

## Office of Regulatory Management

## Economic Review Form

<b>Agency name</b>	State Water Control Board
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	9 VAC 25-720
<b>VAC Chapter title(s)</b>	Water Quality Management Planning Regulation
<b>Action title</b>	Add 10 State Water Control Board adopted wasteload allocations (WLAs) for 2 total maximum daily load (TMDL) studies: 1) James River Tributaries TMDL, and 2) Mountain Run PCB TMDL
<b>Date this document prepared</b>	May 15, 2024
<b>Regulatory Stage (including Issuance of Guidance Documents)</b>	Final Exempt Action

**Cost Benefit Analysis**

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

**Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)**

(1) Direct & Indirect Costs & Benefits (Monetized)	<b>Introduction-</b> To address impaired waters, the State Water Control Board (Board) amended 9 VAC 25-720, Water Quality Management Planning Regulation (WQMPR), to add total maximum daily load (TMDL) wasteload allocations (WLAs). A TMDL WLA is a calculation of the maximum amount of a pollutant that an impaired waterbody can receive from point sources while still maintaining Virginia Water Quality
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	<p>Standards (WQS) (9VAC25-260) and meeting its designated uses, such as recreational, aquatic life; wildlife; and producing edible and marketable natural resources.</p> <p>The Board adopted amendments to 9VAC25-720-60 A to incorporate sediment and phosphorus WLAs developed in the James River tributaries benthic TMDL study. This study addressed 6 different watersheds located in Chesterfield, Dinwiddie, and Prince George Counties, as well as the Cities of Hopewell, Colonial Heights, and Petersburg. Additionally, in the Rappahannock River basin, the Board adopted amendments to 9VAC25-720-70 A to incorporate a polychlorinated biphenyl (PCB) WLA developed for the Mountain Run PCB TMDL study, located in Culpeper County, Virginia.</p> <p>Virginia’s 2022 Section 305(b)/303(d) Water Quality Assessment Integrated Report identified streams affected by the WLA in the James River Tributaries TMDL study. These streams are impaired due to excessive sediment and phosphorus violating the general aquatic life (benthic) water quality standard. Similarly, the Integrated Report identified Mountain Run as impaired because PCB amounts are too high in fish tissue. Consequently, State Water Control Law § 62.1-44.19:7 and section 303(d) of the Clean Water Act (implemented through 40 CFR 130.7(c)) mandate that DEQ develop a TMDL for the specific pollutants (sediment, phosphorus, or PCB) causing impairments in each impaired water body. In each TMDL study, DEQ evaluated multiple scenarios to effectively reduce the pollutant levels in these studies. Stakeholders guided the selection of the preferred scenarios for each TMDL by providing feedback. The Environmental Protection Agency (EPA) has preliminarily approved both TMDLs and associated WLAs included in this regulatory change.</p> <p>WLA’s adopted, amended, or repealed by the Board pursuant to the State Water Control Law are identified as final exempt actions by the Administrative Process Act § 2.2-4006 A.14. To meet the requirements of the APA exemption for adding a WLA, the public, including impacted facilities, were invited to participate in the rulemaking process during multiple stakeholder meetings, which included two public meetings for each TMDL study with 30-day comment periods for the stakeholders to provide comments on the TMDL development and report. Four public comments were received during the comment periods for the James River Tributaries TMDL and one for the Mountain Run PCB TMDL. DEQ addressed each comment in the respective TMDL report.</p> <p><u>Direct costs:</u> The WQMPR (9VAC 25-720) does not result in any direct monetizable costs. The regulation lists TMDL reports, WLAs, and the</p>
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impaired streams to which they apply. However, it does not prescribe direct measures that facilities must implement to meet the WLA. Consequently, the regulation has no direct costs associated with compliance and does not identify any affected facilities, municipalities, or commercial entities.

Indirect Costs: WLAs are not self-executing; their application primarily occurs when DEQ issues new or modified Virginia Pollution Elimination Discharge System (VPDES) permits within impaired waters. As part of permits issued under the VPDES regulations (9VAC25-31) numeric water quality-based effluent limitations or, in certain cases, best management practices (BMPs) may be included in VPDES permits to meet the WLAs for an impaired water. As a result, DEQ cannot currently quantify indirect costs. The WLAs for the James River Tributaries and Mountain Run PCB TMDL studies could indirectly affect certain facility and municipality expenses. The impact of a WLA, if any, depends on the municipality or facility operations and permit requirements. If a DEQ permit necessitates pollutant reductions to meet the overall WLA, each permittee would have distinct requirements and options to reduce sediment, phosphorus or PCBs based on their specific processes or BMPs.

