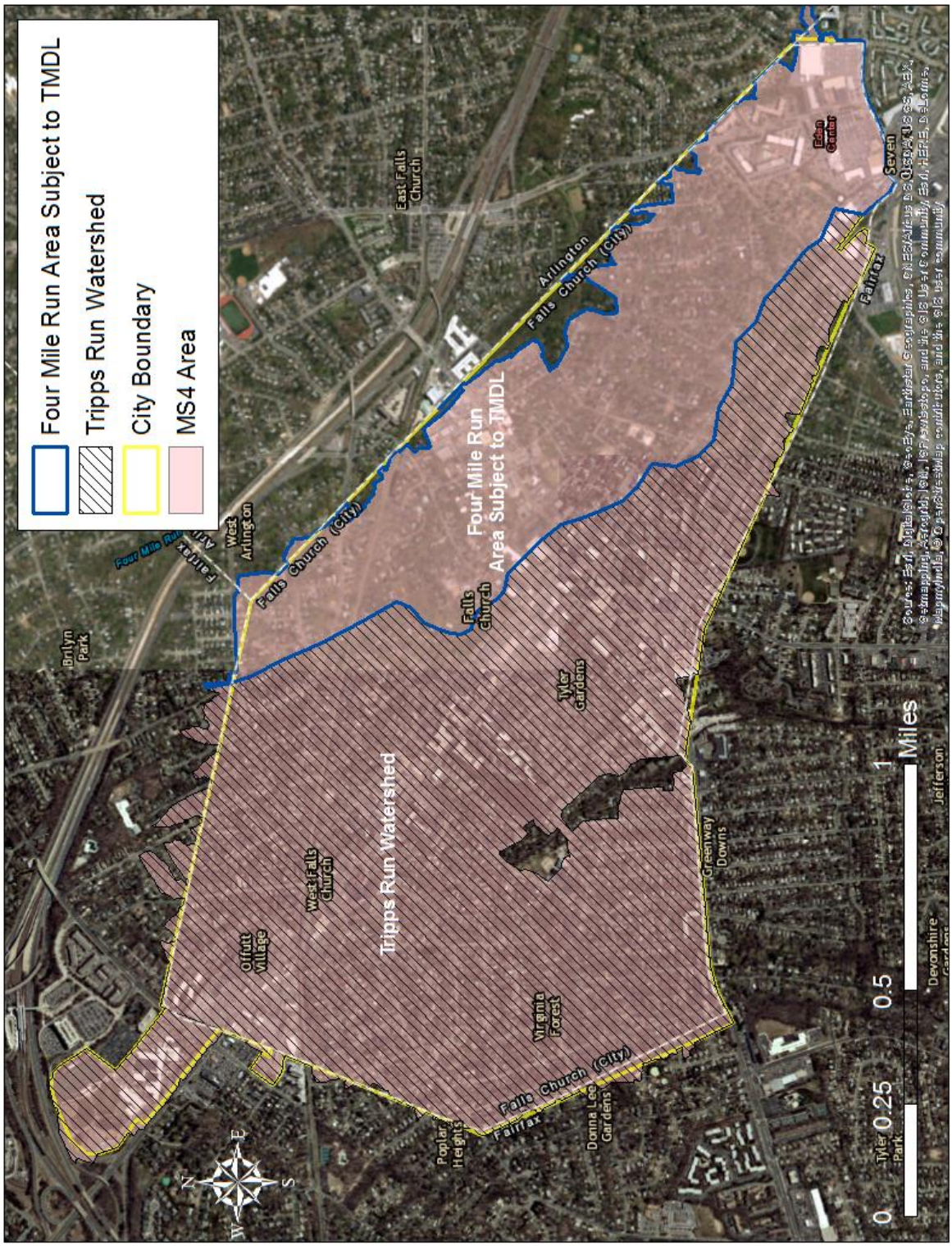
As previously noted, the WLA assigned to the City is for the regulated MS4 area within the Four Mile Run watershed (that portion of the City identified as having direct drainage to the Potomac River in the PCB TMDL). Map 2A shows the Potomac River PCB Impairment Delineation from the PCB TMDL. Direct drainage watershed segments are shown in dark green. Map 2B shows the City's MS4 area within the Four Mile Run watershed.

***Map 2A – Potomac River PCB Impairment Delineation from the PCB TMDL[3]***




[3] Figure 8, page 33 of the "Total Maximum Daily Loads of Polychlorinated Biphenyls (PCBs) for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia."

***Map 2B – City of Falls Church MS4 Area within the Four Mile Run Watershed***



## 2.2 Evaluation of Potential Significant Sources from City Owned or Operated Property

The City conducted a desktop evaluation of all City owned or operated property within the area subject to this action plan to ascertain whether there are potential significant sources of PCBs. Potential sources are listed on the U.S. EPA web page www.epa.gov/pcbs. The conclusion of this evaluation is that no City owned or operated property represents a potential significant source of PCBs.

The evaluation focused on two items: (1) whether any property has outdoor transformers or other equipment that could be a source of legacy PCBs; and, (2) whether any property engages in outdoor activities (or previously engaged in activities) identified by the U.S. EPA as "high risk" for potential sources of residual PCBs. These evaluation items were chosen because of their potential to expose PCBs to stormwater (as opposed to other categories where a spill or leak would be contained indoors). High risk category sites identified by the U.S. EPA include the following SICs: 26&27 (Paper and Allied Products); 30 (Rubber and Misc. Plastics); 33 (Primary Metal Industries); 34 (Fabricated Metal Products); 37 (Transportation Equipment); 49 (Electrical, Gas, and Sanitary Services); 5093 (Scrap Metal Recycling); and 1221&1222 (Bituminous Coal). The results of the evaluation are presented in Table 2A.

***Table 2A – Evaluation of Potential PCB Sources from City Property***

| **Facility** | **Address** | **Evaluation Parameter** | |
|---|---|---|---|
| | | **Transformers or Other High Risk Equipment On Site?** | **High Risk SIC Category?** |
| Cherry Hill Park | 312 Park Avenue | No | No |
| City Hall | 300 Park Avenue | No | No |
| City Community Center | 223 Little Falls Street | No | No |
| Crossman Park | 1900 Westmoreland Street | No | No |
| Madison Park | 334 Lawton Street | No | No |
| Jessie Thackrey Preschool | 201 N. Cherry Street | No | No |
| Falls Church Volunteer Fire Department | 6950 Little Falls Road | No | No |
| Frady Park | 311 East Broad Street | No | No |
| Lincoln Park | Lincoln Avenue and Great Falls Street | No | No |

The U.S. EPA also cites potential indoor uses of PCBs as having the possibility of entering the environment, primarily through the air. These include but are not limited to fluorescent light ballast and caulking. All structures listed in Table 2A were built or significantly renovated after PCBs were banned in 1979. Any residual issues would be addressed as part of any future renovations and are outside of the scope of this action plan.

### 2.3 Evaluation of Potential Significant Sources from Other Property

The City conducted a desktop evaluation of other property (non-City owned or operated) within the area subject to this action plan to ascertain whether there are potential significant sources of PCBs. There are no businesses within the part of the City affected by the PCB TMDL that fall within one of the high risk SIC categories for PCBs. The City also researched the U.S. EPA's PCB Transformer Registration Database at https://www.epa.gov/pcbs/registering-transformers-containing-polychlorinated-biphenyls-pcbs to determine if any property in the City is registered. No facilities are listed as currently operating a PCB-containing transformer in Falls Church.

