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Exempt Action Final Regulation Agency Background Document

Agency name	State Water Control Board
Virginia Administrative Code (VAC) citation(s)	9 VAC25-720-60 C
Regulation title(s)	Water Quality Management Planning Regulation
Action title	<i>Amendment of the Water Quality Management Planning Regulation to reflect the transfer of nitrogen allocation between Virginia Electric and Power Company (Dominion) and Tranlin, Inc./Vastly.</i>
Final agency action date	July 19, 2017
Date this document prepared	May 8, 2017

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

These amendments to the Water Quality Management Planning Regulation (9VAC25-720-60) are required to reflect the transfer of nitrogen wasteload allocation from the Virginia Electric and Power Company (Dominion) and Tranlin, Inc. (Vastly) as identified in a Memorandum of Understanding dated the 5th day of April 2017.

Acronyms and definitions

Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.

Memorandum of Understanding - MOU
 Tranlin, Inc. - Vastly
 Virginia Electric and Power - Dominion

Statement of final agency action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The State Water Control Board adopted the amendments to 9VAC25-720-60 C at the Board meeting on July 19, 2017.

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

No impact on the institution of the family and family stability is anticipated as a result of this regulatory action.

All changes made in this regulatory action

Please detail all changes that are being proposed and the consequences of the proposed changes. Detail new provisions and/or all changes to existing sections.

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
9VAC25-720-60 C		Nitrogen and phosphorus wasteload allocations to restore the Chesapeake Bay and its tidal rivers.	Change the total nitrogen wasteload allocation for G02E – Dominion-Chesterfield (VA0004146) from 352,036 pounds/year to 272,036 pounds/year to reflect a transfer of nitrogen allocation to Tranlin/Vastly.
9VAC25-720-60 C			Amend the regulation to include a listing for G01E – Tranlin/Vastly for a total nitrogen wasteload allocation of 80,000 pounds/year to reflect a transfer of nitrogen allocation from

			Dominion-Chesterfield (VA0004146)
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Enter any other statement here

Regulatory flexibility analysis

Pursuant to § 2.2-4007.1B of the Code of Virginia, please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

No alternative regulatory methods were available to reflect this transfer of nitrogen allocation.