



townhall.virginia.gov

Exempt Action Final Regulation Agency Background Document

Agency name	State Water Control Board
Virginia Administrative Code (VAC) citation(s)	9VAC25-720
Regulation title(s)	Water Quality Management Planning Regulation
Action title	Amendment of the Water Quality Management Planning Regulation to revise and/or add wasteload allocations in the James River Basin (9 VAC 25-720-60 A), Roanoke River Basin (9 VAC 25-720-80 A and 9 VAC25-720-80 B for the South Hill WWTP), Tennessee-Big Sandy River Basin (9 VAC 25-720-90 A), and Chesapeake Bay – Small Coastal-Eastern Shore River Basin (9 VAC 25-720-110 A)
Final agency action date	December 6-7, 2017
Date this document prepared	October 5, 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of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed.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.

The amendments to the state's Water Quality Management Planning Regulation (9 VAC 25-720) include adding one new TMDL waste load allocation in the James River Basin (9 VAC 25-720-60 A), ten new TMDL waste load allocations in the Roanoke River Basin (9 VAC 25-720-80 A), one new TMDL waste load allocation in the Tennessee-Big Sandy River Basin (9VAC 25-720-90 A), and three revised TMDL waste load allocations in the Chesapeake Bay – Small Coastal-Eastern Shore River Basin (9 VAC 25-720-110 A). In addition, amendments to the Water Quality Management Planning Regulation (9VAC25-720-80 B) are required to reflect changes to non-TMDL wasteload allocations within the Roanoke River Basin for an expansion of the South Hill WWTP (VPDES Permit No. VA0069337).

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.

- Total Maximum Daily Load – TMDL*
- Virginia Pollutant Discharge Elimination System - VPDES*
- Wasteload Allocation - WLA*
- WWTP – Wastewater Treatment Plant*
- Water Quality Management Planning Regulation – WQMP Regulation*

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 voted to adopt the amendments to the WQMP Regulation, specifically to 9VAC25-720-60 A, 9VAC25-720-80 A, 9VAC25-720-90 A, 9VAC25-720-110 A and 9VAC25-720-80 B, at its meeting on December 6-7, 2017.

Public comment

Please summarize all comments received during the public comment period following the publication of the proposed stage, and provide the agency response. If no comment was received, please so indicate. __

No comments were received.

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
60.A		James River Basin	Adopting one new wasteload allocation in the Water Quality Management Planning regulation for the James River Basin.
80.A		Roanoke River Basin	Adopting ten new wasteload allocations in the Water Quality Management Planning regulation for the Roanoke River Basin.
9VAC25-720-80 B		Roanoke River Basin Non-TMDL wasteload allocations	Adopting changes to non-TMDL wasteload allocations (WLAs) for an expansion of the South Hill WWTP (VPDES Permit No. VA0069337), the WLA for CBOD5 (Apr – Nov) was increased from 60.6 to 113.5 kg/day, and WLAs of 45 kg/d for TKN (Apr – Nov), 204 kg/day for CBOD5 (Dec – Mar), and 56.8 kg/d for TKN (Dec – Mar) were added.
90.A		Tennessee-Big Sandy River Basin	Adopting one new wasteload allocation in the Water Quality Management Planning regulation for the Tennessee-Big Sandy River Basin.
110.A		Chesapeake Bay – Small Coastal – Eastern Shore River Basin	Replacing three existing wasteload allocations with three revised wasteload allocations in the Water Quality Management Planning regulation for the Chesapeake Bay – Small Coastal – Eastern Shore River Basin.

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 are available to amend the WQMP Regulation (9VAC25-720-80).