



Water Permitting Update



Chesapeake Bay Nutrient Watershed VPDES General Permits

- NOIRA published February 23, 2015
- Technical Advisory Committee formed with representatives from publicly and privately owned sewage treatment plants, industrial dischargers, environmental NGOs and EPA
- 3 TAC meetings held to work through a number of issues

Chesapeake Bay Nutrient Watershed VPDES General Permits

- The assignment of Phase 2 DO-based Phosphorus reductions for significant dischargers in the James River Basin.
- Increased monitoring frequencies for some categories of dischargers
- New monitoring quantification level requirements for Nitrogen compounds
- Allowance for nonpoint source-to-point source trading ratios less than 2:1 under certain circumstances

VPDES General Permits

- Recently reissued:
 - Domestic Sewage Discharges <1000 GPD
 - Seafood Processing
- Initiate Development in 2016:
 - Vehicle Wash
 - Petroleum Contaminated Sites & Hydrostatic Testing
 - Noncontact Cooling Water
 - Potable WTP
 - Concrete Products

Federal e-Reporting Rule

- DEQ will need a regulatory change to make e-reporting a requirement.
- DEQ e-DMR system includes Individual Permits, Nutrient Watershed GP, and Industrial Stormwater GP
- DEQ's e-DMR system is CROMERR approved and meets e-reporting requirements.
- DEQ will be working with EPA Region III on an implementation plan for Virginia.

316(b) Final Rule Cooling Water Intake Structures (*CWIS*)

- Effective Date of federal rule: October 14, 2014.
- Addresses fish mortality due to impingement at the entrance of CWIS of existing power-generators and manufactures
- Targeted to apply to facilities with intakes designed to withdraw more than 2 MGD, with at least 25% of water withdrawn used for cooling purposes

316(b) Final Rule Cooling Water Intake Structures (*CWIS*)

- Facilities that withdraw >125 MGD must also undertake peer-reviewed studies to address fish mortality due to entrainment.
- Applications must include data on the water source, baseline biological characterizations, operational status, and intended method to comply with the impingement standards;
 - Compliance alternatives include pre-approved technologies, streamlined designed methods, or demonstration studies showing <24% mortality

316(b) Final Rule Cooling Water Intake Structures (*CWIS*)

- Facilities >125MGD must include entrainment characterization, feasibility, cost/benefit, and other environmental impact studies.
- For permits that expire prior to July 2018, owners may request alternate schedules to provide the required information.

PHASE I MS4 Permits

- Arlington, Chesterfield, Prince William, Henrico, and Fairfax issued.
- Draft permits for remaining Tidewater localities (Chesapeake, Virginia Beach, Portsmouth, Norfolk, Hampton, and Newport News) to public notice this week.
- VDOT will be issued individual MS4 permit.

PHASE II MS4 Permits

- GP Coverage provided July 1, 2013
- Permits require program plans to address minimum control, and structural storm water controls measures such as urban housekeeping (e.g. street cleaning) public education, identifying unauthorized connections
- Permits also require TMDL action plans for the Chesapeake Bay and local watersheds
- Bay TMDL action plan completed by July 1, 2015 and submitted as part of the September 2015 annual report

