



March 11, 2022

Voluntary Notice—Amendment to EPA Consent Decree

In accordance with the continuing disclosure undertakings made by the Hampton Roads Sanitation District (the “District”) in connection with the issuance of the bonds identified on Exhibit A hereto (the “Bonds”), voluntary notice of the following events with respect to the District is hereby provided.

On December 19, 2014, the Commonwealth of Virginia (the “Commonwealth”) entered into a long-term State Consent Agreement (the “2014 Consent Agreement”) with 14 localities that the District serves. The 2014 Consent Agreement requires the localities to perform long-term management, operations and maintenance of their sewer systems in support of the District’s efforts to provide long-term regional wet weather wastewater capacity. The District is not a party to the 2014 Consent Agreement. Instead, the District’s obligation to provide regional wet weather sewer capacity is now solely imposed through its federal consent decree (the “Consent Decree”). The District entered into the Consent Decree with the Commonwealth and the United States Environmental Protection Agency (“EPA”).

The Consent Decree was entered by the federal district court for the Eastern District of Virginia (the “District Court”) on February 23, 2010. The Consent Decree has been amended five times, most recently on February 8, 2022 (as cumulatively amended, the “Amended Consent Decree”). The third and fourth amendments resulted in the District assuming responsibility for planning (in consultation with the 14 affected localities), designing, funding, and implementing the controls in both the localities’ systems and the District’s system that are contained in the approved Regional Wet Weather Management Plan (RWWMP). Through this approach, the District estimates the regional ratepayers will achieve significantly reduced program costs than if each locality sought to address peak wet weather wastewater flows on its own. To facilitate this approach, the 14 affected localities entered into a Memorandum of Agreement with the District in 2014 in which they agreed to (1) cooperate with the District, (2) facilitate the construction of and accept ownership of any improvements that the District may need to construct in the localities’ systems, and (3) maintain the integrity of their systems to industry standards.

The Amended Consent Decree requires the District to implement its approved RWWMP to control regional, capacity-related sewer overflows within the 14 localities.

In accordance with the Amended Consent Decree, the RWWMP requires the District to implement 15 high priority project groups to be constructed through 2040. The District anticipates that this approximately \$410 million investment will reduce sewer overflow volume during a 5-year peak flow event by 69%. In parallel, the District currently plans to invest over \$1 billion to implement the District’s Sustainable Water Initiative for Tomorrow (SWIFT) program through 2032.

The Amended Consent Decree also requires the District to perform a post-RWWMP implementation performance assessment between 2040 and 2043. That assessment may call for (1) additional wet weather capacity controls/projects, (2) investments in emerging environmental issues including sea level rise

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adaptation, or (3) some combination of these and/or other regional environmental priorities. While cost projections in this time frame are inherently speculative, the additional projects could cost \$1 billion or more over a 20 to 25-year period (through 2060 or later).

No representation is made as to the correctness of the CUSIP numbers either on the Bonds or in this



