

**VPDES General Permit Regulation for Vehicle Wash Facilities and Laundry Facilities  
(9VAC25-194)**

**Reissuance**

**Technical Advisory Committee Meeting**

**May 11, 2026, 10:00 am**

**4949-A Cox Road, Glen Allen, Virginia 23060**

**(DEQ Piedmont Regional Office, Training Room)**

DRAFT Agenda

- Introductions
- Purpose, exempt regulatory process, role of the TAC
- Overview of the Vehicle Wash and Laundry GP (9VAC25-194)
- NOIRA comments received
- Challenges
- Known revisions to Vehicle Wash and Laundry GP
- Open discussion

If you need more information regarding this regulatory action, please call or contact Azra Bilalagic (804) 584-6674 or [azra.bilalagic@deq.virginia.gov](mailto:azra.bilalagic@deq.virginia.gov) or Morgan Emanuel at (804) 494-9635 or [morgan.emanuel@deq.virginia.gov](mailto:morgan.emanuel@deq.virginia.gov).

## **Regulatory Advisory Panel Handout**

### **Background**

The Public Participation Guidelines (PPGs) for the development of regulations that were adopted by the State Air Pollution Control, State Water Control and Virginia Waste Management Boards (Boards) and the Department of Environmental Quality (Department) are identical in the use of regulatory advisory panels.

The PPGs state that the Boards and Department may use regulatory advisory panels (RAP) in the formation and development of regulations for agency consideration. The PPGs state that decisions as to the membership of the RAP shall be at the discretion of the Department Director. Additionally, the PPGs state that the Notice of Intended Regulatory Action (NOIRA) shall indicate whether a public hearing is planned on the proposed regulatory action. If the agency receives requests from at least 25 persons during the public comment period, a public hearing will be held.

### **Establishment of a Group and Statutory Requirements**

1. First and foremost is that the membership of any group is at the discretion of the Department Director and the recommended membership of any group must be approved by the Director.
2. Recommendations and appointments for membership are to be person specific. Multiple applications from a single company, organization, group or other entity count as one for purposes of making the decision specified in the preceding sentence. For example, if VAMWA requests to be represented on the group, VAMWA must submit the name of an individual, and may submit the name of an alternate, to sit at the table. Regulatory writers may encourage members to seek approval of alternates for them early in the regulatory development process. This will benefit the group in that alternates may wish to attend meetings as observers to keep abreast of issues discussed at meetings. This will allow alternates to contribute more at meetings. The appointment of alternates will also potentially increase the potential for a quorum at meetings. More than half of appointed members must be present at a meeting for a quorum to be present.
3. Alternates for RAP members must be approved by the Department Director. Ample time should be allowed for approval of alternates for RAP members. Alternates for an individual should share an affiliation with the member approved for the RAP. For example, RAP member may represent the interests of a professional organization and the alternate does not need to be employed by the same company as the member appointed to the committee but should be employed by a company that is part of the same professional organization.
4. The creation of a RAP is the creation of a public body. All meetings of the group are public meetings. This means notice of the meeting has to be given. There is a statutory

requirement to announce all meetings on the Virginia Regulatory Town Hall website and Commonwealth Calendar. In addition to the statutory requirement, Executive Order 14 (2018) requires notices of meetings and agendas for public meetings to be posted on the Town Hall website 7 days in advance of a meeting, except in the case of an emergency meeting. Also, notice is to be included on the Department's web page. Notice is to include the name of the group; the date, time, place of the meeting; a short description of the purpose of the meeting; and the name, address, phone, fax and email information of the contact for the meeting. Meetings may be audio or video recorded by the agency, RAP members, or members of the public as long as the use of the recording equipment does not physically interfere with the meeting.

### **Role of the Group**

The purpose of the group is to assist in the development of a proposed regulation. The regulatory advisory panel has been formed to help the Department balance the concerns of all those interested in this particular regulation. All such concerns will be addressed by the group, and any group member is free to advance any opinion.

The role of the group is advisory only. The group's primary responsibility is to collaboratively contribute to a regulation that is in the best interests of the Commonwealth as a whole.