PHASE II MS4 Permits

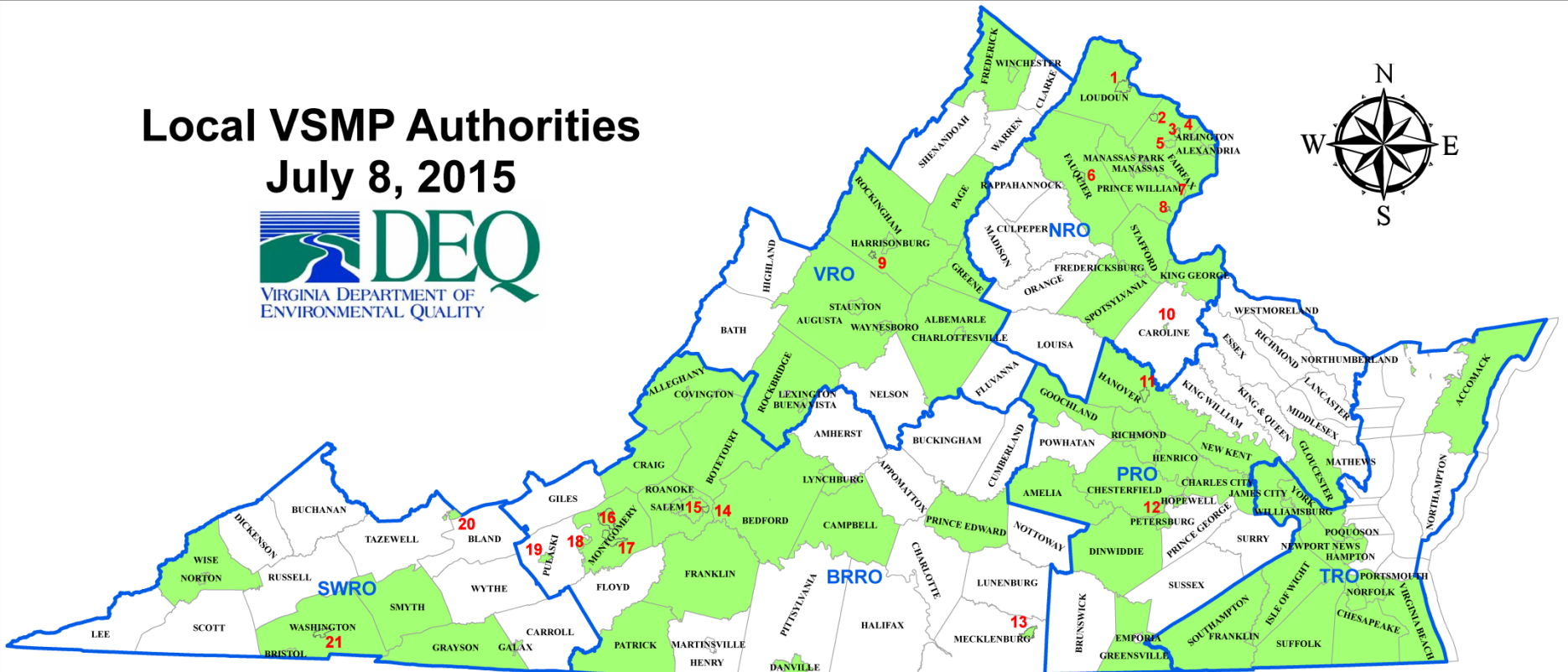
- Bay TMDL Action Plans
 - 88 Phase II Small MS4s located in Chesapeake Bay watershed
 - 75 existing MS4 permittees actions plans that were due October 1, 2015.
 - 72 Chesapeake Bay TMDL Action Plans received (including two newly designated permittees' plans submitted early).
 - All reviewed within 90 days of receipt.
 - One denied; others approved or conditionally approved.

PHASE II MS4 Permits

- Bay TMDL Action Plans
 - 5 existing permittees failed to submit.
 - Newly Designated MS4 permittees not required to submit action plans until 2018.
- This summer will start the regulatory process for reissuance of this permit.

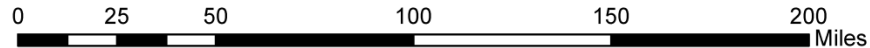
Local VSMP Authorities

July 8, 2015



Town & City Authorities:

- | | |
|--------------------|-----------------------|
| 1 - Leesburg | 12 - Colonial Heights |
| 2 - Herndon | 13 - South Hill |
| 3 - Vienna | 14 - Vinton |
| 4 - Falls Church | 15 - Roanoke |
| 5 - Fairfax | 16 - Blacksburg |
| 6 - Warrenton | 17 - Christiansburg |
| 7 - Occoquan | 18 - Radford |
| 8 - Dumfries | 19 - Pulaski |
| 9 - Bridgewater | 20 - Bluefield |
| 10 - Bowling Green | 21 - Abingdon |
| 11 - Ashland | |



Note: Opt-out totals include counties and cities that did not adopt a local VSMP.