Eight (8) permitted municipal separate storm sewer systems (MS4s) may incur indirect costs to reduce sediment and phosphorus discharges to comply with the WLAs established for the James River Tributaries TMDL. These MS4 permittees in the watersheds, do not have specific individual reduction targets. Instead, the TMDL report aggregates reductions across all MS4 permittees which provides flexibility for these permit holders to address their share of the pollutant load and necessary reductions. In aggregate, these MS4 permittees need to reduce their sediment discharges between 54.5% and 88.4%, depending on the watershed, to meet the WLA and achieve water quality standards. Similarly, permitted MS4s in the Oldtown Creek, Rohoic Creek, and Swift Creek watersheds need to reduce phosphorus, in aggregate, between 73.3% and 98.8%, depending on the watershed. Under their MS4 permits, each system is required to draft a TMDL Action Plan outlining the measures they will undertake to meet the WLA. However, these measures and their indirect costs cannot be precisely monetized at this time. DEQ cannot predict the specific permit reductions that will be determined later, or which pollution reduction options MS4s will incorporate into their action plans for each watershed or pollutant.

Additionally, the TMDL WLA generated for Rohoic Creek affects five facilities that have Industrial Stormwater General Permits (ISWGP). Similarly, these ISW permittees in the watersheds, do not have specific individual reduction targets. As a group, facilities with ISWGP would

need to reduce their sediment and phosphorus discharges by 50% to meet the WLA and achieve water quality standards. ISWGP permitted facilities are required to develop a Stormwater Pollution Prevention Plan (SWPPP) as part of their existing VPDES permit requirements that identifies how they will reduce sediment or phosphorous to meet the overall WLA. The indirect costs for the facilities cannot be monetized at this time because the specific reductions for each facility are not known until permit issuance, and facilities have a variety of pollutant reduction options specific to their operations.

Seven (7) facilities with ISWGPs may incur indirect costs to reduce PCB discharges to comply with the WLA established for the Mountain Run PCB TMDL. These facilities with ISWGP permits need to reduce their PCB discharges on average 55%, ranging between 2% and 86%, depending on the facility, to meet the WLA and achieve water quality standards. ISWGP permitted facilities are required to develop a Stormwater Pollution Prevention Plan (SWPPP) as part of their existing VPDES permit requirements. To meet their WLA, each will be required to incorporate a Pollution Minimization Plan (PMP) into their existing SWPPP that identifies sources of low-level PCBs in their effluent and adaptive management practices they will carry out to reduce PCB discharges and report their progress over time. The indirect costs associated with drafting and implementing a PMP cannot be precisely monetized at this time. DEQ cannot predict which pollution reduction options facilities will incorporate into their PMPs since they have many alternatives specific to their operations.

New or expanding facilities requiring a VPDES permit to discharge sediment, phosphorus, or PCBs into the impaired water will also need to comply with the respective WLA. WLAs include a future growth buffer to allow for new facilities or development in an impaired watershed if they discharge the specified pollutants. WLAs for sediment were calculated using standard permit requirements. Therefore, these facilities would be unlikely to require managing discharges beyond typical VPDES permit requirements. Facilities discharging phosphorus in Rohoic creek or PCBs in Mountain Run would have the same responsibilities as existing permittees in these impaired waters to comply with the WLAs. VPDES permits already require monitoring for sediment and phosphorus so new monitoring beyond typical requirements would be unlikely.