The group's goal is to reach a consensus on a specific action and make recommendations to the Department and Board. In this regulatory and public policy area, consensus is defined as a willingness of each member of a group to be able to say that he or she can live with the decisions reached and will not actively work against them outside of the process. This is not to say that everyone will be completely satisfied by the results of the process. It is necessary; however, that each participant come prepared to negotiate in good faith around complex and sensitive issues. Also, because the group represents many different interests, all members should expect to compromise in order to accomplish the group's mission. If the group cannot reach consensus, the Department staff will present the differing opinions to Department management and the Board.

Voting, per se, is contrary to a consensus-based process, but people may be asked to demonstrate their strength of feeling for or against a particular idea, and may be asked to help set priorities during the course of the process.

When requesting to serve as a member of the regulatory advisory panel, individuals are indicating that they are willing to devote the time and energy needed to ensure that they will be active participants of the regulatory advisory panel. Being an active participant includes not only attending scheduled meetings, but also being willing to contribute to group discussions, as well as actively listen as other members share their ideas.

### **Group Discussions**

As the goal of the group is to reach consensus, guidelines for discussion have been developed to assist the group with being productive during the meetings. Following these guidelines will reduce distractions, eliminate redundancies, and help to speed up the progress of the group. These guidelines for discussions have been attached and should be reviewed by group members prior to every meeting.

### **Meeting Minutes**

The Freedom of Information Act requires that minutes be prepared. That means a summary of the meeting shall be prepared and posted to the Townhall website ([www.townhall.virginia.gov/](http://www.townhall.virginia.gov/)). If the minutes must be approved by the group, a draft of the minutes must be posted within 10 days after the meeting with a final posted within 3 days of approval. If the minutes do not need to be approved by the group, the final must be posted within 10 days after the meeting. The minutes must include, but are not limited to, (i) the date, time and location of the meeting, (ii) the members of the public body recorded as present and absent, and (iii) a summary of the discussion on matters proposed, deliberated or decided, and a record of any votes taken. Minutes of advisory committees do not have to be officially approved by the group unless the group establishes that requirement.

### **Participation by Persons not on the Group**

Because these types of group meetings are public meetings, any member of the public may attend and observe the proceedings. However, only group members have a seat at the table and only group members may actively participate in the discussions. Those persons not on the group are encouraged to work with the group members that have common interests to ensure their concerns are heard. For groups working on regulations, those persons not on the group also have an opportunity to be formally heard during the 60-day public comment period on the proposed regulation.

As warranted, the Department will provide a means for those persons not on the group to make their concerns known to the group to ensure full consideration of all issues surrounding the regulation in question, provided it is not disruptive or does not inhibit the advancement of the work of the group. There are several ways to accomplish this. One option is to allow for a specific time for interested persons to address the group at a designated time during the meeting. Another is to have an empty seat at the table. If an interested person desires to make a brief comment or raise an issue, he would come to the empty seat, be recognized in turn, make his statement and then return to the audience. Time limitations may be necessary in order to ensure all persons have an opportunity to address the group and to make sure the group has ample time to discuss issues surrounding the regulation.

### **When a Group Assisting in Regulation Development is Finished**

After the group's meetings have concluded, the regulation writer will summarize the deliberations, outcomes and recommendations. Department management will meet prior to the board meeting scheduled to consider the regulation to review and determine recommendations that will be sent to the Board.

Areas where the group was unable to reach consensus or where the Department's recommendation differs from the group's recommendation will be identified in the material sent to the Board. In turn, the Board will decide if the Department's recommendation should be modified before the proposed regulation is promulgated for public comment.

The documentation sent to the Board before the meeting will also be sent to members of the group. As with all other members of the public, members of the group are free to attend the meeting at which Department staff will present its recommendation; however, the Board will not receive public comment on the proposed recommendation at that time.

After the Board approves the promulgation of the proposal, the proposed regulation will undergo executive review and then be published in the Virginia Register, marking the beginning of a 60-day comment period. During this period, any member of the public may comment on the proposed regulation. A member of the group, like any other member of the public, is free to express any opinion on the proposed regulation at this time, as well. However, it is hoped that if the regulation is essentially the same as that developed by the group through the consensus-based process, members of the group would actively support the work of the group during the public comment period.

