


COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER DIVISION

P. O. Box 1105

Richmond, Virginia 23218

**Subject:** Water Guidance Memo No. 14-2001  
Modifying VPA Biosolids Permits and Terminating VDH-BUR Permits After Adoption of  
2013 Regulatory Amendments

**To:** Regional Directors

**From:** Melanie D. Davenport, Director 

**Date:** February 10, 2014

**Copies:** Deputy Regional Directors, Regional Water Permit Managers, Regional Water Compliance  
Managers, James Golden, Rick Weeks, Fred Cunningham, Neil Zahradka and DCR, VDH

**Summary:** This guidance addresses procedures and schedules for the modification of existing VPA Permits authorizing the land application of biosolids to incorporate amendments to the VPA Permit Regulation that become effective on September 1, 2013. This guidance also addresses the termination of the remaining VDH-BUR Permits.

**Electronic Copy:**

An electronic copy of this guidance in PDF format is available for staff internally on DEQNET, and for the general public on DEQ's website at: <http://www.deq.virginia.gov/waterguidance/>.

**Contact Information:**

Please contact Christina Wood, Office of Land Application Programs at (804) 698-4263 or [christina.wood@deq.virginia.gov](mailto:christina.wood@deq.virginia.gov) with any questions you have regarding the application of this guidance.

**Disclaimer:**

**This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate any particular method nor does it prohibit any particular method for the analysis of data, establishment of a wasteload allocation, or establishment of a permit limit. If alternative proposals are made, such proposals should be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.**

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## I. Authority and Background

§[62.1-44.19:3](#) of the Code of Virginia prohibits the *land application, marketing and distribution of sewage sludge* (biosolids) *without permit; ordinances; notice requirement; fees.* [62.1-44.19:3.A.3](#) also specifies that: *No person shall contract or propose to contract, with the owner of a sewage treatment works, to land apply, market or distribute sewage sludge in the Commonwealth, nor shall any person land apply, market or distribute sewage sludge in the Commonwealth without a current Virginia Pollution Abatement Permit authorizing land application, marketing or distribution of sewage sludge and specifying the location or locations, and the terms and conditions of such land application, marketing or distribution.*

[62.1-44.19:3.B.](#) and C. charge the DEQ with promulgating regulations and including in the regulations procedures for issuing and modifying permits. The regulations pertaining to the land application of biosolids by a land application contractor are the Virginia Pollution Abatement (VPA) Permit Regulation, [9VAC25-32-10 et seq.](#) 9VAC25-32-220 states that *A VPA permit may be modified...3. When a change is made in the promulgation standards or regulations on which the VPA permit was based.*

Further, enactment clause 4. of House Bill 2802 (Chapter 881 of the 2007 Acts of Assembly) and Senate Bill 1339 (Chapter 929 of the 2007 Acts of Assembly) state:

*That any permit, certificate, or authorization for the land application, marketing, or distribution of sewage sludge issued prior to January 1, 2008, shall remain in effect for the remainder of the term specified in such permit, certificate, or authorization unless amended or revoked by the Board.*

On September 22, 2011, the State Water Control Board adopted amendments to the regulations pertaining to biosolids, including 9VAC25-32, as final. The Governor approved the final regulatory amendments on June 12, 2013, and DEQ staff submitted the amendments to the Virginia Register on June 26, 2013. The amendments were posted in the Virginia Register on July 29, 2013 and a 30 day final adoption period ended on August 28, 2013. The effective date of the final regulatory amendments is September 1, 2013.

During the amendment process the Board expressed desire to incorporate the revised regulatory language into all existing VPA permits once the regulatory amendments become effective, and thus in June 2010 changed the word “may” in the biosolids permit reopener statement to “will” as follows:

*The Board will modify or revoke and reissue this permit as appropriate and necessary to incorporate changes to any applicable standard or requirement for the use or disposal of biosolids, industrial wastewater sludge, or septage promulgated under Section 405(d) of the Clean Water Act, State Water Control Law, or the VPA Permit Regulation (9VAC25-32).*

9VAC25-32-300.D further states (...) *all VDH-BUR permits shall terminate no later than December 31, 2012, or 12 months after the effective date (of the regulation), whichever is later, if an administratively complete VPA application for the activity authorized by the VDH-BUR permit has not been submitted to the department.*

Therefore, DEQ will commence permit modifications for VPA permits after September 1, 2013 as outlined below to ensure conformity with the final amendments. Further, all VDH-BUR permits will terminate as of September 1, 2014, unless a VPA permit application for that specific city or county has been submitted and deemed administratively complete.

