



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	State Water Control Board
<b>Virginia Administrative Code (VAC) citation</b>	9 VAC 25-720
<b>Regulation title</b>	Water Quality Management Planning Regulation
<b>Action title</b>	Amends Sections 50 and 90 to include 2 new and 1 amended TMDL wasteload allocations
<b>Final agency action date</b>	June 27, 2007
<b>Document preparation date</b>	May 14, 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.*

The amendments to the state's Water Quality Management Planning Regulation (9 VAC 25-720) include two new Total Maximum Daily Load (TMDL) wasteload allocations and a modification of an existing TMDL wasteload allocation. The amendments are to the following river basins: Potomac-Shenandoah River Basin (9 VAC 25-720-50 A), and Tennessee - Big Sandy River Basin (9 VAC 25-720-90 A).

The TMDLs were developed in accordance with Federal Regulations (40 CFR § 130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The TMDLs were subject to the TMDL public participation process and the waste load allocations are adopted as part of 9 VAC 25-720 in accordance with Virginia's "Public Participation Procedures for Water Quality Management Planning". Attached is a document that lists by name the two TMDL reports, TMDL modification, and individual TMDLs affected by this 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.*

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At its meeting on June 27<sup>th</sup> and 28<sup>th</sup>, 2007, the State Water Control Board adopted the amendments to the Water Quality Management Planning Regulation (9 VAC 25-720 et seq.) to include two new TMDL waste load allocations and modification of the existing TMDL waste load allocation.

**Family impact**

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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The amendment of the Water Quality Management Planning Regulation is for the protection of public health and safety, which has only an indirect impact on families.

**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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Enter statement here

**Periodic review**

*If this final regulation is not the result of a periodic review of the regulation, please delete this entire section. If this final regulation is the result of a periodic review, please (1) summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and (2) indicate whether the regulation meets the criteria set out in Executive Order 36, e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.*

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<b>Commenter</b>	<b>Comment</b>	<b>Agency response</b>

Enter statement here