While Dominion Virginia Power does not operate substations in the affected part of the City, it does operate smaller transformers providing electrical service to residential, commercial, and industrial customers within the City limits. Dominion confirmed that the majority of these are filled with non-PCB mineral oil. However, there could be transformers in service that were manufactured prior to July 1979 that may contain detectable levels of PCB. Dominion noted that under normal operating conditions, these transformers are not subject to leakage or spillage. If an incident were to occur, Dominion has in place plans and procedures to promptly respond in accordance with state and federal regulatory requirements.

Finally, railroad transformers are specifically listed as a potential source of PCBs by the U.S. EPA. A portion of the Washington and Old Dominion (W&OD) Trail traverses through the Four Mile Run watershed portion of the City. The W&OD Trail was previously the rail bed of the former Washington and Old Dominion Railroad, which closed in 1968. The portion of the bed in Falls Church was opened as a trail in 1974, at which time transformers and other railway-related equipment were removed.

### 2.4 Overall Evaluation

Based on the evaluation of both City owned and operated properties and non-City owned and operated properties, the City has determined that no particular site or operation is considered a significant source of PCBs. While small transformers operated by Dominion Virginia Power may contain legacy PCBs, Dominion has plans in place to meet all state and federal requirements to prevent leaks and spills and to respond in the case a leak or spill was to occur.

## 3. Legal Authority and Current and Proposed Program

This section details the legal authority adopted by the City necessary to prevent the discharge of PCBs and to take appropriate enforcement action if a discharge of PCBs were to occur. In addition, this section describes the City's current and proposed stormwater program elements applicable to PCBs.

### 3.1 Legal Authority

The City prohibits illicit discharges to the MS4, which includes the discharge of PCBs, in Section 35-21 of the Code of the City of Falls Church. Subsection (a) states "Prohibited discharges. It shall be unlawful to: (1) Cause or allow illicit discharges to the stormwater management system or state waters; (2) Cause a connection to the stormwater management system that will or has the potential to allow for an illicit discharge to enter the system; or, (3) Violate any permit granted for stormwater discharges." After review of the City Code, the City does not believe that additional legal authority is required for compliance with the "Special condition for approved TMDLs other than the Chesapeake Bay TMDL."

### 3.2 Current and Proposed Program

Since PCBs are a legacy pollutant, the primary strategy for reducing and eliminating PCBs would be to educate those land owners that have been identified as potential sources of PCBs and to ensure that PCBs are addressed during the redevelopment of any such property. However, with the exception of small transformers operated by Dominion Virginia Power, no facilities in the affected portion of the City have been identified as potential sources of PCBs where such a strategy would be directed. Dominion Virginia Power has its own plans in place for preventing or mitigating leaks and spills.

It is possible that City field personnel could encounter an unexpected source of PCBs in the routine course of business or as part of the City's dry weather outfall inspection program. Further, damage to electric utility infrastructure could cause the release of substances from small transformers operated by Dominion Virginia Power. As a result, the City will update the Illicit Discharge Detection and Elimination (IDDE) Manual (see MS4 Program Plan Minimum Control Measure #3, BMP D) to include a section on PCBs. The updated IDDE Manual will include:

- Potential sources of PCBs that could be encountered in the City. These include, but are not limited to:
    - Improperly discarded building caulk (pre-1979).
    - Improperly discarded fluorescent light ballast manufactured prior to 1979. Electronic ballast does not contain PCBs and is clearly labeled as electronic ballast. Magnetic ballast is assumed to contain PCBs unless specifically labeled "No PCBs."
    - Improperly discarded or accidentally damaged transformers. Some existing transformers may still contain PCBs or trace amounts above reportable thresholds.
    - Other improperly discarded electrical equipment containing substances under the trade names Aroclor, Pyranol, Inerteen, and Noflamol.
- Safety precautions and how to handle potential leaks or discharges.
- Emergency and non-emergency notification information and who to contact for clean-up. These include, but are not limited to:
    - 911
    - City Engineer and City Manager
    - Dominion Virginia Power
    - Virginia Department of Environmental Quality
    - U.S. EPA National Response Center

The City will enhance its existing training programs (discussed in Section 4) to heighten awareness of potential PCB sources and how to respond if a potential source is identified in accordance with the updated IDDE Manual.

## 4. Enhanced Education, Outreach, and Training

The City will implement the following enhanced education, outreach, and training to heighten general awareness of City staff about potential sources of PCBs and to implement the updated IDDE Manual discussed in Section 3:

- The City will include in its employee training (see MS4 Program Plan Minimum Control Measure #6, BMP B), as appropriate to the audience, information from the IDDE Manual regarding PCB identification and response.

- The City will include in its emergency response employee training (see Section II.B.6.d(8) of the MS4 permit) information from the IDDE Manual regarding PCB identification and response.

## 5. Schedule and Milestones

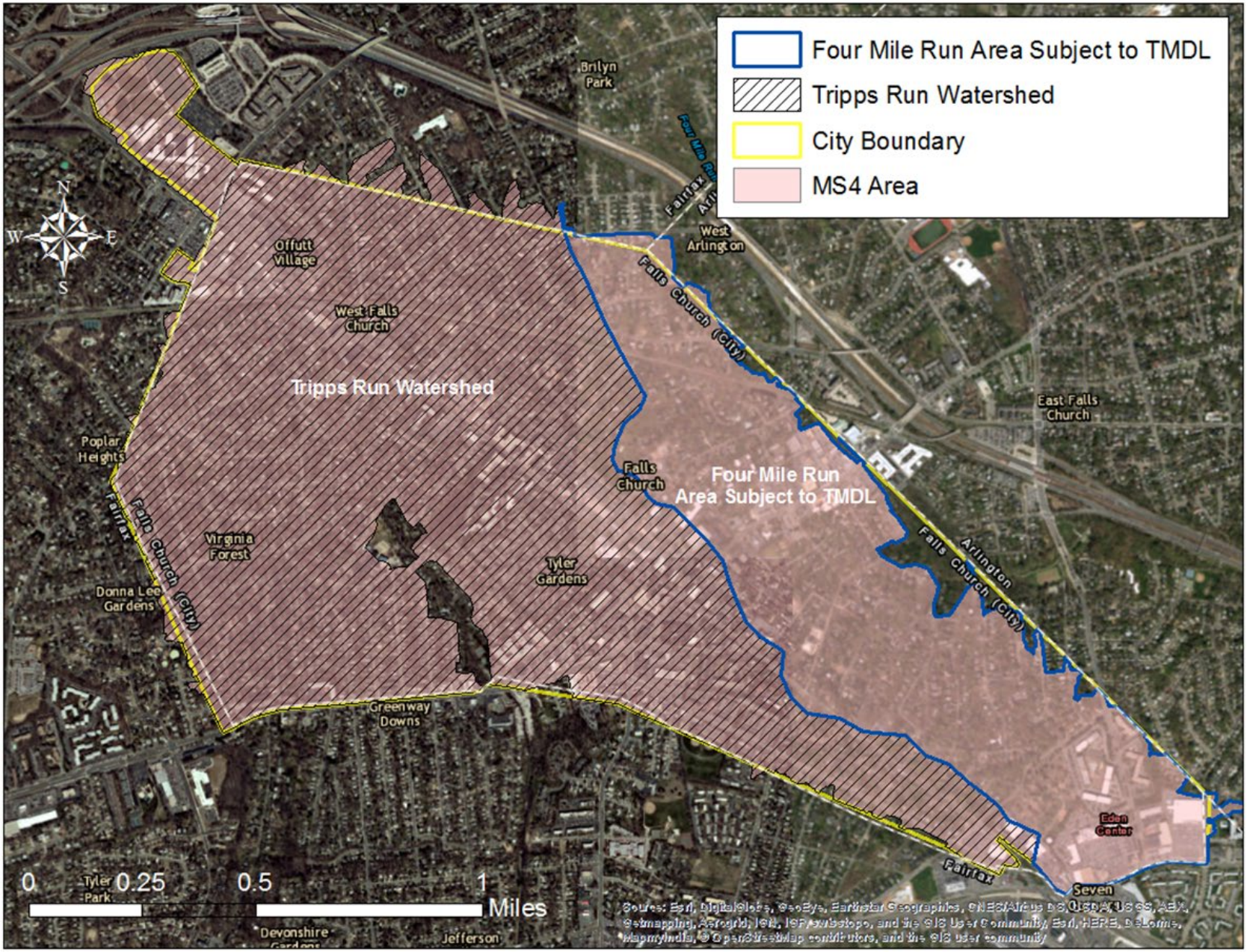
The actions identified in Section 3 and Section 4 will be developed no later than June 30, 2017 and fully implemented no later than June 30, 2018.