### III. Managing and Modifying VPA Permits; Terminating VDH-BUR Permits

#### A. Management of Existing Permits:

VPA Permits: Following the effective date of the amended regulations, all existing VPA Permits and their requirements remain in effect until the permit is modified to incorporate the amended regulatory language.

VPA permittees may not implement any of the *less* restrictive amendments until the permit has been modified or revoked and reissued to include the less restrictive amendments (e.g. allowing biosolids to be staged overnight at a land application site).

Permittees may implement the more restrictive amendments (e.g. posting signs notifying of impending land application 5 days prior to commencing land application and maintaining them for 5 days following completion of application), without modification to the permit; however, DEQ will not enforce the more restrictive requirements until the permit has been modified.

VDH-BUR Permits: VDH-BUR permits, for which there is no corresponding VPA permit, will immediately follow the amended regulations on September 1, 2013.<sup>1</sup>

A VPA permit issued for the same activity included in a previous permit, whether VPA or BUR, always supersedes the previous permit.

Example 1: Field A is in both a BUR and a VPA permit. Land application operations must follow the VPA permit. The BUR is no longer in effect for that field.

Example 2: Field B is only in the VDH-BUR permit. Land application operations must follow the amended VPA permit Regulations.

#### B. Modification of Existing VPA Permits and Termination of VDH-BUR Permits

DEQ will modify all existing VPA permits that authorize the land application of biosolids to incorporate the new regulatory requirements.

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<sup>1</sup> The VDH-BUR permits states *The Biosolids Use Land Application operation is permitted in accordance with the Provisions of Title 32.1, Chapter 6, Article 2, Section 32.1-164.5, Code of Virginia as amended and the **Biosolids Use Regulations** of the Virginia Department of Health as amended.* However, the regulation was transferred to DEQ and incorporated into the VPA Permit Regulation. 9VAC25-32-300.C states *All owners of biosolids use facilities shall comply with the applicable requirements set forth in the operational regulations of Part IX (9VAC25-32-303 et seq.) of this chapter.* Because an amendment date is not specified, the VDH-BUR permits will follow the VPA Permit Regulation as amended on September 1, 2013.

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Agency-Initiated VPA Modifications: Because some of the new amendments are less restrictive, modifications incorporating *only* the regulatory amendments are major modifications and public notice of the resulting draft permits is required, though informational public meetings and notification of bordering residents are not. Also, because the permit modification is initiated by DEQ, no permit fee is required.<sup>2</sup>

Permittee-Initiated VPA Modifications: If the VPA permittee seeks to add new land and/or include land permitted under a BUR permit<sup>3</sup> and/or make any other modification to the permit in addition to inclusion of the new amendments, then, the permittee must submit a request for permit modification which must be processed as a major modification, requiring notification of residents bordering the land being added, public notice of the draft permit and payment of a permit fee. Based on the increase of acreage, an informational public meeting may also be required.

1. The RO will send notice to the permittee of the department's intent to modify the VPA permit and/or terminate the VDH-BUR upon issuance or modification of the VPA permit.
  - a. For a permittee initiated modification (or new permit application) where the Permittee holds a VPA and a VDH-BUR Permit in the county, the RO will send the letter in Appendix 2 and the termination form in Appendix 5 upon receipt of the permit application;
  - b. For an Agency initiated permit modification, where the Permittee holds a VPA and a VDH-BUR Permit in the county, the RO will send the letter in Appendix 3 and the termination form in Appendix 5 with the draft permit.
  - c. For an Agency initiated permit modification where the Permittee holds only a VPA Permit in the county, the RO will send the letter in Appendix 4 with the draft permit.
2. A draft permit will be developed.
  - a. The RO will use the approved permit template for all permits.
  - b. In cases where additional special conditions are included in the existing permit, those additional special conditions must be submitted to CO-OLAP in order to verify compliance with the new regulatory requirements and, where possible, provide special condition language that is consistent for all the regions.
  - c. The RO will insert the language from existing storage variances issued by VDH into the template, along with language indicating that an expiration date of September 1, 2014 applies to the storage variance special conditions.
  - d. At least two weeks prior to the publication of the public notice, the RO will send to the permit applicant;
    - i. the draft permit package;

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<sup>2</sup> In some cases permittees do not have the same land under both VPA and BUR permits. In an agency-initiated modification scenario, upon modification of the VPA, the BUR permit will be terminated. If the permittee does not agree to the termination of the BUR permit, DEQ will defer processing of the VPA application until a permittee initiated VPA application is received that includes all the BUR land they wish to include in the VPA.

