

**M E M O R A N D U M**

Department of Environmental Quality  
Technical Services Office

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SUBJECT: Guidance Memo No. 97-2006  
Revised Local Government Ordinance Form

TO: Regional Directors

FROM:  John M. Daniel

DATE: NOV 24 1997

COPIES: Regional Permit Managers, Regional Compliance and Enforcement Managers, Regional Water Permit Managers, Larry Lawson, Robert Mann, Robert Beasley, Jack Shubert, TSO Permit Support and Program Development Staff

Attached to this memo is a revised Local Government Ordinance Form. This form is a required attachment to all requests for coverage under the VPA general permit for confined animal feeding operations. Please begin using the new version December 1. The form has been changed to show the name of the applicant and the location of the farm on the same sheet that contains the local certification. This change was made at the suggestion of a local planning director who pointed out that once signed, the old form could be submitted with any application since it did not specify which operation was being certified.

New statutory references are also included in this revision. The General Assembly recodified Title 15.1 of the Code of Virginia, which deals with the powers of local governments, as Title 15.2. This change in state law is effective December 1, 1997.

Please contact Richard Ayers if there are any questions about this guidance.

**DISCLAIMER**

This document provides procedural guidance to the permit staff. This document is guidance only. It does not establish or affect legal rights or obligations. It does not establish a binding norm and is not finally determinative of the issues addressed. Agency decisions in any particular case will be made by applying the State Water Control Law and the implementation regulations on the basis of the site specific facts when permits are issued.

Local Government Ordinance Form

SUBJECT: Local and Areawide Planning Requirements

TO: Applicants For Coverage Under The Virginia Pollution Abatement General Permit For Confined Animal Feeding Operations

§62.1-44.17:1 C (ii) of the State Water Control Law states:

"For coverage under the General Permit, the owner of the confined animal feeding operation shall file a registration statement... The owner shall attach to the registration statement:...(ii) a notification from the governing body of the locality where the operation is located that the operation is consistent with all ordinances adopted pursuant to Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2..." (These are local zoning and planning ordinances)

In accordance with this section, requests for coverage under the Virginia Pollution Abatement General Permit will not be considered complete until the certification statement is submitted to the Department of Environmental Quality Regional Office. Applicants may use the bottom of this page to transmit the request to the locality.

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To: \_\_\_\_\_  
(County, City, or Town Administrator/Manager)

I am in the process of completing a registration statement for coverage under the Virginia Pollution Abatement General Permit for Confined Animal Feeding Operations. In accordance with Chapter 22 (§15.2-2200 et seq.) of Title 15.2 of the Code, I request that you sign one of the three statements certifying that the operation described on the attached registration statement is or is not consistent with your local ordinances. Please return this form to me at:

(Applicant's address) : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE SEE THE REVERSE SIDE OF THIS FORM FOR CERTIFICATION REQUIREMENTS**

LOCAL GOVERNMENT ORDINANCE FORM

For requests for coverage under the Virginia Pollution Abatement General Permit for Confined Animal Feeding Operations

In reference to the request from: \_\_\_\_\_  
Applicant's Name

For certification of an operation located at:  
\_\_\_\_\_  
Location of Facility

I hereby certify,

\_\_\_\_ (1) That the proposed location, and operation of the facility is consistent with all ordinances adopted pursuant to Chapter 22 (§15.2-2200 et seq.) of Title 15.2 of the Code of Virginia

OR

\_\_\_\_ (2) That no local ordinances are in effect pursuant to Chapter 22 (§15.2-2200 et seq.) of Title 15.2 of the Code of Virginia

OR

\_\_\_\_ (3) That the proposed location and operation of the facility is **not** consistent with all ordinances adopted pursuant to Chapter 22 (§15.2-2200 et seq.) of Title 15.2 of the Code of Virginia

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date