Department staff will review and consider all comments relevant to the subject regulation. The comments will be summarized and a Department response prepared. The Department may have a meeting with the group to review the public comments and Department responses prior to finalizing the summary and response document for the Board. This summary and response document explains the Department's position on the comment (why the regulation was changed or was not changed). The document will be forwarded to the Board as part of the material for their review prior to final action. If requested by the Board, copies of specific comments or documents referenced in those comments will be provided to each Board member. At a minimum a summary of comments received shall be sent to those persons who provided comments during the 60-day comment period at least five (5) days before the meeting where Board action is planned. If possible, Department staff should send the summary and response document to those who provided comments. In addition, Department staff should send the summary and response document to all advisory committee members and post the document on the Department's web site.

At the Board meeting, Department staff will recommend final action by the Board. At that time public comment on the regulation will be accepted in accordance with the Board's Policy on Public Comment at Board meetings. A copy of the Boards' policy on public comment at board meetings is attached.

### **When a Group Assisting in Something Other Than Regulation Development is Finished**

In some cases, a group may not be working on developing a regulation. In these instances, after the group makes its recommendations, Department staff managing the group will summarize the deliberations, outcomes and recommendations and prepare recommendations for Department management. Areas where the group was unable to reach consensus or where the staff's recommendation differs from the group's recommendation will be identified in the material sent

to Department management for a decision. Department staff will inform the group members of the decision made by Department management.

## **Guidelines for Discussions for Advisory Panel Members**

Listen with an open mind and heart - it allows deeper understanding and, therefore, progress.

Speak one at a time; interruptions and side conversations are distracting and disrespectful to the speaker. "Caucus" or private conversation between members of the audience and people at the table may take place during breaks or at lunch, not during the work of the group.

Be concise and try to speak only once on a particular issue, unless you have new or different information to share.

Simply note your agreement with what someone else has said if you feel that it is important to do so, it is not necessary to repeat it.

Review materials to be discussed prior to meetings so you are prepared to participate in the discussion. Do not assume that the panel will revisit issues previously discussed at later meetings.

If you miss a meeting, get up to speed before the next one as the group cannot afford the luxury of starting over.

Focus on the issue, not the speaker - personalizing makes it impossible to listen effectively.

Present options for solutions at the same time you present the problems you see.

Stay positive; despairing of the group's inability to reach agreement will almost certainly make it so.

Turn off all cell phones; take and make all calls outside the room.

## **Regulatory Guidelines- the Public Participation Guidelines**

As required by Chapter 321 of the 2008 Acts of Assembly, the Department and each of the Agency's three Boards have adopted Public Participation Guidelines modeled after public participation guidelines issued by the Department of Planning and Budget through the adoption of regulations (DEQ- 9 VAC 15-11 et seq., State Water Control Board- 9 VAC 25-11 et seq., Waste Management Board 9 VAC 20-11 et seq., Air Pollution Control Board 9 VAC 5-5 et seq.)

The Public Participation Guidelines (PPGs) adopted by each of the Boards and the Department require the agency to:

1. provide the public the opportunity to provide information, orally or in writing to the agency on non-emergency and nonexempt regulatory actions.
2. have comment periods for a minimum number of days, dependent upon the regulatory action and stage.
3. respond to comments on proposed regulations at least 5 days prior to the adoption of a final regulation.
4. post all open meetings on the Virginia Regulatory Town Hall and Commonwealth Calendar website at least seven working days prior to the meeting.
5. indicate in the NOIRA if a public meeting will be held following publication of the proposed regulation.
6. hold a public hearing once the NOIRA is published if 25 persons request a hearing and notify the requestors of the details of the meeting.
7. conduct periodic reviews of regulations which includes examination of the effectiveness, efficiency, necessity, clarity, and cost of compliance with the regulations, and consider the impact, and to prepare a regulatory flexibility analysis in which the agency shall consider utilizing alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small businesses. The regulatory flexibility for small businesses must consider:
  1. The establishment of less stringent compliance or reporting requirements.
  2. The establishment of less stringent schedules or deadlines for compliance or reporting requirements.
  3. The consolidation or simplification of compliance or reporting requirements.
  4. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and
  5. The exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

Also, the PPGs build upon the procedural requirements established by the Administrative Process Act.