Direct Benefits: Adding the WLAs to the WQMPR benefits the water body by ensuring that permit limits will result in improved water quality and contribute to efforts to remove the streams from the impaired waters list. The amendment does not have any direct benefits that can be monetized since the regulation only lists TMDL reports, WLAs, and the

	<p>impaired streams to which they apply and does not mandate any direct measures to meet the WLA.</p> <p><u>Indirect Benefits:</u> DEQ is not able to monetize the potential indirect benefits to implement the WLA at this time. Indirect benefits are incurred later, when VPDES permits incorporate the WLA to manage sediment, phosphorus, or PCB discharges to improve water quality. Improved water quality will protect human health and aquatic life, resulting in healthier fisheries, safer and reliable public water supplies, and contribute to economic benefits from tourism, economic development, and producing edible and marketable natural resources, such as by commercial and recreational fishing industries.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Not applicable	(b) Not applicable
(3) Net Monetized Benefit	Not applicable	
(4) Other Costs & Benefits (Non-Monetized)	<p><u>Indirect Costs:</u> Regulated entities could incur costs such as installing new equipment, changing operational procedures, or undertaking best practices if they needed to reduce pollution discharges. These cannot be monetized because of the variability in potential industrial processes, best management practices, and the need to review a VPDES permit application to assess if an individual facility needs to reduce sediment, phosphorus or PCB discharges.</p> <p><u>Direct Benefits:</u> This change to the regulation meets the legal mandate in state and federal law to incorporate the WLA into the WQMPR to meet State Water Control Law § 62.1-44.19:7. Additionally, this meets section 303(d) of the Clean Water Act and requirements found in 40 CFR 130.7 to include the approved TMDL loads in the State’s waters quality management plans and VPDES permits. DEQ needs to adopt the WLA into the WQMPR to receive final EPA approval of the TMDL studies, which also addresses non-point sources of pollutants that need to be managed to remove the streams from the impaired waters list. The regulatory change broadly benefits the public by improving the water quality of impaired waters by identifying the maximum amount of pollutant load a stream can assimilate and meet WQS (9VAC25-260), to support all designated uses, and ultimately be removed from Virginia’s 303(d) list of impaired waters.</p> <p><u>Indirect Benefits:</u> Improved water quality will protect human health and aquatic life, resulting in healthier fisheries, safer and reliable public</p>	

	water supplies, and contribute to economic benefits from tourism, economic development, and producing edible and marketable natural resources, such as by commercial and recreational fishing industries.
(5) Information Sources	<p>Benthic TMDL Development for Bailey Creek, Nuttree Branch, Oldtown Creek, Proctors Creek, Rohoic Creek, and Swift Creek Watersheds Located in Chesterfield, Dinwiddie, and Prince George Counties and Cities of Hopewell, Colonial Heights, and Petersburg.</p> <p>PCB Total Maximum Daily Load Development for Mountain Run, Culpeper County, Virginia</p>

**Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)**

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>The status quo could be maintained by not drafting or implementing the TMDL studies or not incorporating the WLAs into the WQMPR. However, State Water Control Law § 62.1-44.19:7 and section 303(d) of the Clean Water Act (implemented through 40 CFR 130.7(c)) mandates that DEQ develop TMDLs for pollutants entering impaired waters. DEQ must incorporate the WLA into the WQMPR to receive final approval from EPA for the TMDL study. The TMDL reports also address unregulated non-point sources of sediment, phosphorus, and PCBs which are not covered by the WQMPR, but crucial for removing streams from the impaired waters list. Also, maintaining the status quo would not improve water quality in impaired stream segments without TMDL studies because the pollution reductions necessary would be unknown and not be undertaken.</p> <p><u>Direct Costs</u> - No direct economic costs arise from maintaining the status quo since the regulation does not directly mandate any requirements.</p> <p><u>Indirect Costs</u> - Indirect costs cannot be monetized at this time. Without developing or implementing a TMDL study and WLA, DEQ will not quantify the point and non-point source pollutant reductions needed to improve water quality. The economic costs stem from impaired waterbodies failing to provide beneficial uses to the public overall, such as diminished recreation or fishing opportunities. The potential uses are too variable to monetarily estimate the economic impact of the reduced water quality.</p> <p><u>Direct and Indirect Benefits</u> –Under the status quo, certain permittees avoid costs associated with reducing sediment, phosphorus, and PCB discharges to meet the WLAs. The cost savings could not be monetized because the specific reductions needed, and the methods to make the reductions are not known until specific amounts and pollution reduction</p>
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	methods are determined through permit issuance or pollution reduction plans.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Not applicable	(b) Not applicable
(3) Net Monetized Benefit	Not applicable	
(4) Other Costs & Benefits (Non-Monetized)	<p>Maintaining the status quo would not lead to improved water quality in the impaired water bodies. The status quo would not meet State Water Control Law § 62.1-44.19:7 and section 303(d) the Clean Water Act (implemented through 40 CFR 130.7(c)) requirements to develop a TMDL of pollutants that may enter the water for each impaired water body. Failing to proceed with TMDLs to address an impairment can also create the potential for legal action for failing to meet Clean Water Act requirements (see previous case <a href="#">American Canoe vs EPA</a>).</p> <p><u>Indirect Costs:</u> Without adopting the WLA into the WQMPR, EPA would not approve the TMDL study. Without an approved TMDL study, the non-point source reductions needed, which make up a large majority of the pollutants causing the impairments, would also not be identified, and addressed. Lack of an approved TMDL may prevent the public from accessing funds to develop BMPs that would reduce sediment, phosphorus, or PCBs into these impaired waters. Values are not available due to the large variability in BMPs, system sizes, locations, and beneficial uses. Indirect costs could come from the impacts of poor water quality on human health and aquatic life, resulting in poor fisheries, less reliable public water supplies, and negative economic costs to tourism, economic development, and commercial and recreational fishing industries.</p>	
(5) Information Sources	<p>DEQ TMDL Program procedures, documents, and staff            American Canoe vs EPA - <a href="https://law.justia.com/cases/federal/district-courts/FSupp2/30/908/2417146/">https://law.justia.com/cases/federal/district-courts/FSupp2/30/908/2417146/</a></p>	

