

Technical Advisory Committee (TAC) Meeting Minutes

General Virginia Pollutant Discharge Elimination System (VPDES) Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia Amendments (9VAC25 CHAPTER 820)

Meeting No. 1 – October 1, 2020, starting at 9:00 a.m. (EST)

The meeting was held virtually (i.e., electronically through the internet) using the GoToMeeting software platform, consistent with statutory requirements and the Governor's current Executive Orders concerning public meetings.

Welcome

Allan Brockenbrough, Manager of the Department of Environmental Quality's (DEQ) Office of VPDES Permits, chaired and opened the meeting.

Logistics and Introductions

Sound checks were conducted to ensure all designated TAC Panelists and DEQ Technical Liaisons could be heard.

The following entities were represented by designated TAC Panelists:

Andrew Parker	AdvanSix Resins & Chemicals LLC
* Ross Cooper	Alexandria Renew Enterprises
Joseph D. Wood, Ph.D.	Chesapeake Bay Foundation (CBF)
James J. Pletl, Ph.D.	Hampton Roads Sanitation District (HRSD)
* Erica Duncan	Henrico County
Jameson Brunkow	James River Association (JRA)
Edwin Edmonson	Richmond, City of
** Phillip Musegass	Virginia Conservation Network (VCN)
Christopher Pomeroy	Virginia Association of Municipal Wastewater Authorities (VAMWA)

* Filling in for the following TAC Panelists: Blake Hamilton (Alexandria Renew Enterprises); and James Grandstaff (Henrico County).

** Designated as Alternate representative by the TAC Panelist (Pat Calvert) for this meeting.

Designated DEQ Technical Liaisons to the TAC in attendance were:

Allan Brockenbrough	Manager, Office of VPDES Permits
Melanie Davenport	DEQ Director, Division of Water Permits
Drew Hammond	DEQ Director, Office of VPDES Permits and Compliance
Rebecca Johnson	Water Compliance Inspector, Northern Regional Office
Kristen Sadtler	Water Enforcement Manager, Division of Enforcement
Heather Weimer	Water Compliance Technical Reviewer, Piedmont Regional Office
Elizabeth Williams	Compliance Auditor, Tidewater Regional Office
Kyle Winter	Deputy Regional Director, Piedmont Regional Office

Other DEQ staff and entity representatives in attendance were:

Allison Deines	Alexandria Renew Enterprises
Timothy E. Castillo	Augusta County Service Authority
Curtis Linderman	DEQ Regulation & Guidance Coordinator, Office of VPDES Permits

Troy Nipper
Austen Stevens
Anna Killius
Kendra Sveum
Grace LeRose
Patricia Gleason

DEQ VPDES Compliance Coordinator, Office of Water Compliance
DEQ Administrative & Data Coordinator, Office of Water Compliance
James River Association
Loudoun Water, Broad Run Water Reclamation Facility
Richmond, City of
U.S. EPA, Office of Chesapeake Bay

Members of the public in attendance were:

Katherine Filippino
Amanda Marsh
Jeff McBride
Scott Morris
Christopher Tabor
Gary Williams

Charge of the TAC

Mr. Brockenbrough ensured all designated TAC Panelists had received a copy of a document describing the charge and roles of a TAC (see Attachment 2). Copies of the proposed General Permit (GP) regulation to be recommended to the State Water Control Board will be provided to the TAC members once it is sent to the Board (about a month prior to the scheduled Board meeting).

Regulation overview

Mr. Brockenbrough reviewed a summary of comments DEQ staff received in response to the Notice of Intended Regulatory Action (see Attachment 3), as well as preliminary comment responses as follows:

Comment #1: Alexandria Renew Enterprises recommended a footnote be added to the Registration Lists to address their Combined Sewer Overflows (CSO), similar to footnotes addressing the Lynchburg and Richmond CSOs.

Response: The footnote has been incorporated into the Water Quality Management Planning (WQMP) regulation, so it will be included in the Registration List;

Comment #2: Augusta County Service Authority recommended continuation of the "Owner Bubble."

Response: "Bubbled" registrations are already authorized in the Code of Virginia. No changes to that authority are proposed;

Comments #3 and #4: Multiple municipal commenters recommended the same permit terms and conditions be continued (subject to updates agreed to by VAMWA) and for current individual waste load allocations (WLAs) to be retained.