## 6. Assessment of Effectiveness

The effectiveness of this plan will be measured by ensuring that all employees subject to training in accordance with Minimum Control Measure #6, BMP B (including emergency response employees) and all employees responsible for implementing the City's IDDE Manual in accordance with Minimum Control Measure #3, BMP D have a working understanding of the potential sources of PCBs and what actions must be taken if a potential source is discovered. The City will document training activities on a yearly basis and submit the documentation to DEQ in the City's annual reports. Training material will be maintained, along with attendance rosters for each training event.

**Attachment 2**

**City of Falls Church, VA, PCB Employee Training Module**


Four Mile Run Area Subject to TMDL
Tripps Run Watershed
City Boundary
MS4 Area
Tripps Run Watershed
Four Mile Run Area Subject to TMDL
Falls Church (City)
Fairfax
Arlington
Falls Church
West Arlington
East Falls Church
Brilyn Park
Offutt Village
West Falls Church
Poplar Heights
Virginia Forest
Tyler Gardens
Donna Lee Gardens
Greenway Downs
Tyler Park
Devonshire Gardens
Jefferson
Eden Center
Seven
N
S
E
W
0
0.25
0.5
1
Miles

# Oh, No!! It's a Quiz

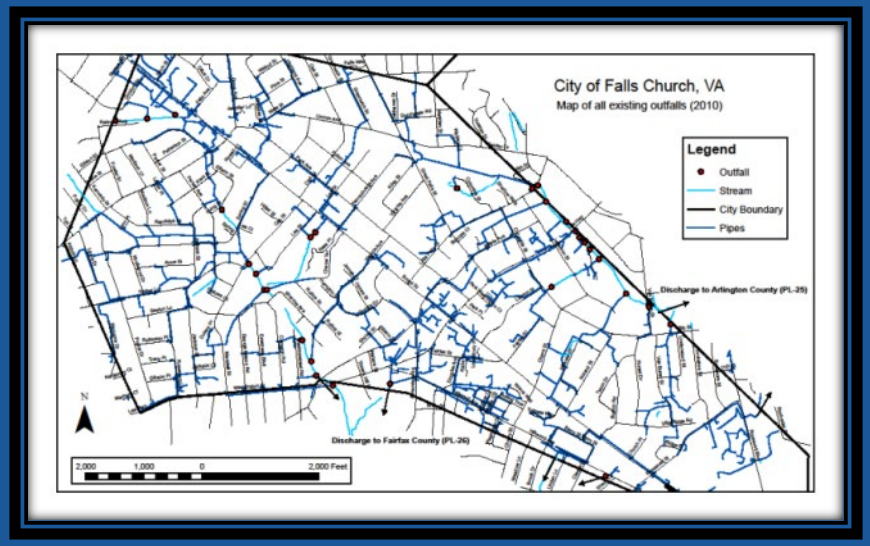
1. Would you eat fish out of Four Mile Run?
2. What pollutants can you find in Four Mile Run?
3. What does PCB stand for?
4. Where do PCBs come from?
5. Where can PCBs be found?
6. What can we do to clean up PCBs?

# Falls Church Employee Stormwater Training

Permit Year 3

## PCB Identification and Response

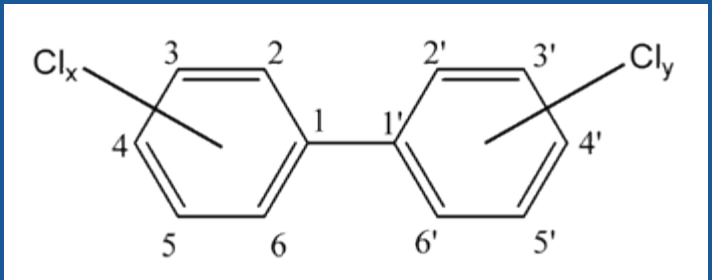
# Why Are We Here Today?




- Discharges from the City's storm sewer system are regulated by the Virginia Department of Environmental Quality (DEQ) under the federal Clean Water Act.
- It is the responsibility of **all** employees to ensure that the City complies with its MS4 permit.
- PCB TMDL Action Plan requires us to perform training on identification and response.

# What's a PCB?

- PCBs, or polychlorinated biphenyls, are a class of man-made organic chemicals.




- PCBs were manufactured and sold as mixtures of several congeners, with a variety of trade names, including Aroclor, Pyranol, Pyroclor

- Used for various applications from approximately 1929 until 1979 when the U.S. banned PCB manufacturing, processing, distribution, and use.

# Why are PCBs bad?

- Evidence suggests that exposure to PCBs:
  - increased risk of certain cancers of the digestive tract, liver and skin
  - is associated with reproductive deficiencies, such as reduced growth rates, retarded development, and certain neurological effects which may or may not persist beyond infancy
  - immune system deficiencies leading to increased infection rates

# Why did we use PCBs?

- As PCBs are resistant to acids and bases as well as to heat, they have been used as an insulating material in electric equipment, such as transformers and capacitors, and also in heat transfer fluids and in lubricants.

PCBs have also been used in wide range of products such as plasticizers, surface coatings, inks, adhesives, flame-retardants, paints, and carbonless duplicating paper.

# How did PCBs pollute the environment?

- Prior to the regulation of PCBs under the Toxic Substances Control Act (TSCA) in 1976, PCBs were released (both accidentally and intentionally) into the atmosphere, water, and land through sewers, smokestacks, stormwater runoff, spills, ocean dumping, and direct application to the environment

# How are PCBs released today?

- Based on the current regulation of PCBs, the current primary “new” sources of PCB contamination are limited to outdated or illegal landfills and scrap yards and leaks or explosions of electrical equipment that may still contain PCBs .
- Other sources are facilities or sites that were previously contaminated with PCBs (for example, contaminated sediments).