Jay A. Bernas
General Manager

Exhibit A

Bond Series	Maturity Date	CUSIP #
Wastewater Revenue Bonds, Series 2009B	November 1, 2022	409327DT7
Wastewater Revenue Bonds, Series 2009B	November 1, 2023	409327DU4
Wastewater Revenue Bonds, Series 2009B	November 1, 2029	409327DR1
Wastewater Revenue Bonds, Series 2009B	November 1, 2039	409327DS9
Wastewater Revenue Bonds, Series 2014A	July 1, 2022	409327GJ6
Wastewater Revenue Bonds, Series 2014A	July 1, 2023	409327GK3
Wastewater Revenue Bonds, Series 2014A	July 1, 2024	409327GL1
Wastewater Revenue Bonds, Series 2014A	July 1, 2025	409327GM9
Wastewater Revenue Bonds, Series 2016A	August 1, 2022	409327HA4
Wastewater Revenue Bonds, Series 2016A	August 1, 2023	409327HB2
Wastewater Revenue Bonds, Series 2016A	August 1, 2024	409327HC0
Wastewater Revenue Bonds, Series 2016A	August 1, 2025	409327HU0
Wastewater Revenue Bonds, Series 2016A	August 1, 2025	409327HD8
Wastewater Revenue Bonds, Series 2016A	August 1, 2026	409327HV8
Wastewater Revenue Bonds, Series 2016A	August 1, 2027	409327JU8
Wastewater Revenue Bonds, Series 2016A	August 1, 2028	409327JV6
Wastewater Revenue Bonds, Series 2016A	August 1, 2029	409327HG1
Wastewater Revenue Bonds, Series 2016A	August 1, 2032	409327HW6
Wastewater Revenue Bonds, Series 2016A	August 1, 2035	409327HS5
Wastewater Revenue Bonds, Series 2016A	August 1, 2036	409327HT3
Variable Rate Wastewater Revenue Bonds - Series 2016B	August 1, 2046	409327HZ9
Wastewater Revenue Bonds - Series 2017A	October 1, 2027	409327JA2
Wastewater Revenue Bonds - Series 2017A	October 1, 2028	409327JB0
Wastewater Revenue Bonds - Series 2017A	October 1, 2029	409327JC8
Wastewater Revenue Bonds - Series 2017A	October 1, 2030	409327JD6
Wastewater Revenue Bonds - Series 2017A	October 1, 2031	409327JE4
Wastewater Revenue Bonds - Series 2017A	October 1, 2032	409327JF1
Wastewater Revenue Bonds - Series 2017A	October 1, 2033	409327JG9
Wastewater Revenue Bonds - Series 2017A	October 1, 2037	409327JK0
Wastewater Revenue Bonds - Series 2017A	October 1, 2038	409327JL8
Wastewater Revenue Bonds - Series 2017A	October 1, 2039	409327JM6
Wastewater Revenue Bonds - Series 2017A	October 1, 2040	409327JN4
Wastewater Revenue Bonds - Series 2017A	October 1, 2041	409327JP9
Wastewater Revenue Bonds - Series 2017A	October 1, 2042	409327JQ7
Wastewater Revenue Bonds - Series 2017A	October 1, 2043	409327JR5

Exhibit A
 Continued

Bond Series	Maturity Date	CUSIP #
Wastewater Revenue Bonds - Series 2018A	October 1, 2023	409327KB8
Wastewater Revenue Bonds - Series 2018A	October 1, 2024	409327KC6
Wastewater Revenue Bonds - Series 2018A	October 1, 2025	409327KD4
Wastewater Revenue Bonds - Series 2018A	October 1, 2026	409327KE2
Wastewater Revenue Bonds - Series 2018A	October 1, 2027	409327KF9
Wastewater Revenue Bonds - Series 2018A	October 1, 2028	409327KG7
Wastewater Revenue Bonds - Series 2018A	October 1, 2029	409327KH5
Wastewater Revenue Bonds - Series 2018A	October 1, 2030	409327KJ1
Wastewater Revenue Bonds - Series 2018A	October 1, 2031	409327KK8
Wastewater Revenue Bonds - Series 2018A	October 1, 2032	409327KL6
Wastewater Revenue Bonds - Series 2018A	October 1, 2033	409327KM4
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2023	409327LB7
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2024	409327LC5
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2025	409327LD3
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2026	409327LE1
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2027	409327LF8
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2028	409327LG6
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2029	409327LH4
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2030	409327LJ0
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2031	409327LK7
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2032	409327LL5
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2033	409327LM3
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2034	409327LN1
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2035	409327LP6
Subordinate Wastewater Revenue Bonds Refunding Series 2019A	February 1, 2039	409327LQ4
WIFIA Loan - SWIFT - Tranche 1 Project	April 1, 2060	409327LR2
WIFIA Loan - SWIFT - Tranche 2 Project	June 1, 2060	409327LS0