**Table 1c: Costs and Benefits under Alternative Approach(es)**

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>No alternative approach to developing TMDL studies and WLA amounts was considered because State Water Control Law § 62.1-44.19:7 and section 303(d) of the Clean Water Act (implemented through 40 CFR 130.7(c)) requires DEQ to develop a TMDL study and incorporate WLAs into the WQMPR for each impaired water body to address point source discharges of pollutants into the water.</p>
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However, DEQ has the flexibility to revisit a TMDL study to explore different WLA amounts. DEQ arrived at the proposed WLA amounts by analyzing alternative scenarios aiming to balance the pollutant levels among permitted point sources and unregulated non-point sources.

Direct Costs: DEQ would incur direct costs to reevaluate and change the TMDL studies to evaluate alternate WLA amounts. These costs would likely resemble those incurred during the original creation of the TMDL study. The James River Tributaries TMDL study cost DEQ \$123,000, including contractual costs and an estimate of staff time, to develop allocation scenarios, complete project coordination and draft the document. Developing the Mountain Run PCB TMDL cost DEQ \$160,580, including contractual costs and an estimate of staff time. Revising the WLA could incur similar costs so the total to rewrite both TMDL reports could be approximately \$283,580 (excluding inflation adjustments) but may be lower considering that some parts of the TMDL reports would remain unchanged. Generating a different WLA would necessitate DEQ also repeating coordination with the public and obtaining EPA approval of any revisions.

Indirect Costs: Any alternate scenario must still achieve the same overall pollution reduction required to meet the WQS so a less stringent WLA is unlikely. A more stringent WLA amount could lead existing permittees to incur costs as facilities may need operational changes to reduce pollution discharges. The TMDL and WLA form a balanced equation, so allowing one source higher pollutant amounts shifts the cost burden of pollution controls to other permittees or non-point sources in the watershed.

Direct Benefits: No direct monetizable benefit is expected from considering alternate WLA scenarios. Any alternate scenario must still achieve the same overall pollution reduction required to meet the WQS so other sources would need to incur the costs to reduce pollutants, even if some permittees experience cost savings. These cost shifts may affect other permittees, municipalities, or non-point sources, such as agriculture.

Indirect Benefits: No indirect monetizable benefit from this alternative approach. Any alternate scenario would need to make the same overall pollution reduction to be consistent with the WQS.

(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) direct costs- \$283,580 (excluding inflation adjustments)	(b) Not Applicable



(3) Net Monetized Benefit	Not applicable
(4) Other Costs & Benefits (Non-Monetized)	Considering less stringent alternative scenarios for point source pollution reduction could reduce costs and benefit permittees affected by the preferred scenario. However, those costs would be redistributed to other sources or permittees to achieve the pollution reductions necessary to meet WQS.
(5) Information Sources	DEQ TMDL Program, James River Tributaries and Mountain Run PCB TMDL Scopes of Work. Personnel costs are calculated per budget planning formula used to estimate funding requests to EPA.