# Where are PCBs found today?

- In surface waters, PCBs are present in substantial quantities in sediments.
- PCBs attach to organic matter, clay, and micro-particles that are still suspended in the water
- They can remain buried in sediments for a long time and be slowly released into the water and evaporate into air.

# Where are PCBs found today?

- Biological samples, such as human blood, milk, and fatty tissue, as well as in some foods such as animal tissues, fish and dairy products

CAUTION
PCBs

# Where are PCBs found today?

- Dominion confirmed that the majority of transformers are filled with non-PCB mineral oil. However, there could be transformers in service that were manufactured prior to July 1979 that may contain detectable levels of PCB.

- Dominion noted that under normal operating conditions, these facilities are not subject to leakage or spillage.

# Where we might encounter PCBs

- Potential sources of PCBs that could be encountered in the City include, but are not limited to:
  - Improperly discarded building caulk (pre-1979).
  - Improperly discarded fluorescent light ballast manufactured prior to 1979. Electronic ballast does not contain PCBs and is clearly labeled as electronic ballast. Magnetic ballast is assumed to contain PCBs unless specifically labeled “No PCBs.”
  - Improperly discarded or accidentally damaged transformers. Some existing transformers may still contain PCBs or trace amounts above reportable thresholds.
  - Other improperly discarded electrical equipment containing substances under the trade names Aroclor, Pyranol, Inerteen, and Noflamol.

Pre-1979 fluorescent light ballast

Pre-1979 caulk

# How to respond to a suspected PCB spill

- Electrical transformer (on a pole/ground)
  - Call 911 immediately if the spill represents a threat to health or safety or is otherwise considered an emergency
  - Call Dominion Power
  - Setup a perimeter to keep people away
  - Await their trained response team
  - If there is a potential for runoff into storm sewer system there are steps DPW can take

# How to respond to a PCB spill

1. Call supervisor
2. Setup a perimeter to keep people away.
3. Use absorbent materials to soak up the spill. Avoid skin contact with these materials.
4. DO NOT HOSE DOWN SPILLS. Use only “dry” clean up methods.
5. Do not allow PCBs to enter a water drainage system.
6. Use an organic solvent (kerosene, for example) to wipe off smooth hard surfaces of non-disposable objects. Surfaces such as cloth, wood, and concrete absorb PCBs; they cannot be completely cleaned.
7. Dispose of contaminated objects and cleanup materials (rags, absorbent particles, damaged equipment, disposable protective clothing, etc.) by wrapping them in layers of newspaper, then sealing them in impermeable containers such as heavy double-wrapped plastic bags. Must be disposed of using hazardous waste contractor.

1. Would you eat fish out of Four Mile Run?
2. Where do PCBs come from?
3. Where can PCBs be found?
4. What can we do to get rid of PCBs?
5. How should we respond to a potential PCB spill?

**Attachment 3**

**Fire and Emergency Medical Services Agreement Between Arlington County and the City of Falls Church**

# FIRE AND EMERGENCY MEDICAL SERVICES AGREEMENT BETWEEN ARLINGTON COUNTY AND THE CITY OF FALLS CHURCH

This Agreement is made and entered into this 28 day of July 2014 between the City Council of the City of Falls Church, Virginia ("City"), the County Board of Arlington County, Virginia ("County") and the Falls Church Volunteer Fire Department, Inc., a 501(c)(3) entity ("FCVFD").

## I. RECITALS

This agreement replaces the August 1989 Fire and Rescue Services Agreement between the County, the City, and the FCVFD and shall be effective July 1, 2014. The parties agree that the August 1989 agreement is terminated.

The intention of this agreement is to continue to provide high quality and reliable fire and emergency medical response services to the City and County residents. Arlington County Fire Department serves as the lead agency under the City's Emergency Operation Plan for the following Emergency Support Functions: #4-Firefighting, #9-Search and Rescue and #10-Oil and Hazardous Materials Response dated February 2012.

The City owns the land and building at 6950 North Little Falls Road, Arlington, Virginia, which is known as Falls Church Fire Station. The FCVFD owns land on the Falls Church Fire Station site that is used for parking. The County agrees to staff the Falls Church Fire Station for the City and to provide emergency medical, fire, and rescue response services on behalf of the City. The FCVFD has a lease agreement with the City for a portion of the station that includes the volunteer meeting hall and volunteer office.

This agreement defines Falls Church Fire Station management, operations, response area, policy and command structure for incident response, personnel, vehicles and equipment required for performing services, and facility maintenance. This agreement also defines how ambulance revenues generated from Falls Church Fire Station activities are apportioned between the County and the City.

The City and the County agree to share expenses related to Falls Church Fire Station operations and maintenance. This agreement identifies the Falls Church Fire Station related expenses undertaken by each party and defines cost sharing.

The County agrees to operate the Falls Church Fire Station in cooperation with the FCVFD, an independent 501(c)3 organization. The role of the FCVFD as it relates to Falls Church Fire Station operations and command is defined herein.

## II. AUTHORITY

This agreement is authorized by the *Code of Virginia*, §27-2; §27-3; and §27-4, as amended.

## III. RESPONSE AREA

The primary response area of Falls Church Fire Station is the City of Falls Church and the northwest region of Arlington County, Virginia. Geographically, approximately one-half of Falls Church Fire Station's primary response area is in the City of Falls Church and approximately one-half is in Arlington County. Falls Church Fire Station units also respond to greater sections of western and northern Arlington County and areas in eastern Fairfax County, as needed.

The extent of the response area of Falls Church Fire Station also includes areas the Falls Church Fire Station is required to respond to under the Northern Virginia Emergency Service Mutual Response Agreement (dated 2009, available at www.novaregion.org) and the Metropolitan Washington Council of Governments Regional Emergency Coordination Plan (dated 2010, available at www.ncrhomelandsecurity.org).

## IV. DISPATCH AND COMMUNICATIONS

The receipt of calls and the dispatch of all primary fire and rescue personnel and equipment (including the selection of responding units) shall be the sole responsibility of the County's Emergency Communications Center. This service is provided to the City pursuant to the "Public Safety and Judicial Services Agreement" dated December 8, 2012 between the County and the City. The County Emergency Communications Center is the primary Public Safety Answering Point (PSAP) for the City, with the Falls Church Police Department being the secondary 911 call center.

The network, computer, and telephone infrastructure, hardware and software necessary for dispatch and other communications to and from the Falls Church Fire Station has been provided and shall be maintained by the County at its full expense.

The City agrees to permit the County, at the County's sole option and expense, to construct, maintain, repair, operate, inspect, upgrade, update, replace, relocate and remove, on, within, under, across, and along the Falls Church Fire Station property, the County's wires, cables, underground conduit, building entrance facilities, above-ground enclosures, markers and concrete pads and other appurtenant fixtures and equipment ("Connect Arlington Facilities") necessary or useful for connecting the County's Connect Arlington fiber optic network from the public right of way to facilities within Falls Church Fire Station. Notwithstanding the foregoing, the County may only place the County's Connect Arlington Facilities in locations reasonably acceptable to the City. The City agrees to promptly execute any documents necessary to grant the County the necessary property rights for such facilities.

