



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	State Water Control Board
<b>Virginia Administrative Code (VAC) citation</b>	9 VAC 25-196
<b>Regulation title</b>	General Virginia Pollutant Discharge Elimination System (VPDES) Permit For Cooling Water Discharges
<b>Action title</b>	Amend Existing Regulation
<b>Final agency action date</b>	December 4, 2007
<b>Document preparation date</b>	December 13, 2007

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, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

### 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.*

This regulation will reissue the existing VPDES cooling water general permit which expires on March 1, 2008. The general permit will establish limitations and monitoring requirements for point source discharges of noncontact cooling water. There are no changes in the regulation from proposed to final.

### Substance

The significant changes to the regulation are as follows:

1. Changed the title of the regulation to "General Virginia Pollutant Discharge Elimination System (VPDES) Permit For NonContact Cooling Water Discharges of 50,000 Gallons Per Day or Less" to indicate the coverage restrictions.
2. Changed both the Registration Statement item #6, and permit Special Condition #3 to require either an engineering analysis, or a technical evaluation of the active ingredients of the chemical additives proposed to be used, to determine the concentration in the discharge. Previously the regulation only required an estimate of the concentration in the discharge.
3. Clarified Footnote #3 of the permit Part I, Effluent Limitations and Monitoring Requirements section to indicate that the ammonia monitoring only applies where the source of the cooling water is disinfected using chloramines.
4. Added permit Special Condition item #7 to allow a permittee to apply for reduced monitoring if they have a geothermal system using groundwater and no chemical additives, and their monitoring data shows they are in full compliance with their effluent limitations. The Department must authorize the reduced monitoring, and any subsequent enforcement action will require the permittee to resume the full permit monitoring requirements.

**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.*

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On December 4, 2007, the State Water Control Board adopted the amendment to the General Virginia Pollutant Discharge Elimination System (VPDES) Permit For Cooling Water Discharges. The Board also asserted that they will receive, consider and respond to petitions by any person at any time with respect to reconsideration or revision of the regulation.

**Family impact**

*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.*

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It is not anticipated that this regulation will have a direct impact on the institution of the family or family stability.