In addition to the above requirements, Section 2.2-618 of the Code of Virginia requires that whenever programs are developed or regulations adopted to implement federal programs they be done in good faith with a critical view toward any federal regulations, guidelines, or policies; with due consideration of the financial restraints of the Commonwealth, local governments, and the citizens of Virginia; and using the most efficient method possible with careful consideration given to cost of the program and the impact of the program on Virginia citizens and local governments, and the long-range public health, safety, and welfare of citizens of the Commonwealth. This Code section applies to any mandate contained in a federal statute and specifically includes the Clean Air Act, Clean Water Act, Solid Waste Disposal Act, Resource Conservation and Recovery Act, Comprehensive Environmental Response, Compensation and Liability Act, Superfund Amendments and Reauthorization Act and Emergency Planning and Community Right-to-Know Act.

While the above items set development principles and the procedural requirements for all regulatory actions, all regulations are adopted under the laws of the State Air Pollution Control Board, Virginia Waste Management Board, State Water Control Board, and the Department of Environmental Quality. While the statutes provide legal authority for the development and adoption of regulations, the statutes also include a requirement that any provision(s) of regulations that exceeds an applicable minimum federal requirement must be justified and certain legislative committees must be informed.

2 **State Water Control Board**

3 **CH 194 – 2028 Amend and Reissue the Existing General Permit Regulation**

4 Chapter 194

5 Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Vehicle

6 Wash Facilities and Laundry Facilities

7 **9VAC25-194-10. Definitions.**

8 The words and terms used in this chapter shall have the meanings defined in the State Water  
9 Control Law and 9VAC25-31 (VPDES Permit Regulation) unless the context clearly indicates  
10 otherwise, except that for the purposes of this chapter:

11 "Board" means the State Water Control Board. When used outside the context of the  
12 promulgation of regulations, including regulations to establish general permits, "board" means the  
13 Department of Environmental Quality.

14 "Construction equipment" means trenchers, backhoes, boring equipment, bulldozers, loaders,  
15 dump trucks, and any other piece of earth moving equipment.

16 "Department" or "DEQ" means the Department of Environmental Quality.

17 "Director" means the Director of the Department of Environmental Quality or an authorized  
18 representative.

19 "Golf course equipment" means carts, utility vehicles, bunker rakes, groomers, seeders, and  
20 other turf equipment but does not mean equipment used in fertilizer, pesticide, or herbicide  
21 application.

22 "Inlet protection measures" means equipment and best management practices to minimize  
23 pollution to state waters via the storm drain. Equipment includes containment berms, barriers, or

24 seals designed to prevent water from entering the inlet, weighted filters, or socks designed to  
25 remove metals, oil and grease, solids, and debris combined with other measures, including  
26 vacuuming of wastewater, shut off hose nozzles, washing, or directing wastewater to grassy  
27 areas.

28 "Laundry" means any self-service facility where the washing of clothes is conducted as  
29 designated by NAICS Code 812310 and SIC 7215. It does not include facilities that engage in dry  
30 cleaning.

31 "Lawn maintenance equipment" means motorized or hand operated lawn care equipment,  
32 including mowers, hedgers, aerators, augers, blowers, brush clearers, brush cutters, dethatchers,  
33 edgers, pole saws, power rakes, and tillers, but does not mean equipment used in fertilizer,  
34 pesticide, or herbicide application.

35 "NAICS" means North American Industry Classification System from the U.S. Office of  
36 Management and Budget, 2017 edition.

37 "SIC" means the Standard Industrial Classification from the U.S. Office of Management and  
38 Budget Standard Industrial Classification Manual, 1987 edition.

39 "Total maximum daily load" or "TMDL" means a calculation of the maximum amount of a  
40 pollutant that a waterbody can receive and still meet water quality standards and an allocation of  
41 that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point  
42 source discharges, and load allocations (LAs) for nonpoint sources or natural background or both,  
43 and must include a margin of safety (MOS) and account for seasonal variations.

44 "Vehicle maintenance" means vehicle and equipment rehabilitation, mechanical repairs,  
45 painting, fueling, and lubrication.