The alerting, dispatch, and communication systems equipment in place at the Falls Church Fire Station has been provided and shall be maintained by the County. The County shall provide radio equipment for each primary apparatus, at no cost to the City. All dispatch and communications equipment provided by the County and referenced in this section shall remain the property of the County.

The County will provide communications equipment for the following volunteer-owned vehicles:

- Two ambulances – one mobile and two portable radios, mobile data terminal, electronic patient care reporting devices for each
- Two Utility Trucks – one mobile and one portable radio for each
- One Light and Air Unit – one mobile and one portable radio
- One Engine – one mobile and one portable radio
- Four additional portable radios for use as necessary

All other radio equipment used by the FCVFD shall be the responsibility of the FCVFD but must be approved by the County. The County will allocate user IDs for radios owned/operated by the FCVFD. Use of all radio equipment on the County's system shall be in accordance with the approved standard operating procedures promulgated by the County. All communications equipment issued to the FCVFD must be available for inspection and programing when required by the County.

## V. OPERATING POLICY, PROCEDURES AND PLANNING

A. Fire and Rescue Response

The County Fire Chief shall determine and set fire/rescue/EMS policy and standard operating procedures for the City. The Fire Marshal of the City is designated as the Fire Official for the City.

All fire and rescue responses within the boundaries of the City of Falls Church shall be commanded by the highest ranking County officer at the scene. The ranking shall be as follows:

1. County Fire Chief
2. County Assistant Fire Chief
3. County Deputy Chief
4. County Battalion Chief
5. County Company Officer or County Acting Officers
6. FCVFD Officers

Personnel from other jurisdictions may also hold incident command when appropriate, in accordance with existing mutual aid agreements.

When providing pre-planned support of City-sponsored special events, such as Memorial Day, Fall Festival, or similar events, FCVFD Officers are expected to exercise operational command for such support functions.

B. EMS Response

The County shall hold the EMS license for the City and the County Operational Medical Director (OMD) shall serve in that role for the City. These services shall be provided at no additional cost to the City. The OMD shall have the authority to recommend the approval or removal of members of the FCVFD from EMS response duties. For all EMS responses within

the boundaries of the City of Falls Church, the person with the highest certification from the Virginia Department of Health, Office of Emergency Medical Services and the approval of the OMD shall be in charge of patient medical treatment.

C. Planning

The County Fire Chief shall collaborate with the City Manager and the City Council, if requested, to coordinate fire and rescue planning. At the City Manager's request, the County Fire Chief may also address the City Council regarding fire and rescue services, budget issues, and emergency response planning. When there is a change in Station Commander for the Falls Church Fire Station, the name and contact information for the new Commander shall be provided by the County to the City Chief of Police and City Fire Marshal.

## VI. PERSONNEL AND RELATED EXPENSES

The County shall provide firefighter/EMS personnel to fully staff Falls Church Fire Station, as determined by the County. Assignment of County personnel shall be the responsibility of the County.

As the Arlington firefighter/EMS staff are employees of the County, the County shall be responsible for payroll administration, performance management, employee relations, and other workforce planning and administration overhead for its employees.

A. Firefighter/EMS Personnel

Thirty-three (33) Arlington firefighter/EMT positions are required to fully staff the Falls Church Fire Station. The County shall cover firefighter/EMT absences greater than one (1) per shift first through reassignments from other stations and secondarily by overtime or other means.

- Each fiscal year, the City shall pay the County an amount equal to 50% of the County's budgeted expense for the total salary (including, but not limited to, FLSA minimum staffing pay and premium pay) and benefits (including but not limited to retirement, FICA, insurance) for the 33 personnel assigned to Falls Church Fire Station. The fiscal year begins on July 1st and ends the following June 30th.

B. Overtime

The City shall pay the County 50% of the actual cost of overtime callback pay associated with minimum staffing needs at Fall Church Fire Station; however, the actual cost of overtime billed to the City will not exceed 7 percent of total salary and benefit costs to operate the station. Overtime callback pay shall include the items detailed section VI.A.

C. Recruitment and Training

The County at its sole expense shall pay for all costs associated with recruiting, selecting, investigating, and training new fire department personnel. There shall be no additional cost to the City for the recruitment and training of County personnel for fire/EMS service.

D. Hazardous Materials Functions

The County shall provide hazardous materials (Hazmat) response for the City, consisting only of responding to, investigating, and verifying reports of hazardous materials incidents in the City. The County shall notify the Virginia Emergency Operations Center and issue detailed reports concerning hazardous material incidents as required by the Commonwealth of Virginia.

The County shall assess potential hazardous material situations and direct the County's hazardous materials response team. If hazardous materials are present in the City, the County will determine and perform, in its sole discretion, the proper mitigation that minimizes threats to life safety, property, and the environment. Once any hazard in the City has been contained the County will coordinate with the City on the identification of the responsible party who shall be responsible for clean-up and the costs of response. Should the responsible party not be identified or immediately available, the City shall be responsible for contracting with an appropriate clean up company.

Hazardous material functions performed by the County or other mutual aid department, as described above, shall be provided to the City at no additional cost. However, the County or other mutual aid department shall be reimbursed for its costs as they may be recovered according to Virginia law. The County shall provide its costs to the City, which shall be responsible for billing the responsible party.

E. Fire Marshal

The City employs a Fire Marshal who is responsible for the City's fire code enforcement and/or investigating fires for origin and cause. At the approval of the County Fire Chief and the City Police Chief, the County Fire Marshal may assist and provide services upon request from the City. Services performed by the County Fire Marshal on behalf of the City shall be charged to the City at an hourly rate equal to the hourly rate of the incumbent County Fire Marshal's total pay and benefits. The County Fire Marshal shall track all hours of work for the City, including dates, a description of service performed, and total hours. This data shall be provided when billing the City for services in accordance with the Billing and Payment terms of this agreement.

## VII. NON-PERSONNEL EXPENSES

The parties acknowledge that specialized equipment, apparel, and supplies are required to successfully operate a fire station and to successfully respond to a variety of fire, rescue, and emergency medical incidents.

The parties acknowledge that fire/rescue/medical operating equipment used by personnel must be standardized in order to increase familiarity of use and enhance fire/rescue/medical services. Each fiscal year, the County shall pay expenses associated with the Falls Church Fire Station's operating equipment and operating supplies, as described below, at no additional cost to the City. The County in its sole discretion shall provide for the selection and procurement of operating equipment carried on emergency apparatus and necessary for training and preparedness activities. Please refer to section IV of this agreement with regard to an exception for communication and radio equipment solely used by the FCVFD.

The County agrees to provide and pay for the current and future free standing or detached appliances, such as the refrigerator, microwave, washer and dryer, and dishwasher at Falls Church Fire Station. The County also agrees to provide and pay for furniture at the Falls Church Fire Station, excluding office furniture, and information technology equipment used in the office, such as computer, telephones, fax machines and copy machines. The County is not responsible for providing office furniture, which is included as a capital expenditure referenced in Section IX, part C-2. The need for the items described in this paragraph shall be determined by the County in its sole discretion.