Response: Changes to the GP are anticipated to be minimal if changes are not made to the Water Quality Management Planning (WQMP) regulation. If changes are made to the WQMP regulation, they will need to be incorporated. New WLAs are not otherwise planned to be established as part of this GP rulemaking.

Comment #5: CBF & JRA urged the rulemaking incorporate the impacts of climate change.

Response: Issue will be addressed via the WQMP regulation; not this Rule.

Comment #6: CBF & JRA support the use of performance incentive programs, when coupled with stringent permit limits.

Response: Issue will be addressed via the WQMP regulation and the Phase III Watershed Implementation Plan (WIP) process; new limitations are not being established with this GP regulation.

Comment #7: CBF & JRA support Initiative 52 of the Phase III WIP.

Response: Similar to Comment #6, this is more of a WQMP regulation issue.

Comment #8: CBF & JRA believe floating WLAs will be a necessary component to meeting chlorophyll-a criteria in the James River.

Response: Similar to above, this is more of a WQMP regulation rulemaking issue.

Comment #9: CBF & JRA urge reconsideration of alternate “special circumstance” standards for Richmond, Lynchburg and Hopewell.

Response: This is more of a WQMP regulation rulemaking issue, and not the subject of this GP reissuance.

Comment #10: HRSD recommended the TAC be consulted before changes are proposed to clarify reporting requirements when parameters are reported less than quantification levels (QLs).

Response: DEQ agrees that is the intent of the TAC. It is unclear if we will get into particular issues relating to QLs. But if changes are proposed, DEQ intends to discuss those issues with the TAC.

Comment #11: HRSD recommended WLA changes should not be considered part of the GP review.

Response: No changes to WLAs are expected as part of this rule making. However, we expect to consider contingencies to what this Rule may look like if the WQMP regulation is amended.

Comment #12: HRSD supports the TAC formation and GP review process, as long as applicable legislative and regulatory requirements are met.

Response: DEQ intends to comply with these procedural requirements.

Comment #13: HRSD recommended the GP meet Governor Executive Order expectations for effectiveness, efficiency, and environmental benefit.

Response: DEQ intends to comply with the Governor’s Executive Order with this rule making.

Comment #14: Hanover County requested the WLA and delivery factors that became effective 1/1/2021 be maintained for the full 5-years of the next permit cycle.

Response: WLAs are addressed via the WQMP regulation, rather than this rulemaking. There are updated delivery factors from EPA Phase VI Bay watershed modeling to implement. EPA has signaled a desire to lock down the delivery factors moving forward. EPA recognizes changes in delivery factors may make it difficult to measure progress year-to-year due to challenges distinguishing results driven by nutrient loads versus changes in the model itself. Updated delivery factors have been used in proposed amendments to the WQMP regulation. DEQ intends to roll-in any new delivery factors in Year 5 of the reissued GP, as has been done historically, to avoid upsetting trade agreements or projections previously made by the Nutrient Exchange.

Comment #15: VAMWA recommended the unassigned aggregate James River WLA be deleted.

Comment #16: VAMWA noted its objection to Initiative 52 of the Phase III WIP, as well as its alternate recommendations.

Response: This is a WQMP regulation rulemaking issue.

Identification and discussion of proposed changes

If the WQMP regulation is not yet amended, Mr. Brockenbrough foresees few changes to the proposed GP regulation, but will seek TAC and stakeholder input. He reviewed proposed changes to the current effective GP regulation dependent on one of two scenarios:

1) If amendments to the WQMP Regulation are not adopted (herein referred as “Version 1”); and

2) If amendments to the WQMP Regulation are adopted, such as new “floating” WLAs or chlorophyll-a based WLAs in the James basin (herein referred as “Version 2”).

Mr. Brockenbrough reviewed proposed substantive changes if the WQMP regulation is *not* amended:

- Sections 10 thru 30: No changes are currently proposed;
- Section 40, Compliance Plans: If the WQMP regulation is not amended, then all of the prior limits established in Section 80 will have become effective by the time this GP is reissued (1/1/2021). Thus, sub-section A can be eliminated, as there will no longer be a need for new compliance plans to address Section 80. The only remaining requirement will be the (sub-section B) annual compliance plan updates (to address Section 70, Part I.D);
- Sections 50 thru 60: No changes are currently proposed;
- Section 70, General Permit:
 - Part I.A.3, Continuation of coverage: Propose moving forward the cited subdivision a. date from 2016 to 2021; and the subdivision b.(1) and b.(2) cited dates from 2012 to 2017;
 - Part I.B 3.a: Propose clarification of the WLAs resulting from the consolidation of flows from two or more facilities. The current regulation indicates aggregated limits are to be based on *delivered* loads. However, the only facilities with aggregate loads intended to be based on delivered loads are “bubbled” facilities. Bubbled facilities have separate discharges at different locations subject to different delivery factors within that one bubble. In contrast, discharge flows at consolidated facilities are generally moved to one facility. Thus, it would be more sensible for the accounting of limits at consolidated facilities to be based on end-of-pipe, rather than delivered, loads. Consolidation and trade agreements between parties often will miss delivery factor issues, prompting the need for clarification. Propose to strike “*delivered*” in Part I.B.3, to make them end-of-pipe loads. Also propose to drop in a new subdivision Part I.B.3.a to clarify that aggregate mass limits are to be calculated accounting for the various delivery factors in effect at the time of the facilities being consolidation;
 - Part I.C, Schedules of Compliance: All the schedules of compliance have been completed, so propose deletion of subdivisions C.1 and C.2. If no changes are made to the WQMP, all that is left is the subdivision C.3 schedule (which relates to NOIRA comments received from VAMWA) for aggregated James River WLAs included in Appendix X of the original TMDL. That schedule remains in effect until it is replaced by chlorophyll-a based WLAs, so it is proposed to keep C.3. In contrast, the version of the GP *with* WQMP amendments will propose to strike that paragraph;
 - Melanie Davenport (DEQ) inquired into the timing of the WQMP amendment process compared to adoption of the VAN GP reissuance? Mr. Brockenbrough replied staff are drafting separate versions of the proposed GP as a contingency measure. It is currently unknown if the process moving forward will involve an amendment, a modification, or both versions processed concurrently with comments received on both versions.
 - Part I.D., Annual compliance plan updates: will remain the same in the first Version.
 - Part I.E., Monitoring requirements: No changes proposed.
 - Parts I.F-G: No changes currently proposed;
 - Part I.G.1.c, Requirements to register: Adding housekeeping language to more closely match the exceptions to registering for facilities not subject to offset requirements, as outlined in the Code of Virginia and Part II.A.1.c.
 - Part I.H, Registration Statement: Relocating this subsection to its own regulatory section prior to Section 70.
 - Part I.I – J: No changes are currently proposed.
 - Part II: No changes currently proposed.
 - Part III: DEQ staff have not yet coordinated internally to identify if any housekeeping changes may be needed to the “Conditions Applicable to All VPDES Permits.”
- Section 80, Facilities Subject to Reduced Individual Total Nitrogen and Total Phosphorus Waste Load Allocations: Will remain unless otherwise changed by the WQMP regulation.

Andrew Parker (AdvanSix) inquired of the Monitoring Table found in Section 70, Part I.E.1. For the 2nd column, he indicated there are industrial facilities with loads > 350,000 lbs/yr TN and/or > 35,000 lbs/yr TP. Andrew recommended these simply refer to loads > 100,000 lbs/yr TN and/or > 10,000 lbs/yr TP.

Mr. Brockenbrough replied there may be a need to take a corresponding look at the monitoring frequencies for the very large industrials, as they otherwise catch a break compared to municipal facilities. Mr. Parker recalled the last time the general permit was opened, monitoring frequencies were increased to more than one day a week to address statistical concerns relating to representative data. He asked if enough data has been collected to re-evaluate whether the increase in monitoring frequency results in additional benefit moving forward? Mr. Brockenbrough said such an evaluation was done prior to the last reissuance of the general permit. EPA objected to the permit, resulting in the general permit being administratively continued while we addressed the monitoring frequency issue. That was the origin of the footnote allowing two samples to be composited into one. DEQ would anticipate EPA having a similar position today.

Mr. Brockenbrough reviewed proposed substantive changes if the WQMP regulation *is* amended (Version 2):