46 "Vehicle wash" means any fixed or mobile facility where the manual, automatic, or self-service  
47 exterior washing of vehicles is conducted and includes the following:

- 48 1. Vehicles that convey passengers or goods on streets or highways, such as automobiles,  
49 trucks, motor homes, buses, motorcycles, ambulances, fire trucks, and tractor trailers.  
50 This industry primarily comprises establishments engaged in cleaning, washing, or waxing  
51 automotive vehicles, such as passenger cars, trucks, and vans, and trailers as designated  
52 by NAICS Code 811192 and Standard Industrial Classification (SIC) Code 7542;
- 53 2. Incidental floor cleaning wash waters associated with facilities that wash vehicles where  
54 the floor wash water also passes through the vehicle wash treatment system;
- 55 3. Golf course equipment and lawn maintenance equipment;
- 56 4. Maintenance and construction equipment;
- 57 5. Street sweepers and catch basin cleaner trucks; and
- 58 6. Recreational boats less than 8.6' beam and 25' in length towed by a vehicle.

59 "Vehicle wash" does not mean engine cleaning or degreasing; the cleaning of floors in vehicle  
60 maintenance areas, cleaning of the interior of tanks or trailers carrying bulk or raw material,  
61 cleaning of equipment used in the paving industry, cleaning of chemical, fertilizer, or pesticide  
62 spreading equipment, or cleaning of tanker trucks, garbage trucks, livestock trailers, trains, boats  
63 larger than 8.6' beam and 25' in length, or aircraft; or the use of acid caustic metal brighteners or  
64 steam heated water.

65 **9VAC25-194-15. Applicability of incorporated references based on the dates that they**  
66 **became effective.**

67 Except as noted, when a regulation of the U.S. Environmental Protection Agency (EPA) set  
68 forth in Title 40 of the Code of Federal Regulations (CFR) is referenced or adopted in this chapter  
69 and incorporated by reference, that regulation shall be as it exists and has been published as of  
70 July 1, ~~2024~~ 2024; however, references to 40 CFR Part 136 are incorporated as published in the  
71 July 1, 2024, update.

72 **9VAC25-194-20. Purpose.**

73 This general permit regulation governs the discharge of wastewater from vehicle wash  
74 facilities and laundry facilities to surface waters.

75 **9VAC25-194-40. Effective date of the permit.**

76 This general permit will become effective on January 1, ~~2023~~ 2028. This general permit will  
77 expire on December 31, ~~2027~~ 2032. This general permit is effective for any covered owner upon  
78 compliance with all the provisions of 9VAC25-194-50.

79 **9VAC25-194-50. Authorization to discharge.**

80 A. Any owner governed by this general permit is hereby authorized to discharge wastewater  
81 as described in 9VAC25-194-20 to surface waters of the Commonwealth of Virginia provided that:

- 82 1. The owner files a registration statement in accordance with 9VAC25-194-60, and that  
83 registration statement is accepted by the ~~board~~ department;
- 84 2. The owner submits the required permit fee;
- 85 3. The owner complies with the applicable effluent limitations and other requirements of  
86 9VAC25-194-70; and
- 87 4. The owner has not been notified by the ~~board~~ department that the discharge is not  
88 eligible for coverage under this permit in accordance with subsection B of this section.

89 B. The ~~board~~ department will notify an owner that the discharge is not eligible for coverage  
90 under this general permit in the event of any of the following:

- 91 1. The owner is required to obtain an individual permit in accordance with 9VAC25-31-170  
92 B 3 of the VPDES Permit Regulation;
- 93 2. The owner is proposing to discharge to state waters specifically named in other board  
94 regulations that prohibit such discharges;

95 3. The discharge would violate the antidegradation policy in the Water Quality Standards  
96 at 9VAC25-260-30;

97 4. The discharge is not consistent with the assumptions and requirements of an approved  
98 TMDL; or

99 5. The discharge is to surface waters where there are central wastewater treatment  
100 facilities reasonably available, as determined by the board.

101 C. Mobile vehicle wash owners shall operate such that there is no discharge to surface waters  
102 and storm sewers unless they have coverage under this permit.