All non-personnel expense items referenced in this section shall remain the property of the County.

Equipment, office supplies, furniture, computers, telephones, and other similar items used solely by members of the FCVFD shall be provided, paid for, and maintained by the FCVFD. Any equipment, apparel, operating supplies, etc., associated with the operation of any non-primary apparatus owned by the FCVFD or the City, and not included in section VIII below, shall be provided, paid for, and maintained by the owner.

## VIII. FIRE & RESCUE APPARATUS

The City, FCVFD, and County agree that the standardization of apparatus with the rest of the County's fleet provides a distinct operational advantage. As such the County agrees to provide the specifications and purchasing services to acquire one engine, one ladder truck and one ambulance for operation at the Falls Church Fire Station. The City agrees to pay for the interest and principal payments to finance the purchase of the apparatus. See Appendix I for year one purchase information.

A. Engine and Ladder Truck

The engine and ladder truck for the Falls Church Fire Station will be purchased using County financing, through the County's Master Equipment Lease Purchase program, and will be replaced according to the County's replacement schedule. The City agrees to pay for the annual financing cost of these apparatus, which shall be communicated to the City during the annual budget process. These apparatus shall be titled to the County. The City and County agree that in the event this agreement is terminated, the City will pay the County for the remaining balance of the master lease term for the engine and ladder truck and take title and possession of the apparatus. Refer to Appendix I for master lease cost estimates.

B. Ambulance Unit

Refer to Appendix I for details on the initial purchase of the ambulance unit. The City will pay an annual replacement amount to the County which will be applied to the purchase price of the future replacement ambulance unit. The replacement cycle for the ambulance is every five years; as such, the City would be responsible for one-fifth the estimated purchase price each year. The annual amount will be communicated to the City each year during the budget process and will be due and payable when invoiced each year. At the end of each five-year replacement period, the accumulated funds will then be used to purchase a replacement unit for the City. The ambulance unit shall be titled to the County. The City and County agree that in the event this agreement is

terminated, the County will refund the accumulated balance of any unexpended ambulance replacement funds paid by the City for the ambulance unit being used. Should the agreement be terminated or at the completion of the five year life of the ambulance and upon full payment by the City, the FCVFD will then take title and possession of the ambulance unit.

C. Maintenance of Apparatus
The County will be responsible for fuel, insurance, and the annual maintenance costs associated with the engine, ladder truck and ambulance unit. All service and repairs shall be performed by the County or its designee.

D. Identification of Apparatus
The engine and ladder apparatus will carry identifying decals and signage for the City of Falls Church. The ambulance apparatus will carry identifying decals for the FCVFD.

E. Reserve Equipment
The County will provide reserve apparatus as necessary, at its discretion, and when available.

F. FCVFD Equipment
Equipment owned by the FCVFD will be maintained by the County. Maintenance includes repairs, replacement of parts, and regularly scheduled service. FCVFD agrees to pay for all vehicle maintenance and fuel for FCVFD owned vehicles. No equipment owned by the FCVFD shall be put into service without prior approval of the FCVFD Chief or his/her designee.

G. The FCVFD agrees to provide payment to the City sufficient to cover the cost of the medic unit at the Falls Church Fire Station on an annual basis. The City agrees to provide funding sufficient to purchase a reserve engine titled to the FCVFD on an as-needed basis and subject to City Council appropriation.

## IX. FACILITY MAINTENANCE

A. Maintenance
The County shall be responsible for managing and performing maintenance at the Falls Church Fire Station. Maintenance includes preventative and corrective maintenance to maintain building assets through their expected useful life (EUL). This includes adjustments and inspections for equipment and emergency responses for repairs that will occur throughout the equipment's EUL.

Preventative maintenance shall include, but is not limited to, annual and scheduled maintenance and inspections associated with the following:

- access control including the Safe Haven,
- annual custodial deep cleaning,
- building automation,
- emergency generator,
- fire protection,
- HVAC and water treatment,
- interior cleaning,

- oil and grease separator,
- sanitary line jetting,
- apparatus bay doors,
- roof and gutters,
- storm water,
- window cleaning; and
- apparatus bay vehicle exhaust.

Corrective maintenance shall include, but is not limited to, repair activities to maintain assets throughout their expected useful life associated with the following:

- appliances,
- building envelope,
- electrical and safety systems,
- roof,
- windows,
- walls,
- floors,
- ceilings
- HVAC and plumbing; and
- other minor repairs to maintain assets throughout their EUL.

Any item that is a planned capital item, meets the capital improvements description in section IX. C below, or is a code requirement issue shall not be considered a maintenance item. Funding for these items shall be from the Capital Reserve Fund.

The City maintenance responsibilities shall include, but not limited to, maintaining the grounds, landscaping, parking lot, and driveway at the Falls Church Fire Station.

The Station Commander shall be responsible for coordinating day-to-day maintenance with the County's Department of Environmental Services, Facilities Management Bureau (FMB) as appropriate. FMB shall track all building maintenance and maintenance capital expenditures and provide a report at the Annual Meeting.

Maintenance of the FCVFD furniture, fixtures, and equipment at the Falls Church Fire Station shall not be the responsibility of the County. Maintenance of the FCVFD meeting hall, including kitchen, closets, and restrooms, FCVFD elevator and the Volunteer Office, shall not be the responsibility of the County. These items shall continue to be maintained by the City and/or FCVFD as appropriate. The City may request maintenance associated with the FCVFD be performed by the County through the Station Commander, who will coordinate with FMB. An emergency or life safety issue will be remedied by the County as soon as possible, regardless of whether the service has been requested by the City. The County may bill the City for any FCVFD maintenance costs incurred by the County.

B. Facility Utilities

Utility expenses at the Falls Church Fire Station shall be the direct responsibility of the County as stated below.

- County's Responsibility:
  - Water/Sewer
  - Cable Television
  - Telephones/VOIP
  - Trash/Recycling
  - Electricity
  - Natural Gas

C. Capital Improvements

The funding of the Falls Church Fire Station capital improvements shall be the responsibility of the City. Capital improvements are typically defined as planned projects, which significantly extend the useful life, nature, and character of the facility. Capital improvements include the following:

1. **Restoration/Modernization** – Includes repair and replacement work to restore building components and systems that have failed before their expected useful life (EUL) that are acquired, constructed and/or maintained. This includes the following:

   - HVAC, gas, water and sanitary sewer system upgrades and replacements
   - Exterior envelope elements including, but not limited to, roof, windows, walls and repointing
   - Fire protection replacements or upgrades
   - Security system replacement or upgrades
   - Electrical component replacements or upgrades
   - Lighting retro-fits
   - ADA work
   - Structural elements including, but not limited to foundation, superstructure and walls
   - Standby power systems replacements or upgrades
   - Supplemental power systems installation
   - Stormwater management facilities installations and upgrades
   - Code compliance items (e.g. Arc Flash)
   - Hazardous materials remediation and abatement
   - Conveying system modernization or upgrades
   - Site elements including, but not limited to, walkways, driveways and parking lots
   - Apparatus bay doors

2. **Periodic Refreshing** – Includes station-wide replacement of office furniture, fixtures, flooring, ceilings, equipment, and installed in-place appliances and equipment such as gas ovens/ranges and exhaust hoods (FF&E) and interior/exterior finishes without increasing the building footprint.

