

Meeting Minutes
Thursday, August 6, 2020
Water Quality Management Planning Regulation Amendment
Regulatory Advisory Panel (RAP)
Electronic-only Meeting on GoToWebinar

Members Present: Jamison Brunkow, Pat Calvert, Tim Castillo, , Ted Henifin , Grace LeRose, Timothy Mitchell, Scott Morris, Andrew Parker, Chris Pomeroy, Ben Shoemaker, and Joe Wood.

Members Absent: Allison Dienes, Frank Harksen, Theresa O'Quinn, Dickie Thompson, and James Grandstaff.

Other Attendees: Patrick Fanning (attending for Theresa O'Quinn) Ashley Tatge (attending for Allison Dienes), Erica Duncan (attending for James Gradstaff), Melanie Davenport, Drew Hammond, John Kennedy, Allan Brockenbrough, Tish Robertson, Jutta Schneider, Austen Stevens, Gary Graham, Alison Thompson, Clifton Bell, Patrick Bradley, W. Brandon Bull, Rebecca Casto, KC Filippino, Hanna Gill, Normand Goulet, Lawrence Heyd, Daniel Hingley, Lawrence Hoffman, Gabriel Irigaray, Anna Killius, Thomas Kochaba, Adrienne Kotula, Jessica Lassetter, Lewis Linker, Jeff McBride, Anthony Moore, Martha Moore, Jim Pletl , Erin Reilly, Peggy Sanner, Jian Shen, Brooks Smith, Gary Williams, Andrea Wortzel, and Wendy Eikenberry (present online with Tim Castillo).

The meeting convened at 9:10 a.m. and adjourned at 10:50 a.m.

1. **Introductions and Meeting Logistics** [Kevin Vaughan, DEQ and Allan Brockenbrough, DEQ]. Mr. Vaughan checked in the RAP members and other on-line attendees present for the electronic meeting and Mr. Brockenbrough introduced the staff members physically present for the meeting in the DEQ training room. Mr. Brockenbrough presented the final Agenda (Attachment 1) and reviewed how the meeting would proceed. Mr. Brockenbrough also notified attendees that the next meeting would not be on August 20, 2020 as previously planned. Other dates in the following week are being considered.
2. **Industrial Wasteload Allocations** [Allan Brockenbrough, DEQ]. Mr. Brockenbrough reviewed the most recent discussions with industrial facilities and reviewed the two options available for reallocating some wasteload allocations from the industrial sector and invited discussion and questions. (See the recording for discussions and questions.)
3. **Municipal Floating Wasteload Allocations** [Allan Brockenbrough, DEQ]. Mr. Brockenbrough reviewed changes to the 9VAC25-720 regulation footnotes for the Shenandoah basin and other corrections and invited discussions and questions. (See the recording for discussions and questions.)
4. **James River Chlorophyll-a** [John Kennedy, DEQ]. Mr. Kennedy provided an update to the James River water quality modeling, which is focused on using adjusted 2025 climate change factors in the 9 point source nutrient reduction scenarios that test criteria attainment. The RAP was reminded of model results summarized at the last meeting indicating that, using the revised climate change factors, the seasonal mean criteria are attained for all scenarios; however, only two scenarios (VAMWA B+ and D) also attain the short duration summer criteria. Both of these scenarios both have

relatively stringent total phosphorus (TP) control (down to 0.2 mg/l TP for POTWs and 50% reduction at industrial facilities) across the entire James River watershed, compared to all other scenarios. Mr. Kennedy then described at least 8 additional point source model scenarios that will be sent to the EPA-CBPO to be run on the Watershed Model, to try to determine if there are geographical locations (i.e., above-the-fall-line, into the tidal fresh or lower estuary regions) either alone or in combination that are most effective at criteria attainment. It was suggested by a meeting attendee that two additional TP reduction levels (to 0.25 and 0.28 mg/l) should be investigated because even slight revisions to the assumed effluent concentrations may have meaningful impacts on the significant dischargers, including upgrade needs and operational costs.

A RAP member stated that there should be an evaluation of the industrial facilities to determine if they are even capable of further reducing TP by a factor of 50%, given that several are already at very low effluent limits, in one case 0.1 mg/l. While the additional “geographical” scenario runs are still planned with the assumed 50% reduction at industrial facilities, the industrial representatives on the RAP are encouraged to examine the current permit limitations and feasibility of further reductions or alternatives to the uniform percent decrease.

The 8 “geographic” and 2 additional “alternate TP effluent” scenarios will be drafted and sent to the EPA-CBPO to be run and assessed for chlorophyll criteria attainment. It is hoped that results will be available before the next RAP meeting.

A discussion followed on the prior request by the Chesapeake Bay Foundation and James River Association for an additional model run, extending the revised climate changes factors out to 2035 and simulating reduced BMP implementation rates to control nonpoint sources. It was explained that after a briefing for the Office of the Secretary of Natural Resources on 7/24, it was decided to not make this addition scenario run because Virginia’s Phase 3 WIP was developed with the inclusion of 2025 climate change factors and full BMP implementation has been reasonably assured with the commitments, actions and initiatives that the Commonwealth incorporated into the WIP. (See the recording for details.)

A [recording of the meeting](#) is available for review on-line.

Attachment: Final Meeting 6 Agenda.

Attachment

Final Agenda

Water Quality Management Planning Regulation Regulatory Advisory Panel (RAP)

Meeting No. 6 – August 6, 2020, 9:00 a.m.

1. Meeting Logistics
2. Introductions
3. Industrial Wasteload Allocations
4. Municipal Floating Wasteload Allocations
5. James River Chlorophyll-a