- Section 40.A, Compliance Plans: The date to submit a compliance plan is proposed for 6-months after the effective date of the permit for facilities subject to reduced WLAs identified in Section 80. This would *not* pull in facilities who have historically relied on the purchase of credits or bubbles – it will only affect those facilities subject to reduced WLAs. Compliance plans submitted cannot rely on the acquisition of credits from the Nutrient Offset Fund. Subdivision A.2.a deadlines would be updated to January 1, 2026. That would be the deadline for any chlorophyll-a based WLAs in the James River, and would be the limit effective date (i.e., no schedule of compliance) for any floating WLAs included in the WQMP Regulation.
 - Chris Pomeroy (VAMWA) recommended: a) the date cited in the first sentence of subsection A be corrected from “July 1, 2021” to read “July 1, 2022,” and b) the date cited in subdivision A.2.b be corrected from “January 1, 2021” to read “January 1, 2022.”
- Section 70, General Permit:
 - Parts I.A.3 and I.B 3: (same as Version 1);
 - Part I.C: For Section 80 facilities, compliance dates to meet the chlorophyll-a based limits are to be as soon as possible (as required by the Clean Water Act and VPDES Regulation), but no later than January 1, 2026. Compliance with the “floating” WLAs has been built into the proposed draft WQMP Regulation. The floating WLAs would become effective January 1, 2026, with no further schedule of compliance;
 - (Proposed) Part I.C.3.b: Mr. Brockenbrough identified a need to correct the “January 1, 2021” date cited to read “January 1, 2022.”
 - (Proposed) Part I.C.3.c: If a project is completed early, the compliance date becomes effective January 1 of the following calendar year, but no later than January 1, 2026.
 - (2017) Part I.C.3: Would be deleted, since it would go away with a WQMP amendment;
 - Part I.D: Previously, a compliance plan update was required from every facility. Those plans could not rely on the acquisition of credits from the Nutrient Offset Plan. DEQ proposes to apply the floating WLAs to only designated facilities, in a way not intended to require upgrades at “bubbled” facilities. Thus, there’s a need to revisit the “acquisitions of credits through payments into the Nutrient Offset Plan” phrase and whether there is a need to address facilities that will be subject to the floating WLAs in Section 80. Staff would welcome TAC input and suggestions;
 - Part I.E: Mr. Parker’s earlier Version 1 comments were noted as germane to Version 2, as well;
 - Part I.G.1.c: (same as Version 1);
 - Part I.H: Same as Version 1, but propose adding a subdivision (g) provision to address facilities with reclamation/reuse (R/R) programs. The floating WLAs at facilities with approved R/R programs, if they so choose, could be based on their treated flows (compared to historically reported discharged flows). There will be a need to identify these facilities on the Registration List to ensure proper reporting requirements are set up on their Discharge Monitoring Reports (DMRs) and built into the DEQ Compliance Auditing system.
 - Mr. Pomeroy questioned whether this is a Registration List issue, or if it could be more efficiently done within the DMR itself? Is there an opportunity to avoid opening up the regulation to address R/R projects? Pomeroy suggested a standard rule governing how to report R/R on a treated flow basis could be directly applied on the DMR without

creating a moving part within the regulation subject to being reopened and modified. Mr. Brockenbrough replied R/R systems will continue to have to report discharged flows, but will also need to report another treated flow number to establish their WLA. The intent was to establish a way to identify the R/R facilities up-front, at the time of registration, so the appropriate monitoring requirements can be dropped into the permits. Mr. Brockenbrough recognized this may warrant a need for the permit's monitoring provisions to address the reporting of R/R treated flows to their distribution system; e.g., by adding a footnote to the table in Part 70, Section E.

- In terms of R/R water distributed, Mr. Brockenbrough said influent flows have not typically been reported under the permit. Under the IP, R/R systems are assigned a series of "outfall" numbers depicting points of compliance for reporting purposes. The R/R values reported under the IP should be the same as those reported under the GP, though there is a need to confirm IP protocols in how R/R facilities may be reporting monthly average flows containing zero flow days. This would include batch discharging facilities (for example, Gordonsville, Omega, etc.) characterized by high individual flows for just a few days during the month, but who otherwise may not discharge every day. Those facilities do not include the zero flow days in their average monthly flow calculations per an anomaly in NPDES reporting. Mr. Brockenbrough expressed a desire for similar situations to not exist for R/R systems. If water is sent to a reuse distribution system only a few days during the month (resulting in zero R/R distributed flows for the other days) we need to make sure the reported data is handled appropriately, and if the R/R load calculations may need to otherwise be adjusted.
- Mr. Pomeroy expressed hope for all of the reporting requirements for IPs and the GP to be similar, to avoid different approaches.
- Mr. Brockenbrough also mentioned a need to make sure flows are not counted twice when reclaimed water is sent to storage, then later recirculated back through the treatment system to be re-treated. Thus, there will be a need to distinguish R/R water that leaves storage for re-retreatment versus directed into the distribution system.
- Mr. Brockenbrough indicated a need to work out the business flow if a facility were to seek approval of a new R/R system in the middle of the permit term. For example, would a new Registration Statement be needed?
- Section 80: The existing table will be deleted and replaced with two tables: 1) facilities subject to floating WLAs; and 2) facilities subject to reduced chlorophyll-a based reduced TP WLAs in the James River basin.