3. **Renovations** – Includes replacement of all building components/systems and FF&E and will increase the building footprint. Process may lead to the replacement of the building based on program needs.

4. **Replacement** – Includes construction of new buildings including the demolition of existing facilities.

The County shall be solely responsible for all aspects of capital project management. This includes, but is not limited to, design, procurement, and construction management. Prior to undertaking any capital improvement project, the City and the County shall agree on the project scope and project cost. The City shall bear no financial responsibility for capital expenditures by the County above the agreed upon project cost, unless the County has sought and obtained the City's prior consent.

The City agrees to work collaboratively with FMB, the County Fire Chief and the Falls Church Fire Station Commander to identify, develop and prioritize a 5-year capital improvement plan for the Falls Church Fire Station. Annually, the City will adopt a Capital Improvements Program that identifies specific capital projects and appropriates funds for those projects. The City is responsible only for capital expenditures that have been approved by the City Council through the Capital Improvements Program.

The City agrees that capital funds will be transferred to the County when County purchase orders for projects are approved A reconciliation of project costs will be provided to by the County to the City at the Annual Meeting (see section XIII), subject to the limits described in the two paragraphs above. Annual forecasts of capital debt service will be reviewed and discussed annually between City and County leadership.

D. Capital Reserve Fund

The City agrees to fund a Capital Reserve Fund to be held by the City. The City will manage the reserve fund in order to fund capital improvements defined in section IX.C above. Starting in FY 2015, the City agrees to fund the reserve with a minimum of $150,000 annually, subject to annual appropriation by the City Council. The City agrees to ensure roll-over of any balances within the Capital Reserve Fund to the next fiscal year. For example, a $100,000 rollover balance from one fiscal year will become $250,000 the next fiscal year after the City's annual Capital Reserve Fund investment. If the City and County agree, actual capital expenditures by the City in a given year may be credited against the City's annual reserve payment for that year. The City and County may agree to adjust the annual amount the City contributes to the Capital Reserve Fund based on capital needs in the future. Funding the Capital Reserve Fund will be the sole responsibility of the City. The City and County both agree that a sound capital program and associated City annual investment to the Capital Reserve Fund directly correlate to facility lifecycle as well as impact the life, safety, and wellbeing of Falls Church, Arlington and surrounding jurisdictions.

E. Emergency Maintenance/Repairs

The City and County recognize that emergency maintenance situations may arise that may necessitate deviations from planned capital maintenance projects. The City and the County agree to work together to re-prioritize the Falls Church Fire Station maintenance and/or capital

improvement plan projects as necessary to ensure emergency facility maintenance issues are remedied as soon as possible. Emergency maintenance and repairs/replacements shall be addressed immediately. The City and the County may agree to fund emergency maintenance expenses out of maintenance, capital reserve funds, or the City's Capital Improvement Plan on an individual basis.

## X. AMBULANCE BILLING AND REVENUES

Ambulance service is provided from the Falls Church Fire Station. The County contracts with a third party to provide ambulance service billing, collection, insurance filing, reporting, etc.

A. Ambulance Billing Services

The County shall provide ambulance billing services for the City through a contractor. The contract shall be overseen by County staff (Ambulance Billing Clerk) in the Fire Department.

Ambulance billing service contract charges and a proportionate share (equal to the portion of City and Volunteer ambulance revenue collected to all ambulance revenue collected for the billing period) of the total personnel expenses (salary and benefits) for the County Ambulance Billing Clerk shall be subtracted from annual ambulance revenues due to the City and Volunteers.

- City ambulance revenues = Gross City ambulance revenues – proportionate share of billing contract charges – proportionate share of County billing clerk salary and benefits
- Volunteer ambulance revenues = Gross Volunteer ambulance revenues - proportionate share of billing contract charges - proportionate share of County billing clerk salary and benefits

B. Ambulance (Medic) Revenues

Revenue gained from ambulance billing shall be allocated in the following manner:

- Ambulance calls within the City Limits: Gross City ambulance revenues shall consist of revenue generated from ambulance calls within the boundaries of the City of Falls Church (excluding Ambulance 102 and 106).
- Ambulance calls filled by FCVFD ambulances (currently Ambulance 102 and Ambulance 106): Gross Volunteer ambulance revenues shall consist of ambulance revenues generated by these units, regardless of call location.

## XI. FALLS CHURCH VOLUNTEER FIRE DEPARTMENT, INC. (FCVFD)

FCVFD members augment the services provided to citizens in the response area of the Falls Church Fire Station by participating in incident response, performing administrative functions, delivering fire prevention information, participating in fire and emergency medical services (EMS) training and drills.

A. Volunteer Fire Chief
The FCVFD shall annually recommend to the City Manager a qualified person to serve as the Falls Church Volunteer Fire Department Chief.

B. Active Participation in Incident Response
Qualified FCVFD members may supplement the County personnel on the Falls Church Fire Station's primary apparatus and may staff and operate volunteer owned units as approved by the County Fire Chief, which include utility units, basic life support ambulances, engine, canteen, and light and air unit.

FCVFD members who participate in firefighting shall meet standards established by the NFPA 1001 Series, as adopted by the Department of Fire Programs of the Commonwealth. The Volunteer Chief shall provide to the County Fire Chief evidence of this training in the form of a Firefighter II certificate from the Virginia Department of Fire Programs.

FCVFD members who participate in EMS response shall be certified as Emergency Medical Technician-Basic (EMT-B) as recognized by the Virginia Office of Emergency Medical Services (VOEMS). The Volunteer Chief shall provide to the County Fire Chief evidence of this training in the form of an EMT-B certificate from VOEMS. The County Operational Medical Director shall have the authority to approve or recommend removal of members of the FCVFD from EMS response in accordance with the authority afforded him by the Virginia Department of Health, Office of Emergency Medicine.

Any FCVFD member who has met the performance standards above and who wants to participate in incident response shall have a NFPA 1582 compliant physical examination prior to riding in any apparatus. This physical shall be repeated annually, and evidence of successful passage of the physical exam shall be provided annually to the County Fire Chief in order to qualify the FCVFD member to participate in emergency response activities.

FCVFD members shall also meet the standards of performance and conduct set by the County Fire Department.

C. Training
The FCVFD shall adequately train and supervise its members. The FCVFD shall develop training programs to enable it members to safely participate in incident response as allowed.

The Arlington County Fire Training Academy will be made available as needed to support volunteer training activities. The FCVFD is expected to be a good steward of these facilities and will be held responsible for any damages due to negligence or misuse. Use of the facilities will be scheduled and coordinated with the appropriate point of contact at the Fire Training Academy or as designated by the Arlington County Fire Chief.