103 D. Compliance with this general permit constitutes compliance, for purposes of enforcement,  
104 with §§ 301, 302, 306, 307, 318, 403, and 405(a) through (b) of the federal Clean Water Act and  
105 the State Water Control Law with the exceptions stated in 9VAC25-31-60 of the VPDES Permit  
106 Regulation. Approval for coverage under this general permit does not relieve any owner of the  
107 responsibility to comply with any other applicable federal, state, or local statute, ordinance, or  
108 regulation.

109 E. Continuation of permit coverage.

110 1. Permit coverage shall expire at the end of the applicable permit term. However, expiring  
111 permit coverages are automatically continued if the owner has submitted a complete  
112 registration statement at least 60 days prior to the expiration date of the permit or a later  
113 submittal date established by the ~~board~~ department, which cannot extend beyond the  
114 expiration date of the permit. The permittee is authorized to continue to discharge until  
115 such time as the ~~board~~ department either:

116 a. Issues coverage to the owner under this general permit; or

117 b. Notifies the owner that the discharge is not eligible for coverage under this permit.

118 2. When the owner that was covered under the expiring or expired general permit has  
119 violated or is violating the conditions of that permit, the ~~board~~ department may choose to  
120 do any or all of the following:

121 a. Initiate enforcement action based upon the general permit coverage that has been  
122 continued;

123 b. Issue a notice of intent to deny coverage under the amended general permit. If the  
124 general permit coverage is denied, the owner would then be required to cease the  
125 discharges authorized by the continued general permit coverage or be subject to  
126 enforcement action for discharging without a permit;

127 c. Issue an individual permit with appropriate conditions; or

128 d. Take other actions authorized by the VPDES Permit Regulation (9VAC25-31).

129 **9VAC25-194-60. Registration statement.**

130 A. Deadlines for submitting registration statements. Any owner seeking coverage under this  
131 general permit shall submit a complete VPDES general permit registration statement in  
132 accordance with this chapter, which shall serve as a notice of intent for coverage under the  
133 VPDES general permit regulation for vehicle wash facilities and laundry facilities.

134 1. New facilities. Any owner proposing a new discharge shall submit a complete  
135 registration statement at least 60 days prior to the date planned for commencement of the  
136 discharge or a later submittal established by the ~~board~~ department.

137 2. Existing facilities.

138 a. Any owner covered by an individual VPDES permit that is proposing to be covered  
139 by this general permit shall submit a complete registration statement at least 240 days

140 prior to the expiration date of the individual VPDES permit or a later submittal  
141 established by the ~~board~~ department.

142 b. Any owner that was authorized to discharge under an expiring or expired VPDES  
143 general permit for vehicle wash facilities and laundry facilities and that intends to  
144 continue coverage under this general permit shall submit a complete registration  
145 statement to the ~~board~~ department at least 60 days prior to the expiration date of the  
146 existing permit or a later submittal established by the ~~board~~ department.

147 c. Any owner of a vehicle wash facility covered under this permit that had a monthly  
148 average flow rate of less than 5,000 gallons per day, and the flow rate increases above  
149 a monthly average flow rate of 5,000 gallons per day, shall submit an amended  
150 registration statement to the department within 60 days of the increased flow or a later  
151 submittal established by the ~~board~~ department.

152 B. Late registration statements. Registration statements for existing facilities covered under  
153 subdivision A 2 b of this section will be accepted after the expiration date of the permit, but  
154 authorization to discharge will not be retroactive.

155 C. The required registration statement shall contain the following information:

156 1. Facility name and mailing address, owner name and mailing address, telephone  
157 number, and email address (if available);

158 2. Facility street address (if different from mailing address);

159 3. Facility operator (local contact) name, address, telephone number, and email address  
160 (if available) if different than owner;

161 4. Whether the facility discharges to surface waters. If "yes," name of receiving stream; if  
162 "no," describe the discharge;