<sup>3</sup> BUR permits are to terminate as a matter of law as of September 1, 2014. To ensure land currently permitted under only the BUR authority remains permitted, permittees should provide a permittee-initiated VPA application as soon as possible that includes all BUR land that they wish to include in the VPA permit for that specific city or county. At the same time the VPA permit for a specific city or county is modified to add the BUR land, or new land, it will be opened to incorporate the new amendments, and the BUR Permit will be terminated at the conclusion of the VPA action.

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- ii. the public notice;
  - iii. the cover letter in Appendix 3 or 4 notifying the permittee of DEQ's intent to modify the VPA Permit or modify the VPA permit and terminate the VDH-BUR permit (agency initiated modifications); and
  - iv. the Termination Agreement if appropriate. (agency initiated modifications)
3. Public Notice of draft permits will be combined whenever possible:
- a. Agency initiated modifications:
    - i. Public notice of multiple draft permits within one county may be combined into a single notice. The RO will use the public notice template in Attachment A
    - ii. In areas where one regional newspaper is routinely used to provide public notice for multiple counties, the notice of draft permits from multiple counties may be included in one notice. In this case the county in which each permit is located must be clearly identified. Use the public notice template in Attachment B.
    - iii. Payment for public notice will come from the biosolids fund. When arranging public notice, contact CO to obtain the cost codes.
  - b. Permittee initiated modification: The standard public notice provided in the VPA Manual will be used.
4. Where multiple draft permits are included in a public notice, any requests for a Public Hearing must specify the permit(s) toward which the request is directed; this is explained in the attached public notice templates. Therefore, 25 or more requests must be received regarding a specific permit in order to trigger consideration of a public hearing.
5. Following the public notice of the draft permit, the RO will follow the standard process of responding to comments and permit issuance.

**C. VPA Permit Issuances and Major Modifications In Process**

For any permit application submitted to the RO for an issuance or a major modification to add land greater than or equal to 50% of the originally permitted acreage, if the permit application was not technically complete by July 1, 2013, the RO should notify the permit applicant that the permit application must include all materials necessary as required by the final amended VPA Permit Regulation.

DEQ will process these permit issuances or major modifications in accordance with the regulatory amendments, using the new permit template.

**D. VPA Permit Minor Modifications In Process**

For any minor modification of VPA permits and addition of land less than 50% of the originally permitted acreage, if the permit application was not technically complete by September 1, 2013, the RO should notify the permit applicant that the permit application must include all materials necessary as required by the final amended VPA Permit Regulation. At this point, if the permit application is no longer administratively complete as defined in Appendix 1, then the \$1,000 modification fee will be required (for any addition of land).

All additions of land after September 1, 2013 will be a major modification of the permit to incorporate the final amended regulatory language, if the VPA Permit does not already include the amended language. If the permit application to add land was technically complete on

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September 1, 2013, the permit fee will not be required; however, the permittee will be responsible for the cost of the draft permit public notice.

DEQ will not add land to a permit during a DEQ initiated major modification; these modifications must be initiated by the permit holder.

#### **IV. Termination of BUR Permits**

- A. DEQ will begin to initiate termination of BUR permits after September 1, 2013 using the following procedures:
  1. If the holder of a VDH-BUR Permit has submitted or submits an application to issue, reissue or modify a VPA permit for the land application of biosolids in the same locality permitted under the BUR, and the VPA permit will be issued after September 1, 2013:
    - a. The VDH-BUR will remain in effect until the VPA permit is issued. The VDH-BUR permit will be terminated upon issuance, reissuance or modification.
    - b. Upon receipt of the application, the RO will send a letter notifying the permittee that DEQ intends to terminate the VDH-BUR permit upon issuance of the VPA permit. A template of the notification letter is attached in Appendix 2.
  2. All remaining VDH-BUR permits will terminate on September 1, 2014 unless the holder of a VDH-BUR Permit has submitted a VPA permit application for the land application of biosolids in the same locality permitted under the BUR, and DEQ finds the permit application to be administratively complete by September 1, 2014.

