

**BOARD OF SUPERVISORS  
TRANSPORTATION AND LAND USE COMMITTEE  
ACTION ITEM**

**#7**

**SUBJECT:** Permanent Pump & Haul Request /KOTD Holdings  
LCTM : /61////////45/ PIN: 115352762

**ELECTION DISTRICT:** Ashburn

**STAFF CONTACT(S):** Joe Lock, Rural Supervisor, Loudoun County Health  
Department  
Dr. David Goodfriend, Director, Loudoun County Health  
Department

**CRITICAL ACTION DATE:** At the Board's Pleasure

**RECOMMENDATION:**

**Staff:** Staff recommends the Board of Supervisors not enter into a contractual agreement with the Virginia Department of Health and KOTD Holdings to provide permanent pump and haul services at the property located at 20102 Belmont Ridge Road near Ashburn, Virginia. The proposal does not meet the Health Department's practice for pump and haul or the current Comprehensive Plan Policy regarding permanent pump and haul in the Suburban Policy Area.

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**BACKGROUND:**

KOTD Holdings is proposing to construct a new office facility for approximately 14 employees for contracting supplies and light storage. The property was evaluated by the Loudoun County Health Department to determine if an on-site system could be located on the property to support the proposed use; however, an on-site sewage disposal system could not be approved due to insufficient area of suitable soil and the permit request was denied by the Loudoun County Health Department on January 19, 2011. The existing unoccupied structure is proposed to be removed. It was once served by an outhouse. (Attachments 1, 2) Currently sewer is 437 feet away from the property as confirmed by Loudoun Water. A preliminary site plan has been submitted, but no final site plan has been filed at this time. KOTD Holdings is currently operating out of the Sterling area.

**ISSUES:**

**1. Health Department Practice:**

The Loudoun County Health Department has historically recommended approval of permanent pump and haul applications only for existing occupied structures that have failing or substandard sewage disposal systems. This proposal is for change of use/new construction and therefore does not meet this policy.

**2. Comprehensive Plan Policy:**

The pump and haul application is in compliance with the County's General Wastewater Policies in the Revised General Plan which states "*Pump and haul operations are not permitted in the Rural Policy Area, Existing Rural Villages or the Transition Policy Area except as a last resort and temporary wastewater disposal method to address a proven, public health emergency. The County will determine the length of the period during which pump and haul disposal will be allowed.*" (Revised General Plan, Policy 11, p. 2-19, Attachment 3).

**FISCAL IMPACT:**

The Loudoun County Health Department monitors permitted pump and haul facilities by conducting annual inspections to insure compliance as well as the monitoring of pump outs as required by State Code. These inspections are included in current staff workloads and will have no additional fiscal impact.

**ALTERNATIVES:**

1. The County **not** enter into a contractual agreement with KOTD Holdings and the Virginia Department of Health to permit permanent pump and haul services to serve the proposed office facility to be located at 20102 Belmont Ridge Road in Ashburn, Virginia.

**-OR-**

2. The County enter into a contractual agreement with KOTD Holdings and the Virginia Department of Health to permit permanent pump and haul services to serve the proposed office facility to be located at 20102 Belmont Ridge Road near Ashburn, Virginia.

**DRAFT MOTION(S):**

1. I move that the Transportation and Land Use Committee recommend to the Board of Supervisors that the County **not** enter into a contractual agreement with KOTD Holdings and the Virginia Department of Health to permit permanent pump and haul services to serve the proposed office facility to be located at 20102 Belmont Ridge Road near Ashburn Virginia.