## XII. BILLING AND PAYMENT

A. Personnel and maintenance costs shall be billed by the County to the City twice each fiscal year. Semi-annual invoices shall be sent no later than January 15 (for the period between July 1

and December 31 of the prior year) and July 15 (for the period between January 1 and June 30 of the current year) with payments due within 15 days of receipt. Apparatus costs will be billed by the County to the City once each fiscal year and will be included in the January 15th invoice with payment due within 15 days of receipt. One-time funding to purchase the ambulance unit will be due to the County in year one of this agreement, and will be invoiced separately prior to the County purchasing the apparatus. Capital costs will be due to the County at the time when the project moves forward for purchasing/ contracting, and will be invoiced separately. The County will provide the City with a reconciliation of completed capital project costs at the Annual Meeting held pursuant to section XIII of this agreement. Any unspent balance detailed in the capital cost reconciliation will be refunded to the City within 15 days. Any additional funding required, as detailed in the reconciliation, will be due to the County within 15 days of receipt. Invoices shall be delivered to the City's Finance Department. If for any reason costs are cannot be included in the July 15th invoice, they will be included in the first bill the next fiscal year.

If the City wishes to contest a charge on any invoice, it must do so in writing to the County Fire Chief within 10 days of receipt of the invoice. The contested charge shall be reviewed, a response issued, and an invoice adjustment made if required, within 10 days of receipt of the written objection. The invoice shall then be due within 15 days of the response.

B. Ambulance revenues due to the City and the FCVFD shall be determined and paid by the County twice a year to the City. Semi-annual distribution of funds shall occur no later than February 15th for revenues collected between July 1st and December 31st, and no later than July 30th, for revenues collected between January 1st and June 30th. Ambulance revenues shall not be distributed to the City if the City has an overdue payment to the County pursuant to section XII. A of this agreement.

C. Estimated costs of services provided by the County for the upcoming fiscal year will be provided in writing during the annual budget process, so the City may properly plan for expenses associated with this agreement. An initial written estimate of the future fiscal year costs shall be provided by December 30th. An updated written estimate of costs for the proposed budget year shall be provided to the City by February 15th.

## XIII. ANNUAL MEETING

On an annual basis, the City, County and FCVFD shall meet to review the previous year's operations and the current state of the Falls Church Fire Station. The meeting agenda shall include a summary of operating and capital expenditures, the difference between actual capital project costs and payments received from the City (a reconciliation), a summary of completed major maintenance and capital items, discussion on future capital improvements including apparatus and facility, a review of operating policies, procedures and planning, a review of personnel staffing, a review of maintenance procedures, and other miscellaneous items. The City attendees shall include representatives from the Finance Department and Public Works Department. The County attendees shall include representatives from the Fire Department, Department of Management Finance, and FMB. The County Fire Department shall be responsible for scheduling the meeting and distributing meeting minutes.

## XIV. LIABILITY AND INSURANCE

Except as expressly provided otherwise in this agreement, the City and the FCVFD shall: (1) waive any and all claims each has against the County which may arise out of the County's activities in the City under this agreement; (2) indemnify and save harmless the County from all claims by third parties for property damage or personal injury which may arise out of the activities by the County within the City under this agreement. The real and personal property owned by the FCVFD shall be insured by the FCVFD as required by State law.

## XV. JURISDICTION, FORUM AND VENUE

This Agreement and the work performed hereunder shall be governed in all respects by the laws of the Commonwealth of Virginia and the jurisdiction, forum, and venue for any litigation with respect thereto shall be in the Circuit Court for Arlington County, Virginia, and in no other court.

## XVI. TERM

This term of this agreement shall be five years from date of execution by the County, after which it will automatically renew for a second five-year term unless one of the parties serves written notice of its intent to terminate the agreement, as provided below.

All remedies available to the County under this Agreement are cumulative, and no such remedy shall be exclusive of any other remedy available to the County at law or in equity.

The failure of either party to exercise in any respect a right provided for in this Agreement shall not be deemed to be a subsequent waiver of the same right or any other right.

The parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than those signing this agreement as parties hereto, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for personal injury, property damage, or breach of contract pursuant to the terms of this agreement or otherwise.

**Termination:** This agreement may be terminated in its entirety or in part by the City or the County prior to its expiration date by providing twelve months written notice to the other parties.

Notice of termination shall be provided:

| to City of Falls Church: | to Arlington County: | to the FCVFD: |
|---|---|---|
| City Manager<br>City of Falls Church<br>300 Park Avenue, Suite 303 East<br>Falls Church, VA 22046 | County Manager<br>Arlington County<br>2100 Clarendon Blvd., Suite 302<br>Arlington, VA 22201 | President<br>PO Box 7014,<br>Falls Church, VA 22040 |

Upon termination or expiration of this agreement, the parties shall calculate the final amounts owed for services rendered and provide the other party with a final invoice or distribution of ambulance revenues.

For the City Council of the City of Falls Church, Virginia:

Wyatt Shields 8-4-14

Wyatt Shields — Date
City Manager

For County Board of Arlington County, Virginia:

Barbara M. Donnellan 7/28/14

Barbara M. Donnellan — Date
County Manager

For the Falls Church Volunteer Fire Department, Inc.

8/4/14

Ian Weston, President — Date

## APPENDIX I

1. The City agrees to provide approximately $738,000 for the accomplishment of critical upfront capital investments. These dollars are outside the annual investment in the Capital Reserve Fund and do not diminish the City's obligations to contribute to the Fund. These projects will be finalized, procured, and managed by the County. The City agrees that capital funds will be transferred to the County when purchase orders for the projects are approved. The projects are:

   Projected to begin in FY 2015: $538,000 estimated for windows and overhead doors
   $60,000 estimated for HVAC design
   Projected to begin in FY 2015: $140,000 estimated for HVAC construction

   The timing and estimated amounts of these projects is dependent on a variety of factors, including the County's purchasing process, and are therefore subject to change.

2. Corrective Maintenance Cost
   The City shall fund the additional first year corrective maintenance cost estimated at approximately $105,704 in fiscal year 2015. The additional corrective maintenance is required to bring the facility to an acceptable operating baseline.

**FY 2015 Estimated Additional First Year Corrective Maintenance**

| Item | Expense |
|---|---|
| Electrical | $2,644 |
| HVAC | 60,641 |
| Plumbing | 9,785 |
| Miscellaneous | 32,634 |
| **Total** | **$105,704** |

3. Initial Purchase of Apparatus and Ambulance Unit
   The City and County agree that the standardization of apparatus with the rest of the County's fleet provides a distinct operational advantage. As such the County agrees to provide the specifications and purchasing services to acquire one engine, one ladder truck and one ambulance for operation at Falls Church Fire Station.
   a. The engine and ladder truck will be purchased using County financing, through the County's Master Equipment Lease Purchase program. The build times on the engine and ladder truck can range from between 210 and 270 days. Depending on the build times, the County anticipates the Master Lease payments for the Engine and Ladder apparatus would begin to be billed to the City in January 2016.

i. The estimated apparatus purchase price to be financed, and corresponding estimated master lease payments:
    1. Engine: estimated cost $559,218.47, estimated annual master lease payment: $95,770
    2. Ladder: estimated cost $955,356.96, estimated annual master lease payment: $163,612

ii. The estimated master lease payments are based on current purchase price estimates to acquire the engine and ladder truck. Annual master lease payments are subject to change based on the actual purchase price and financing costs of the apparatus when ordered and replaced.

b. The City shall, in FY 2015, provide funding for the entire purchase price of an ambulance unit to the County at the time of purchase. The ambulance unit shall be purchased by the County for the City.

    i. The estimated ambulance purchase price is $235,000. This may change as specifications are finalized. A final purchase price will be furnished to the City prior to the County placing the order for the unit.