Next steps

Mr. Brockenbrough reminded TAC members that if they have follow-up comments, to avoid Freedom of Information Act (FOIA) concerns, to not send an email to the entire group, or to have side discussions with more than a couple of members of the TAC. Please direct all comments to Curt Linderman for coordination.

With two different proposed Versions, Mr. Brockenbrough indicated staff were still thinking through an administrative and logistical strategy for moving forward; e.g., whether to continue with both versions, or to have Version 2 available on stand-by for when amendments to the WQMP Regulation are done, etc.

Mr. Pomeroy indicated this is the 4th cycle on this GP, so it gets easier with each cycle. Mr. Brockenbrough agreed, saying the permit has good structure, has good legislation behind it, and the Nutrient Credit Exchange has worked out excellent operating rules and procedures. Staff continues to experience an annual crunch in January performing reconciliation with EPA Bay Program progress runs, and in resolving continuing problems with addition errors in reported DMR data by the April 1 Annual Load publication deadline. There's still need to work through a possible scenario if a basin were to ever come up short, and need to go to the Nutrient Offset Fund. That hasn't happened yet, but the risk exists.

So, there's a need to figure out that business process, given the statute does not afford any additional time, given the deadline for all offset compliance trades to be completed by June 1.

Mr. Brockenbrough reminded attendees of the 2nd TAC meeting scheduled virtually for the afternoon on October 15, 2020.

The meeting adjourned at 10:10 AM.

/cjl

Attachment 1

Agenda

VPDES Nutrient General Permit Technical Advisory Committee (TAC)
Meeting No. 1 – October 1, 2020

1. Welcome
2. Meeting Logistics
3. Charge of the TAC
4. Introductions
5. Regulation overview
6. Identification and discussion of proposed changes
7. Next steps

Attachment 2

THE ROLE OF THE TECHNICAL ADVISORY COMMITTEE IN THE GENERAL PERMIT DEVELOPMENT PROCESS

The purpose of this group is to assist the Department of Environmental Quality (DEQ) staff in development of a draft regulation for a general permit. This group has been formed from persons who indicated an interest in serving on the committee in response to the Notice of Intended Regulatory Action. The Technical Advisory Committee (TAC) is expected to bring to DEQ a wide range of concerns related to the proposed general permit. All of these concerns will be addressed by the TAC and any TAC member is free to express any opinion during the course of discussion.

The role of this committee is advisory only. The primary activity of the committee will be to develop a regulation that is in the best interest of the Commonwealth as a whole. Because this group represents many different interests, some conflicting, all members should expect to compromise to some degree in order to accomplish the committee's collective goal. That goal is to reach consensus on a draft general permit regulation that the staff will recommend to the DEQ management and the State Water Control Board. The DEQ staff that work with the TAC are responsible for coordinating the committee's activities and drafting the regulation. No further meetings of the TAC are anticipated once the general permit regulation has been drafted and forwarded to DEQ management and the Board.

Neither DEQ nor the Board is obligated to accept the committee's recommendations. The position of DEQ management will be developed after the group's recommendation has been made. The DEQ's position will be set forth in the documentation sent to the Board members prior to the meeting at which they will consider the general permit. In turn, the Board will decide if they will support the DEQ recommendation before the proposed general permit is published for public comment.

Members of the Technical Advisory Committee will receive copies of the draft general permit regulation that the Board authorizes for public comment. As with all members of the public, members of the TAC are free to attend the meetings of the Board and may make oral or written comments on the draft regulation during the public comment period. All of these comments will be considered before a final general permit regulation is adopted. Members of the TAC will receive copies of a summary of the comments submitted by the public and the staff responses to those comments.

Attachment 3

VPDES Nutrient Trading General Permit (9VAC25-820)

Summary of Comments Received in response to the NOIRA:

Alexandria Renew Enterprises (3/4/2020)

1. The Registration Lists should include the following footnote, modeled after footnotes addressing combined sewer systems for Richmond and Lynchburg, and for added clarity in conjunction with the Water Quality Management Planning Regulation footnote in 9VAC25-720-50.C:

“Wasteload allocations for localities served by combined sewers are based on dry weather flow capacity. Reported discharge loads for the AlexRenew WRRF shall include the loads associated with the first 54 MGD of flow on each day.”

