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To: James Reynolds, PE
Field Director
VDH - Office of Drinking Water - Richmond Field Office
109 Governor Street, 6th Floor
Richmond, Virginia 23219

From: Scott Morris, DBA, P.E.
Director, Department of Public Utilities
City of Richmond

Date: November 13, 2025

Subject: Response to November 7, 2025 Correspondence Regarding October 9, 2025 Quarterly Progress Report Pursuant to Consent Order for City of Richmond Waterworks (PWSID No. VA4760100)

Mr. Reynolds:

Thank you for your November 7, 2025 letter and for recognizing the City's 90.5% overall completion rate across the 232 compliance items as well as the improved coordination with our regional wholesale customers, including the successful August 2025 tabletop exercise.

These achievements underscore the collaborative progress we have made together since January 2025, the City truly appreciates the Richmond Field Office's partnership throughout this process and shares your commitment to protecting public health. This collaborative partnership aligns with the Virginia Department of Health's Enforcement Manual, which emphasizes that compliance issues are "better addressed through collaborative approaches that preserve local governance."

The City's demonstrated compliance, collaboration, and transparency reflect our shared commitment to protecting the health of Richmond residents through that same partnership. After nearly a year of exemplary collaborative efforts and demonstrated progress, the City remains committed to addressing any item that may fall outside the explicit requirements of the Consent Order. Based on conversations with VDH, the City maintains it is in full compliance with Appendix A of the Consent Order and believes that no additional submissions are required at this time.

In response to the five comments raised in your letter that invites the City to "consider" in its next quarterly report, DPU does not believe these requests constitute formal requirements under the Consent Order pursuant to Appendix A. In the spirit of collaboration, the City provides the following clarifications:



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1. Detail in the “Corrective Action Taken, Planned, or Acknowledged” Column

The City has completed the comprehensive spreadsheet template provided by VDH and fully addressed each regulatory violation *“identified in [the] Order, and all deficiencies, areas of concern, and recommendations in: (1) the Sanitary Survey Report; (2) EPA's 2022 Safe Drinking Water Act Compliance Inspection Report and RFO's April 7, 2025, report regarding the findings of RFO's follow-up site visit; (3) the HNTB report, and (4) the SEH report.”*

In compliance with the Order, DPU has provided, *“responsive information for each regulatory violation, deficiency, area of concern, and recommendation”* addressing each item and a schedule. For example, the submitted spreadsheet meets this requirement precisely as the City documents the “Corrective Action Taken, Planned, or Acknowledged” column by documenting the action status (e.g., “Corrective Action Taken,” “Completed Prior to Consent Order,” and specific completion dates such as “7/15/2025”), while the adjacent “Specific Observation, Regulatory Violation, Area of Concern, Recommendation, or Deficiency Identified” column provides detailed narratives explaining the specific issues resolved.

Critically, the Consent Order itself memorialized 155 items as fully resolved prior to its execution—returning those items to compliance—using concise terms such as “addressed,” “acknowledged,” or “evaluated” without detailing exhaustive step-by-step analysis, work orders issued or contracts executed, or critical infrastructure improvement taken for each item. This standard was negotiated, approved, and memorialized in the executed Consent Order, and cannot be retroactively revised through subsequent correspondence.

The City believes the current level of detail satisfies the agreed to requirements of Appendix A. The City remains committed to providing VDH supplemental information that may provide additional clarity outside the Consent Order requirements. The City recommends if this additional clarification is needed that VDH request any specific clarification separately or the City can provide these updates through a regular check-in or a technical meeting if additional context would be helpful to VDH staff.

2. Standard Operating Procedures (SOPs)

DPU worked closely with the Richmond Field Office and coordinated the development of all SOPs as they were developed and revised (May 30, 2025; June 3, 2025; June 13, 2025; June 20, 2025; June 25, 27, 2025; and July 1, 2025) long before the 120-day due date of October 26, 2025. The Consent Order requires that DPU provide, *“a list of current and updated SOPs or a statement of the date(s) that the current SOPs were last updated since January 6, 2025, or that the SOPs do not require a further update at this time, especially with respect to power outage response.”* DPU believes that it went above and beyond this requirement by continuing to demonstrate a collaborative partnership with VDH in the



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development of each the SOPs, allowing VDH to provide active feedback and partnership in the development of SOPs.