**Impact on Local Partners**

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 2: Impact on Local Partners**

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Four localities (Chesterfield County and Cities of Hopewell, Colonial Heights, and Petersburg) may be affected since they also have MS4 permits and may incur costs to reduce sediment and phosphorus discharges to comply with the WLA established for the James River Tributaries TMDL. Overall, MS4 permittees, which includes these localities, are by far the largest contributors of these pollutants. These localities do not have a specific individual reduction target. Instead, the TMDL report aggregates reductions across all MS4 permittees which provides flexibility for these permit holders to address their share of the pollutant load and necessary reductions. In aggregate, MS4 permittees need to reduce their sediment discharges between 54.5% and 88.4%, depending on the watershed, to meet the WLA. Similarly, permitted MS4s in the Oldtown Creek, Rohoic Creek, and Swift Creek watersheds need to reduce phosphorus, in aggregate, between 73.3% and 98.8%, depending on the watershed. The localities would make up a portion of these overall reductions. Under their MS4 permits, each system is required to draft a TMDL Action Plan outlining the measures they will undertake to meet the WLA.</p> <p><u>Direct costs:</u> The WQMPR (9VAC 25-720) does not result in any direct monetizable costs to local partners. The regulation only lists the TMDLs and WLA, along with the impaired streams where it applies, but does not identify any facilities affected or mandate any measures that facilities must take to meet the WLA that would directly impose a cost.</p> <p><u>Indirect Costs:</u> The James River Tributaries TMDL generated WLAs that may result in sediment and phosphorus pollutant reductions affecting</p>
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	<p>MS4 VPDES permitted localities. Their indirect costs cannot be precisely monetized at this time. DEQ cannot predict any specific permit reductions that will be determined later, or which pollution reduction options that the localities may incorporate into their action plans for each watershed and pollutant. By aggregating the WLA for MS4s, the TMDL incorporates flexibility for these permit holders to address their share of the pollutant load and necessary reductions.</p> <p><u>Direct Benefits:</u> The proposed regulatory amendment does not have any monetizable direct benefits for local partners. The regulatory change broadly benefits the public by improving the water quality of impaired waters by identifying the maximum amount of pollutant load a stream can assimilate to meet WQS (9VAC25-260), support all designated uses, and ultimately be removed from Virginia’s 303(d) list of impaired waters.</p> <p><u>Indirect Benefits:</u> The proposed regulatory amendment does not have any monetizable indirect benefits. Improved water quality will protect human health and aquatic life, resulting in healthier fisheries, safer and reliable public water supplies, and contribute to economic benefits from tourism, economic development, and producing edible and marketable natural resources, such as by commercial and recreational fishing industries.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Not Applicable	(b) Not Applicable
(3) Other Costs & Benefits (Non-Monetized)	Local partners will benefit from improved water quality that protects human health and aquatic life, resulting in healthier fisheries, safer and reliable public water supplies, and contribute to economic benefits from tourism, economic development, and commercial and recreational fishing industries utilized and enjoyed by their citizens.	
(4) Assistance	N/A	
(5) Information Sources	DEQ TMDL Program procedures, documents, and staff	

**Impacts on Families**

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 3: Impact on Families**

(1) Direct & Indirect Costs & Benefits (Monetized)	This regulation is not expected to have an impact on the institution of the family and family stability.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Not Applicable	(b) Not Applicable
(3) Other Costs & Benefits (Non-Monetized)	Improved water quality will protect human health and aquatic life, resulting in healthier fisheries, safer and reliable public water supplies, and contribute to economic benefits from tourism, economic development, and producing edible and marketable natural resources, such as by commercial and recreational fishing industries.	
(4) Information Sources	DEQ TMDL Program procedures, documents, and staff	

### **Impacts on Small Businesses**

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 4: Impact on Small Businesses**

