



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	State Water Control Board
<b>Virginia Administrative Code (VAC) citation</b>	9VAC25-720
<b>Regulation title</b>	Water Quality Management Planning Regulation
<b>Action title</b>	2014 HB445 Amendment (add WLAs)
<b>Final agency action date</b>	December 11, 2014
<b>Document preparation date</b>	November 7, 2014

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), the agency 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 18 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

The Water Quality Management Planning Regulation, 9VAC25-720, lists by major river basin the State Water Control Board (SWCB) adopted total maximum daily load (TMDL) waste load allocations (WLAs), stream segment classifications, and effluent limitations including water quality based effluent limitations contained in the existing Water Quality Management Plans.

Chapter 202 of the 2014 Acts of Assembly requires that a comprehensive listing of all TMDL WLAs adopted or approved by the State Water Control Board prior to July 1, 2014, be set forth in the Water Quality Management Planning Regulation (9VAC25-720). Therefore, this amendment to add WLAs to the various river basin sections of the regulation is necessary to comply with the Chapter 202 of the 2014 Acts of Assembly.

**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.*

At its meeting on December 11, 2014 the State Water Control Board adopted the 2014 HB445 Amendment to the Water Quality Management Planning Regulation, 9 VAC25-720, which adds WLAs to conform with Chapter 202 of the 2014 Acts of Assembly and affirmed that the Board will receive, consider and respond to requests by any interested person at any time with respect to reconsideration or revision.

**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.*

<b>Current section number</b>	<b>Proposed new section number, if applicable</b>	<b>Current requirement</b>	<b>Proposed change and rationale</b>
20		Purpose.	Added text to clarify the purpose of regulation to be consistent with the new APA exemption for the adoption of a WLA (§ 2.2-4006.A.14) and to provide information on the footnotes for the addition of the previously adopted or approved WLAs in compliance with Chapter 202 of the 2014 Acts of Assembly.
50		Potomac-Shenandoah River Basin.	Added TMDL WLAs in compliance with Chapter 202 of the 2014 Acts of Assembly. The WLAs added are labeled TMDL #71 through #200 in the table in subsection A.
60		James River Basin.	Changed the footnote for growing season to #2 in TMDL #7. Added TMDL WLAs in compliance with Chapter 202 of the 2014 Acts of Assembly. The WLAs added are labeled TMDL #15 through #139 in the table in subsection A.
70		Rappahannock River Basin.	Added TMDL WLAs in compliance with Chapter 202 of the 2014 Acts of Assembly. The WLAs added are labeled TMDL #1 through #72 in the table in subsection A.
80		Roanoke River Basin.	Added TMDL WLAs in compliance with Chapter 202 of the 2014 Acts of Assembly. The WLAs added are labeled TMDL #37 through #96 in the table in subsection A.
90		Tennessee – Big Sandy River Basin.	Added TMDL WLAs in compliance with Chapter 202 of the 2014 Acts of Assembly. The WLAs added are labeled TMDL #21 through #76 in the table in subsection A.

100		Chowan River - Dismal Swamp River Basin.	Added TMDL WLAs in compliance with Chapter 202 of the 2014 Acts of Assembly. The WLAs added are labeled TMDL #5 through #38 in the table in this section.
110		Chesapeake Bay - Small Coastal - Eastern Shore River Basin.	Added TMDL WLAs in compliance with Chapter 202 of the 2014 Acts of Assembly. The WLAs added are labeled TMDL #7 through #125 in the table in subsection A.
120		York River Basin.	Added TMDL WLAs in compliance with Chapter 202 of the 2014 Acts of Assembly. The WLAs added are labeled TMDL #1 through #38 in the table in subsection A.
130		New River Basin.	Added TMDL WLAs in compliance with Chapter 202 of the 2014 Acts of Assembly. The WLAs added are labeled TMDL #11 through #44 in the table in subsection A.

**Regulatory flexibility analysis**

*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.*

The necessity to amend this regulation in order to add WLAs, which were previously approved or adopted prior to July 1, 2014, is required by Chapter 202 of the 2014 Acts of Assembly (see enacting clause two (2)).

**Family impact**

*Please assess the impact of the proposed 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.*

The addition of previously adopted or approved WLAs has no direct impact on the institution of the family and family stability

## 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.*

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DEQ – Department of Environmental Quality

SWCB – State Water Control Board

TMDL – Total Maximum Daily Load

WLA – Waste Load Allocation