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**Appendices**

Appendix 1: What is an Administratively Complete Application Package for Land Application of  
Biosolids?

Appendix 2: Notice of Intent to Terminate Letter

Appendix 3: Notice of Intent to Modify VPA Permit and Terminate VDH-BUR Permit Letter

Appendix 3: Notice of Intent to Modify VPA Permit Letter

Appendix 5: Termination Agreement

Attachment A: Public Notice – Multiple Permits in 1 County

Attachment B: Public Notice – Multiple Permits in Multiple Counties



**Appendix 1: What is an Administratively Complete Application Package for Land Application of Biosolids?**

An application is considered administratively complete when all necessary blanks on the forms are accurately and completely filled in or an accurate response is provided for every question, the proper signature is applied, all necessary documents are attached, and the permit fee is paid. An administratively complete permit application for the land application of biosolids includes:

1. One complete accurate original of the VPA application forms and one electronic copy of the same, including. :
  - a. Form A,
  - b. Form D-II,
  - c. Form D-IV for Biosolids sources not included on the VA DEQ Approved Biosolids Source List,
  - d. Form D-V for each source to be included, and
  - e. Form D-VI for each landowner of each land application site;
2. Evidence of financial responsibility, including Form I, Form II, Form III, Form IV, Form V, or Form VI, as required. The ROs should consult the Office of Financial Assurance to determine adequacy of submittal. DEQ CO will maintain a list of permit applicants that have demonstrated evidence of financial assurance satisfying the amended regulations;
3. Fee payment submitted to the Finance Office and copies of the fee form and finance office record of payment or intergovernmental transfer of funds submitted to the RO;
4. Site books that include each site proposed;
5. A nutrient management plan approved by DCR and the approval letter for:
  - a. Sites operated by an owner or lessee of a confined animal feeding operation, as defined in subsection A of § 62.1-44.17:1 of the Code of Virginia, or confined poultry feeding operation, as defined in subsection A of § 62.1-44.17:1.1 of the Code of Virginia;
  - b. Sites where land application more frequently than once every three years at greater than 50% of the annual agronomic rate is proposed;
  - c. Mined or disturbed land sites where land application is proposed at greater than agronomic rates (for management of the site after the reclamation has been completed and the site has been released from DMME); or
  - d. Other sites based on site-specific conditions that increase the risk that land application may adversely impact state waters;
6. Odor control plans:
  - a. The permittee odor control plan; and
  - b. An odor control plan from each generator of biosolids identified in the permit application;
7. A reclamation plan specific to the site written by or in consultation with the Department of Crop and Soil Environmental Sciences of the Virginia Polytechnic Institute and State University where land reclamation of mined or disturbed sites is proposed using biosolids at greater than agronomic rates;
8. The LGOF for routine storage facilities; and
9. Any other attachments, if required.

**Appendix 2: Notice of Intent to Terminate Letter - After Receipt of Complete VPA Permit Application**

**Regional Letterhead  
Date**

**Facility Contact  
Facility Name  
Address**

RE: Termination of Permit No. BUR000, Land Application of Biosolids in XX County

Dear **Permittee Contact**:

This is to notify you that the DEQ - XXX Regional Office intends **terminate your BUR permit, VDH-BUR000** authorizing the land application of biosolids in (locality name) [City or County].

As you are aware, the biosolids related amendments to the VPA Permit Regulations (9VAC25-32-10 et seq.) and the Fees for Permits and Certificates regulations (9VAC25-20-10 et seq.) have been finalized and became effective September 1, 2013. Your VDH-BUR permit was administratively continued by VDH pending the transfer of the Biosolids Program to the Department of Environmental Quality (DEQ) and the aforementioned regulatory amendments. In order to ensure consistent and fair implementation of the amended regulations throughout the Commonwealth, the Department of Environmental Quality (DEQ) plans to terminate VDH-BUR Permits issued prior to December 31, 2007, in accordance with 9VAC25-32-300.A – D.

On [Month day, year] you submitted a complete application for the [issuance, modification] of a VPA Permit to authorize the land application of biosolids in XX County. Pending final consideration of the State Water Control Board, upon issuance of the VPA permit in accordance with the amended regulations, your VDH-BUR Permit BURXXX will be terminated.