**-OR-**

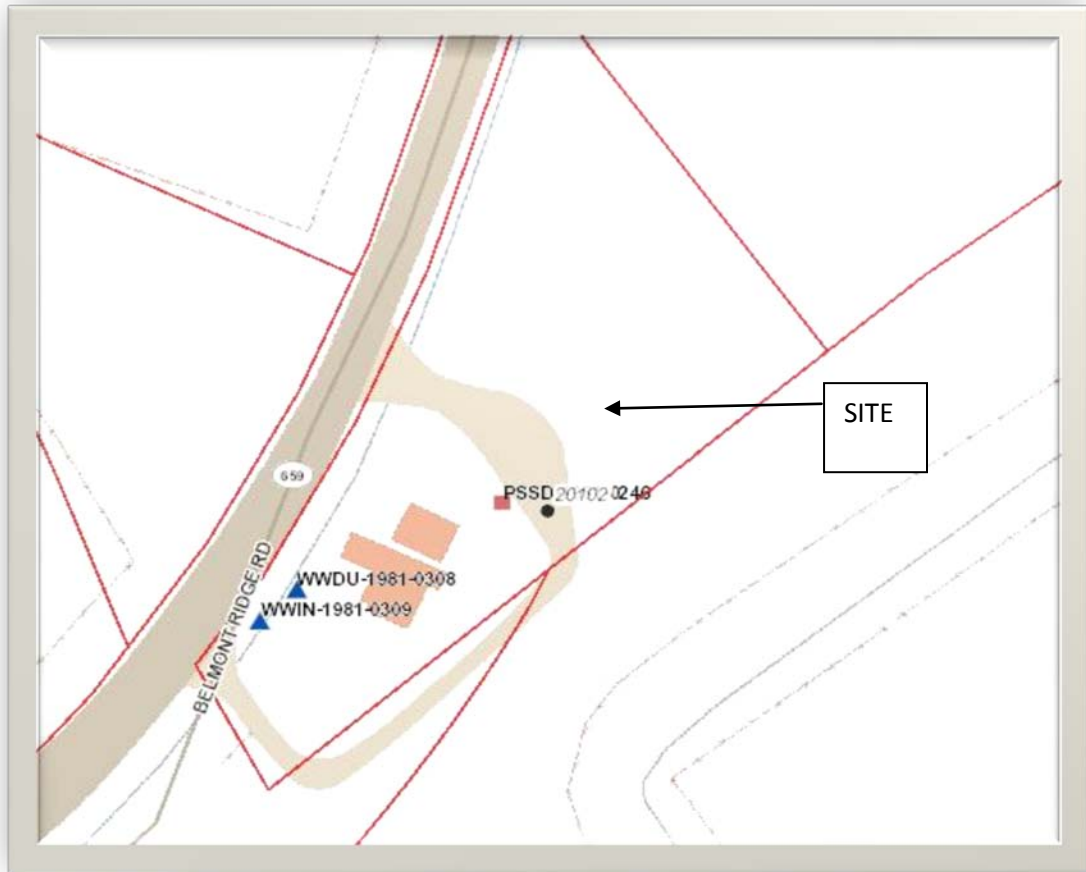
2. I move that the Transportation and Land Use Committee recommend to the Board of Supervisors that the County enter into a contractual agreement with KOTD Holdings and the Virginia Department of Health to allow permanent pump and haul services to serve the proposed office facility to be located at 20102 Belmont Ridge near Ashburn Virginia and that all costs associated with the pump and haul operation be borne by KOTD Holdings. KOTD Holdings shall also be responsible for insuring that the pump and haul provider submits all required reports, records, and receipts from the proposed office facility through the Health Department's on-line tracking system. I further move that the Transportation and Land Use Committee recommend to the Board of Supervisors that as a condition of the approval of this permanent pump and haul application, the owner be required to connect to public sewer when it becomes available and is within 300 feet of the property.

**-OR-**

3. I move an alternate motion.

**ATTACHMENTS:**

1. Vicinity Map
2. Site Photos
3. General Plan – Suburban Policy Area



VICINITY MAP      KOTD HOLDINGS



SIDE VIEW OF EXISTING UNOCCUPIED STRUCTURE



REAR VIEW OF STRUCTURE      KOTD HOLDINGS  
ATTACHMENT 2                      A-2

## **Local Policies Relating To Pump and Haul Operations**

**Revised General Plan - 7/23/01, Amended 04/20/04**

**Chapter 2 - Planning Approach**

**Infrastructure**

**General Water and Wastewater Policies**

**General Wastewater Policies, pp 21 – 22**

**11. The County will allow permanent pump-and-haul operations only to serve existing non- residential uses in the Suburban Policy Area if there is a demonstrated health risk associated with the existing on-site treatment facility and the use is a permitted use as identified by the Zoning Ordinance. Permanent pump-and-haul operations will not be permitted to serve new development or serve as a means of expanding an existing use. The Health Department and the LCSA must approve pump-and-haul operations.**