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>State Water Control Law § 62.1-44.19:7 and the section 303(d) of the Clean Water Act (implemented through 40 CFR 130.7(c)) requires DEQ to develop a TMDL study and incorporate WLAs into the WQMPR for each impaired water body to address point source discharges of pollutants into the water.</p> <p>The Rohoic Creek TMDL affects three facilities with ISWGP considered small businesses. The TMDL report considers facilities with ISWGP as a group, which includes these small businesses and two other large businesses. As a group, facilities with ISWGP need to reduce sediment and phosphorus discharges by 50% overall to meet the WLA. The indirect costs associated with these reductions cannot be precisely quantified at this time because the specific reductions for each facility are not known until permit issuance and review of pollution reduction plans. Additionally, facilities have various pollutant reduction options available specific to their operations. By aggregating the WLA for these facilities, the TMDL incorporates flexibility for these permit holders to address their share of the pollutant load and necessary reductions.</p>
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	<p>The Mountain Run PCB TMDL affects five facilities with ISWGP permits that are considered small businesses. These facilities with ISWGP permits need to reduce their PCB discharges between 2% and 86%, depending on the facility, to meet the WLA and achieve water quality standards. These facilities may incur indirect costs to reduce PCB discharges to comply with the established WLA. Under and ISWGP, facilities are required to develop a Stormwater Pollution Prevention Plan (SWPPP) as part of their existing VPDES permit requirements. To meet their WLA, each will be required to incorporate a Pollution Minimization Plan (PMP), into their existing SWPPP. The PMP identifies sources of PCBs in their effluent, adaptive management practices they will carry out to reduce PCBs, and procedures to report their progress over time. The indirect costs associated with drafting and implementing a PMP cannot be precisely monetized at this time. DEQ cannot predict which pollutant reduction options facilities will incorporate into their PMPs since they have many alternatives specific to their operations. Remediation costs will vary depending on the extent of PCB found on the site and the methods chosen to address the pollutant.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Not Applicable	(b) Not Applicable
(3) Other Costs & Benefits (Non-Monetized)	Not Applicable	
(4) Alternatives	none	
(5) Information Sources	DEQ TMDL Program procedures, documents, and staff	

## Changes to Number of Regulatory Requirements

**Table 5: Regulatory Reduction**

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

### *Change in Regulatory Requirements*

<b>VAC Section(s) Involved*</b>	<b>Authority of Change</b>	<b>Initial Count</b>	<b>Additions</b>	<b>Subtractions</b>	<b>Total Net Change in Requirements</b>
9VAC25-720-60*	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	0	0	0
9VAC25-720-70*	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	0	0	0
				<b>Grand Total of Changes in Requirements:</b>	<b>(M/A):0</b>
					<b>(D/A):0</b>
					<b>(M/R):0</b>
					<b>(D/R):0</b>

*\*This regulation sets the total amount of a pollutant that a waterbody can receive and still meet water quality standards. The existence of a TMDL by itself does not impose statutory or discretionary regulatory requirements on anyone. DEQ implements TMDLs by imposing discharge limitations in permits issued in accordance with the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation (9 VAC 25 - 31), not through the Water Quality Management Planning Regulation (9VAC25-720). Discharge limitations imposed on VPDES permits are included in the regulatory baseline for the VPDES Permit Regulation (9 VAC 25 - 31). Counting these requirements here would double count regulatory requirements.*

### **Key:**

*Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:*

**(M/A):** Mandatory requirements mandated by federal and/or state statute affecting the agency itself

**(D/A):** Discretionary requirements affecting agency itself

**(M/R):** Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

**(D/R):** Discretionary requirements affecting external parties, including other agencies

*Cost Reductions or Increases (if applicable)*

<b>VAC Section(s) Involved*</b>	<b>Description of Regulatory Requirement</b>	<b>Initial Cost</b>	<b>New Cost</b>	<b>Overall Cost Savings/Increases</b>
NA	0	0	0	0

*Other Decreases or Increases in Regulatory Stringency (if applicable)*

<b>VAC Section(s) Involved*</b>	<b>Description of Regulatory Change</b>	<b>Overview of How It Reduces or Increases Regulatory Burden</b>
NA	NA	NA

*Length of Guidance Documents (only applicable if guidance document is being revised)*

<b>Title of Guidance Document</b>	<b>Original Word Count</b>	<b>New Word Count</b>	<b>Net Change in Word Count</b>
NA	NA	NA	NA

\*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).