**Termination procedures:**

Section § 62.1-44.15(5b) of the State Water Control Law states *Any certificate issued by the Board under this chapter may, after notice and opportunity for a hearing, be amended or revoked ... for good cause as may be provided by the regulations of the Board.* If you agree with the proposed termination and wish to dispense with the prescribed hearing, please sign and date the attached agreement form in the spaces provided and return it to this office within 14 days.

If you do not agree with to the termination of this permit and wish a hearing under § 62.1-44.15(5b) of the Code of Virginia, please contact me as soon as possible.

If you have any questions or comments, please contact me at (XXX) XXX-XXXX or [e-mail

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**address]**@deq.virginia.gov.

Sincerely,

**[Permit Writer]**  
Title

**Appendix 3: Notice of Intent to Modify VPA and Terminate VDH-BUR**

**Permittee Contact**

**Permittee NAME**

**Address**

**City, State, Zip**

RE: Modification of Permit No. VPA0XXXX  
Termination of Permit No. VDH-BURXX

Dear **Permittee Contact**:

As you are aware, the biosolids related amendments to the VPA Permit Regulations (9VAC25-32-10 et seq.) and the Fees for Permits and Certificates regulations (9VAC25-20-10 et seq.) have been finalized and became effective September 1, 2013. You currently hold both a VPA permit and a VDH-BUR permit, each authorizing the land application of biosolids in (locality name) [City or County]. The VDH-BUR permit was administratively continued by VDH pending the transfer of the Biosolids Program to the Department of Environmental Quality (DEQ) and the aforementioned regulatory amendments. In order to ensure consistent and fair implementation of the amended regulations throughout the Commonwealth, the Department of Environmental Quality (DEQ) plans to:

1. Modify existing VPA permits authorizing the land application of biosolids to incorporate the regulatory amendments; and
2. Terminate VDH-BUR Permits issued prior to December 31, 2007.

This is to notify you that the DEQ- XXX Regional Office intends to **modify your VPA Permit, VPA0XXXX**, and **terminate your BUR permit, VDH-BURXXX**, which authorize the land application of biosolids in (locality name) [City or County]. The modification will only incorporate new language regarding the regulatory amendments, no land may be added at this time, and there is no cost to you. If you wish to add additional acreage to your permit with the modification, whether new or previously included in the VDH-BUR permit, you must submit a permit modification request

**Modification Procedures:**

Because some of the conditions in the modified permit will be less stringent than the existing permit, such as the ability to stage biosolids at the land application site, public notice procedures required for a major modification must be completed before the actual permit can be approved. The public notice procedures are as follows:

1. The attached public notice will be published once a week for two consecutive weeks in a newspaper of general local circulation.
2. A minimum of 30 days will be allowed for public comment following the date of the first public notice. If no public response is received, or the public response can be satisfactorily answered, then the permit will be processed. However, if there is significant public response, then we may hold a public hearing. You will be advised if this occurs.

Please review the enclosed public notice and draft permit package carefully. I plan to contact the newspaper the week of [Month, Day, Year] to publish the public notice. You may submit comments prior to publishing the public notice and through the 30-day public comment period.

**Termination procedures:**

Section § 62.1-44.15(5b) of the State Water Control Law states *Any certificate issued by the Board under this chapter may, after notice and opportunity for a hearing, be amended or revoked ... for good cause as may be provided by the regulations of the Board.* If you agree with the proposed termination and wish to dispense with the prescribed hearing, please sign and date the attached agreement form in the spaces provided and return it to this office within 14 days.

If you do not agree with to the termination of this permit and wish a hearing under § 62.1-44.15(5b) of the Code of Virginia or submit a permit modification request to add land, please contact me as soon as possible.

If you have any questions or comments on the draft permit or the public notice requirements, please contact me at (XXX) XXX-XXXX or [e-mail address]@deq.virginia.gov.