Your correspondence requested that DPU “[P]rovide a copy of the final drafts of the SOPs or the final SOPs along with a list of all SOPs that the City has created or updated.” Though production of the final SOPs is not a Consent Order requirement, DPU provided the final SOPs per your request the same business day. DPU asks that further requests for information not required as part of Consent Order framework be addressed separately as those requests risk conflating general information requests with mandatory consent order obligations. The Consent Order does require the City to provide documentation that training was conducted on the SOPs. The City has provided a matrix outlining the training, this memo was sent on November 13, 2025, demonstrating the City’s commitment to timely training on the new SOPs. The City can also provide a walkthrough of the training program and application that ensures training is conducted quickly for new employees and at least annually thereafter outside of the Consent Order process, if that would add value and confidence in the new practices put in place at the facility.

3. Waterworks Business Operation Plan (WBOP)

Thank you for acknowledging that the City submitted all required supporting documents on September 8, 2025, to collaborate with RFO and facilitate development of the WBOP. As established multiple times during Consent Order negotiations, I am the designated point of contact and will “*collaborate with RFO and commit to completing a business operation plan.*”

The City and DPU will independently make all business and operational decisions regarding the operation of the utility in the best interest of Richmond residents, maintaining full compliance with state law and regulations. Final decision-making remains vested in DPU leadership, as established by City Ordinance and consistent with the City Charter. This management approach aligns with the Virginia Department of Health’s Enforcement Manual directive that compliance matters be “better addressed through collaborative approaches that preserve local governance.”

4. SEH Root Cause Analysis Report Recommendation 5.2.1.2 (Pump Motor Relocation) and comment

The City greatly appreciates VDH’s efforts and shares the common goal of eliminating any flooding vulnerability at the filtered-water pumps. The City does not believe the consultant engineer considered all factors when making their recommendations, this is understandable due to short timeframe and limited experience with all aspects of facility. Replacing the existing horizontal end suction filtered water pump motors (N-pumps and S-pumps) with vertical turbine style pumps would significantly impact plant operability, would require significant structural and piping modifications, resulting in considerable capital investment



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with limited reduction in flood vulnerabilities when other improvements are also taken into consideration. For example, the City has already begun the process of moving all other electrical items above the basement, enhancing removal capabilities of water, sealing electrical conducts, installing watertight actuators for the filter effluent valves, and locating a new vacuum priming system for the filtered water pumps to the main operating floor level. Practical, cost-effective solutions have already been implemented or incorporated into the Capital Improvement Program (CIP) as appropriate, fully addressing the underlying vulnerabilities while maintaining system reliability and compliance. The October 9, 2025, quarterly progress report and comprehensive tracking spreadsheet document these alternatives in sufficient detail when reviewed holistically across all the outlined projects and satisfies Appendix A.

DPU believes no revisions, additional details, or separate written responses are required under the Consent Order. Should VDH seek further elaboration on these engineering judgments—many of which involve critical infrastructure details that must be protected from public release pursuant to security protocols—we propose scheduling a confidential technical meeting with RFO staff.

5. Recommendations from SEH Needs Assessment (Section 4 – Recommended Improvements and Estimated Costs)

The City appreciates VDH's recommendation of including recommendation from the Needs Assessment conducted by SEH into the quarterly update. The City has conducted an independent condition assessment. Those SEH needs assessment recommendations that the City has determined to be beneficial and practicable have been incorporated into the ongoing City's multi-year Capital Improvement Program (CIP) prior to Consent Order. The City has provided a copy of the current CIP and will continue to provide an updated CIP once the budget is approved for each fiscal year, if requested by VDH. If VDH would like, the City can add an additional row and update to reflect all beneficial and practical items have been incorporated in the CIP and mark as complete.

The City appreciates the continued collaboration with VDH in our joint mission to ensure the health and well-being of the customers served by the City of Richmond Waterworks. Please direct any questions or scheduling inquiries to me at (804) 646-5205 or scott.morris@rva.gov.

Regards,

Scott Morris

Scott Morris, DBA, P.E.
Director, Department of Public Utilities
City of Richmond