Augusta County Service Authority (3/4/2020):

2. The “Owner Bubble” as authorized in the past and current general permit is an effective tool to reach the ultimate goal for protecting the Bay water quality in the future;

Augusta County Service Authority (3/4/2020), Chesterfield County (3/3/2020), Culpeper, Town of (3/2/2020), Fairfax County (3/3/2020), Henrico County (3/4/2020), Hopewell Water Renewal (3/4/2020), Leesburg, Town of (3/4/2020), Louisa County Water Authority (3/2/2020), Purcellville, Town of (3/3/2020), Richmond, City of (3/4/2020), Spotsylvania County (3/4/2020), Upper Occoquan Service Authority (3/4/2020), Virginia Association of Municipal Wastewater Agencies (3/3/2020)

3. Recommended the reissuance of the general permit on the same terms and conditions as the current permit, subject to any updates agreed to by the Virginia Association of Municipal Wastewater Agencies (VAMWA);
4. Recommended the individual waste load allocations assigned to municipal wastewater treatment facilities under the current permit be retained for the next permit cycle.

Chesapeake Bay Foundation & James River Association (02/19/2020)

5. DEQ is urged to incorporate the impacts of climate change to attaining chlorophyll a criteria within this rulemaking
6. JRA and CBF support performance incentive programs, when coupled with stringent permit limits. However, given the broad precedent of effluent limits set at 4 mg N L⁻¹ in Virginia and Maryland, using incentive programs above 4 mg N⁻¹ would be inappropriate and inequitable;
7. JRA and CBF strongly support Initiative 52 of the phase III WIP, which calls for additional reductions within the James River basin equivalent to an effluent treatment standard of 4.0 mg/L TN and 0.30 mg/L TP across all tributaries, and for equitable levels of effort by all stakeholders across Virginia’s Chesapeake Bay watershed;
8. It is important for wastewater reductions to be a regulatory requirement as proposed by this NOIRA; additional pollution reductions achieved under the floating waste load allocations will be a necessary component of meeting the new chlorophyll a water quality criteria for the James River;
9. JRA and CBF urge the reconsideration of alternative “special circumstance” standards for Richmond, Lynchburg, and Hopewell, given recent upgrades and the potential for each facility to comply with more stringent limits now and in the future;

Hampton Roads Sanitation District (03/04/2020)

10. Through the Technical Advisory Committee, dischargers should be consulted before changes are proposed to clarify reporting requirements when parameters are reported less than the respective quantification level to avoid different nutrient load conclusions between the General Permit and site-specific VPDES permits;
11. It is premature for the NOIRA to suggest that waste load allocations will change, as the Commonwealth has not reviewed the options put forth in public comments on how best to comply with the TMDL plan. A reliable basis for change to point source allocations has not been provided in the state's Notice; therefore, changes should not be considered as part of the General Permit review;
12. This NOIRA is exempt from APA Article II if specific requirements are met; including formation of a TAC within 30 days of the publication of the associated NOIRA comment period. This exemption also requires that written notice of changes be provided to the public and the Commonwealth receive oral and written comments on the proposed changes. HRSD supports this process given these and other applicable legislative and regulatory requirements are met.

[Staff Note: *Code of Virginia* §2.2-4006.A.8 reads, "...following the passage of 30 days from the publication of the Notice of Intended Regulatory Action forms a technical advisory committee..." rather than "within 30 days;"]
13. The NOIRA does not address all applicable Executive Orders of the Governor, nor does it require that the review of this General Permit meet those orders. Any changes to the General Permit must be a function of the Commonwealth's best efforts to maximize cost effectiveness and overall environmental benefit while using the best available science across all point sources. The General Permit should meet the Governor's expectations for effectiveness, efficiency, and environmental benefit.

Hanover County (02/24/2020)

14. Requested the load allocations and delivery factors that became effective 1/1/2021 under the current general permit be maintained for the full 5-years of the next permit cycle.

Virginia Association of Municipal Wastewater Agencies (03/03/2020)

15. The unassigned, and now obsolete, aggregate James River waste load allocation stated in the permit should be deleted;
16. VAMWA notes its objection to initiative 52 of Virginia's Chesapeake Bay TMDL Phase III Watershed Implementation Plan (Aug. 2019) as well as its alternative recommendations as detailed in VAMWA's February 19, 2020 comments submitted to DEQ.