Sincerely,

[Permit Writer]  
Title

#### **Appendix 4: Notice of Intent to Modify VPA**

**Permittee Contact**  
**Permittee NAME**  
**Address**  
**City, State, Zip**

RE: Modification of Permit No. VPA0XXXX

Dear **Permittee Contact**:

As you are aware, the biosolids related amendments to the VPA Permit Regulations (9VAC25-32-10 et seq.) and the Fees for Permits and Certificates regulations (9VAC25-20-10 et seq.) have been finalized and became effective September 1, 2013. You currently hold a VPA permit authorizing the land application of biosolids in (locality name) [City or County]. In order to ensure consistent and fair implementation of the amended regulations throughout the Commonwealth, the Department of Environmental Quality (DEQ) plans to modify existing VPA permits authorizing the land application of biosolids to incorporate the regulatory amendments.

This is to notify you that the DEQ- XXX Regional Office intends to **modify your VPA Permit, VPA0XXXX**. The modification will only incorporate new language regarding the regulatory amendments, no land may be added at this time, and there is no cost to you. If you wish to add additional acreage to your permit with the modification, whether new or previously included in a VDH-BUR permit, you must submit a permit modification request

#### **Modification Procedures:**

Because some of the conditions in the modified permit will be less stringent than the existing permit, such as the ability to stage biosolids at the land application site, public notice procedures required for a major modification must be completed before the actual permit can be approved. The public notice procedures are as follows:

1. The attached public notice will be published once a week for two consecutive weeks in a newspaper of general local circulation.
3. A minimum of 30 days will be allowed for public comment following the date of the first public notice. If no public response is received, or the public response can be satisfactorily answered, then the permit will be processed. However, if there is significant public response, then we may hold a public hearing. You will be advised if this occurs.

Please review the enclosed public notice and draft permit package carefully. I plan to contact the newspaper the week of **[Month, Day, Year]** to publish the public notice. You may submit comments prior to publishing the public notice and through the 30-day public comment period.

If you have any questions or comments on the draft permit or the public notice requirements, please contact me at **(XXX) XXX-XXXX** or **[e-mail address]**@deq.virginia.gov.

Sincerely,

**[Permit Writer]**  
Title

DRAFT

**Appendix 5: Termination Agreement**

SUBJECT: TERMINATION OF PERMIT NO. BUR000

TO: [DEQ Regional Office and Address]

OWNER: [Full name as on permit  
Address  
City, State, Zip]

I hereby agree to the termination of Permit No. BUR000 and waive my right to a hearing in accordance with Section § 62.1-44.15(5b) of the State Water Control Law for the following reasons:

VDH-BUR permit No. BUR000 authorizing land application of biosolids in XX County was administratively continued by VDH, pending the transfer to the DEQ on January 1, 2008 and subsequent biosolids related amendments to the VPA Permit Regulation (9VAC25-32-10 et seq.). 9VAC25-32-300-D. of the amended regulation requires all VDH-BUR permits to terminate prior to September 1, 2014 if an administratively complete permit application was not submitted. Those amendments were adopted on September 1, 2013.

A VPA permit authorizing the land application of biosolids in XX County will be [issued / modified] in accordance with the amended regulations. I understand that the VDH-BUR will be terminated upon the [issuance / modification] of VPA00000.

I certify that the permit is \_\_\_\_ is not \_\_\_\_ subject to a pending state or federal enforcement action, including citizen suits, brought under state or federal law.

SIGNED: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_



## Attachment A: Public Notice – Multiple Permits in 1 County

### Public Notice – Environmental Permit

PURPOSE OF NOTICE: To seek public comment on the Department of Environmental Quality (DEQ) initiated modification of existing permits from DEQ that allow the land application of biosolids in CITY/COUNTY, Virginia.

PUBLIC COMMENT PERIOD: MONTH DAY, YEAR to MONTH DAY, YEAR

PERMIT NAME: Virginia Pollution Abatement issued by DEQ, under the authority of the State Water Control Board

PERMIT NUMBER, OWNER NAME ADDRESS: The following permits authorize the land application of biosolids on agricultural {and silvicultural} sites in XX County: VPA0XXXX, OWNER NAME, ADDRESS; VPA0XXXX, OWNER NAME, ADDRESS; {VPA0XXXX, OWNER NAME, ADDRESS}

PROJECT DESCRIPTION: The DEQ has initiated the modification of permits identified above to incorporate amendments to regulations pertaining to biosolids, 9VAC25-32 and 9VAC25-20, which became effective on **XX XX, 2013**. Significant changes involve provisions for biosolids staging, sign posting and notifications, landowner consent, setbacks and field operations.

HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING: DEQ accepts comments and requests for public hearing by hand-delivery, e-mail, fax or postal mail. All comments and requests must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The name/number of the permit for which a public hearing is requested. 2) The reason why a public hearing is requested. 3) A brief, informal statement regarding the nature and extent of the interest of the requester or of those represented by the requestor, including how and to what extent such interest would be directly and adversely affected by the permit. 4) Specific references, where possible, to terms and conditions of the permit with suggested revisions. A public hearing may be held, including another comment period, if public response is significant, based on individual requests for a public hearing, and there are substantial, disputed issues relevant to the permit.

**CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION: NAME; NAME OF REGIONAL OFFICE, STREET, {POSTAL ADDRESS IF DIFFERENT FROM STREET ADDRESS}, CITY, VA ZIP CODE; Phone: PHONE NUMBER; E-mail: E-MAIL ADDRESS; Fax: FAX NUMBER. The public may review the draft permit and application at the DEQ office named above {by appointment} or may request copies of the documents from the contact person listed above. The basic permit template may be viewed at {webpage}**

**Attachment B: Public Notice – Multiple Permits in Multiple Counties**

Public Notice – Environmental Permit

PURPOSE OF NOTICE: To seek public comment on the Department of Environmental Quality (DEQ) initiated modification of existing permits from the DEQ that allow the land application of biosolids in CITY/COUNTY, {and} CITY/COUNTY {and CITY/COUNTY}, Virginia.

PUBLIC COMMENT PERIOD: MONTH DAY, YEAR to MONTH DAY, YEAR

PERMIT NAME: Virginia Pollution Abatement issued by DEQ, under the authority of the State Water Control Board

PERMIT NUMBER, OWNER NAME ADDRESS: The following permits authorize the land application of biosolids on agricultural {and silvicultural} sites: COUNTY - VPA0XXXX, OWNER NAME, ADDRESS: {VPA0XXXX, OWNER NAME, ADDRESS;} COUNTY - VPA0XXXX, OWNER NAME, ADDRESS: {VPA0XXXX, OWNER NAME, ADDRESS}

PROJECT DESCRIPTION: The DEQ has initiated the modification of permits identified above to incorporate amendments to regulations pertaining to biosolids, 9VAC25-32 and 9VAC25-20, which went into effect on **XX XX, 2013**. Significant changes involve provisions for biosolids staging, sign posting and notifications, landowner consent, setbacks and field operations.

HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING: DEQ accepts comments and requests for public hearing by hand-delivery, e-mail, fax or postal mail. All comments and requests must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The name/number of the permit for which a public hearing is requested. 2) The reason why a public hearing is requested. 3) A brief, informal statement regarding the nature and extent of the interest of the requester or of those represented by the requestor, including how and to what extent such interest would be directly and adversely affected by the permit. 4) Specific references, where possible, to terms and conditions of the permit with suggested revisions. A public hearing may be held, including another comment period, if public response is significant, based on individual requests for a public hearing, and there are substantial, disputed issues relevant to the permit.

**CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION: NAME; NAME OF REGIONAL OFFICE, STREET, {POSTAL ADDRESS IF DIFFERENT FROM STREET ADDRESS}, CITY, VA ZIP CODE; Phone: PHONE NUMBER; E-mail: E-MAIL ADDRESS; Fax: FAX NUMBER.** The public may review the draft permit and application at the DEQ office named above {by appointment} or may request copies of the documents from the contact person listed above. The basic permit template may be viewed at {webpage}

**{READ ME BEFORE USING TEMPLATES**

**Public Comment Period:** The public comment period begins on the date of publication of the notice. However, when counting days to the end of the public comment period, start with the day after publication. If the last day of the public comment period falls on a Saturday, Sunday or Holiday, set the close of the comment period on the first business day after the Saturday, Sunday or Holiday. (If a holiday occurs, for example due to inclement weather, on the scheduled closing date, comments should be accepted through the next business day.) Also, do not put a time of day. All comment periods close at 11:59 p.m.

**Setting an End Time for a Public Hearing/Public Meeting:** While the template provides the option of including an end time for a public hearing or public meeting, setting an end time for a public hearing is only appropriate when the location has advised that the facility closes at a certain time. Also, if an end time is announced in the notice, the public hearing or public meeting cannot be ended prior to the announced end time.