Local VSMP

- DEQ Regional Offices
- 54 Opt-out
- 95 Local Authorities

CONSTRUCTION GP

- 5401 projects with active Construction GP coverage
- Construction GP permit actions in 2015
 - 973 Issuances
 - 55 Modifications
 - 46 Ownership Transfers
 - 241 Terminated
- Paid out \$9.8 million to VSMP localities for local portion of the 2014 Construction GP reissuance

CONSTRUCTION GP

- Construction GP database for VSMP localities and DEQ operational since July 1, 2014;
 - additional capabilities added this year (permit modifications/transfer, enhanced reporting)
 - Inspection module and GIS capabilities released last Fall

VA Stormwater Management Program Best Management Practices (BMPs)

- VA Stormwater BMP Clearinghouse
- 15 Non-Proprietary BMPs
- In May of 2014 issued guidance on interim use of Proprietary BMPs (Manufactured Treatment Devices) to meet the Part IIB technical criteria
 - 24 Proprietary MTDs have been approved
 - Reviewing sizing requirements

INDUSTRIAL STORMWATER GENERAL PERMIT

- Reissued July 1, 2014 - 1190 active ISW GPs
- Benchmark and effluent monitoring required on a semiannual basis
- ISW GP universe has had a historically higher rate of non-compliance relative to submittal of DMRs. Submittal of DMRs were required on an annual basis in the previous GP
- July 2014 ISW GP requires DMR submittals twice per year, January for the reporting period of July through December and July for the period of January through June

INDUSTRIAL STORMWATER GENERAL PERMIT Cont'd

- Compliance and permitting ISW guidance has been issued and is accessible on the Virginia Town Hall Website and the Agency internet site.
- DEQs 2015 VPDES Compliance Monitoring Strategy recommends that ISW GP holders that don't submit required DMR are to be targeted for an inspection during the current inspection cycle (FFY2015) or in the next cycle (FFY2016).
- The January 2015 DMR report indicated approximately 30% of the active ISW GP universe did not submit a DMR report for the reporting period of July 2014 through December 2014.

ISWGP

BASIC REQUIREMENTS

- Chesapeake Bay TMDL Monitoring
 - All Bay watershed facilities
 - TSS, TN and TP semiannual for 2 years (4 samples)
 - Permittee must calculate load
 - No net increase for future sites/expansions

2015 -2016 LEGISLATIVE STUDY

- Stormwater Regulations – Impact on High Water Table
- DEQ to conduct two year study on post construction technical criteria in areas with seasonal high ground water table
- Evaluate existing BMP design specifications
- Recommend revisions to allow effective use of these BMPs

Streamlining the Stormwater Law

- A Stakeholder Advisory Group (SAG) was formed to assist –examining Virginia Stormwater Management Act, Erosion & Sedimentation Control Law, Chesapeake Bay Preservation Act and State Water Control Law.
- SAG members represent local governments, engineers, conservation groups, and permittees.
- The bill passed the General Assembly and was signed by the Governor.

Industrial & Domestic Sewage Inspections

- Risk Based Inspection Strategy (RBIS) is used to develop the agency inspection plan submitted to EPA for the fiscal year.
- VADEQ, at a minimum, is required to inspect 10% of the Industrial Stormwater permittees annually
- Major facilities are inspected at a frequency of every 2 to 3 years contingent upon compliance history. All other facilities are inspected once every 5 years at a minimum.
- In FFY2015, VADEQ inspected 56 major facilities, 536 non-major facilities, and 125 facilities with and Industrial Stormwater general permit.

Construction Inspections

- 2016 Compliance Strategy focuses on empowering the local VSMP Authorities, increased field presence, and improving rate of compliance
- DEQ, at a minimum, is required by EPA's July 2014 National Compliance Strategy to inspect 10% of active construction sites 500 different construction sites by September 30, 2016
- Inspections conducted by the local VSMP and provided to VADEQ can count toward the agency's goal
- In FFY2015, October 1, 2014-September 30, 2015, VADEQ inspected 1,342 inspections at 644 active construction sites

MS4 Inspections

- 28 Phase II MS4 Audits
- Past year 10 Phase II MS4 inspections

Questions?

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