- 163 5. Whether the facility discharges to a municipal separate storm sewer system (MS4). If  
164 "yes," the facility owner must provide the name of the MS4 and notify the owner of the  
165 municipal separate storm sewer system of the existence of the discharge at the time of  
166 registration under this permit and include that notification with the registration statement.  
167 The notice shall include the following information: the name of the facility, a contact  
168 person, phone number, email, the location of the discharge, the nature of the discharge,  
169 and the facility's VPDES general permit number;
- 170 6. Whether the facility has a current VPDES permit. If "yes," provide permit number;
- 171 7. Whether the locality requires connection to central wastewater treatment facilities;
- 172 8. Whether central wastewater treatment facilities are available to serve the site. If "yes,"  
173 the option of discharging to the central wastewater facility must be evaluated and the result  
174 of that evaluation reported here;
- 175 9. A U.S. Geological Survey (USGS) 7.5 - minute topographic map or equivalent computer  
176 - generated map with sufficient resolution to clearly show ~~showing~~ the facility location, the  
177 discharge locations, latitude and longitude, and receiving stream;
- 178 10. ~~Provide a~~ A brief description of the type of washing activity. ~~Include,~~ including (as  
179 applicable) the type of vehicles washed, number of vehicle washing bays, and the number  
180 of laundry machines;
- 181 11. Highest average monthly flow rate for each washing activity or combined washing  
182 activity, reported as gallons per day;
- 183 12. Facility line (water balance) drawing;
- 184 13. Description of wastewater treatment or stormwater inlet protection measures;

185 14. Information on use of chemicals at the facility. ~~Include, including~~ detergents, soaps,  
186 waxes, and other chemicals;

187 15. Whether detergent used for washing vehicles contains more than 0.5% phosphorus  
188 by weight;

189 16. State Corporation Commission entity identification number if the facility is required to  
190 obtain an entity identification number by law; and

191 17. The following certification:

192 "I certify under penalty of law that this document and all attachments were prepared  
193 under my direction or supervision in accordance with a system designed to assure that  
194 qualified personnel properly gather and evaluate the information submitted. Based on  
195 my inquiry of the person or persons who manage the system or those persons directly  
196 responsible for gathering the information, the information submitted is to the best of  
197 my knowledge and belief true, accurate, and complete. I am aware that there are  
198 significant penalties for submitting false information including the possibility of fine and  
199 imprisonment for knowing violations."

200 The registration statement shall be signed in accordance with 9VAC25-31-110 of the VPDES  
201 Permit Regulation.

202 D. The registration statement shall be delivered by either postal or electronic mail to the DEQ  
203 regional office serving the area where the facility is located. Following notification from the  
204 department of the start date for the required electronic submission of Notices of Intent to discharge  
205 forms (i.e., registration statements) as provided for in 9VAC25-31-1020, such forms submitted  
206 after that date shall be electronically submitted to the department in compliance with this section  
207 and 9VAC25-31-1020. There shall be at least ~~a-three months'~~ month notice provided between the

208 notification from the department and the date after which such forms must be submitted  
209 electronically.

210 **9VAC25-194-70. General permit.**

211 Any owner whose registration statement is accepted by the ~~board~~ department shall comply  
212 with the requirements of the general permit and be subject to all requirements of 9VAC25-31-170  
213 of the VPDES Permit Regulation.

214 General Permit No.: VAG75

215 Effective Date: January 1, ~~2023~~ 2028

216 Expiration Date: December 31, ~~2027~~ 2032

217 **GENERAL PERMIT FOR VEHICLE WASH FACILITIES AND LAUNDRY FACILITIES**

218 **AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE**  
219 **ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW**

220 In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the  
221 State Water Control Law and regulations adopted pursuant thereto, owners of vehicle wash  
222 facilities and laundry facilities are authorized to discharge to surface waters within the boundaries  
223 of the Commonwealth of Virginia, except those specifically named in board regulations that  
224 prohibit such discharges.

225 The authorized discharge shall be in accordance with the information submitted with the  
226 registration statement, this cover page, Part I - Effluent Limitations, Monitoring Requirements,  
227 Special Conditions and Part II - Conditions Applicable to All VPDES Permits, as set forth in this  
228 general permit.

229 **Part I**

230 **A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.**

231 1. During the period beginning with the permittee's coverage under this general permit and  
232 lasting until the permit's expiration date, the permittee is authorized to discharge

233 wastewater originating from vehicle wash facilities that discharge a monthly average flow  
 234 rate less than or equal to 5,000 gallons per day from outfalls:

235 Such discharges shall be limited and monitored by the permittee as specified below in the  
 236 following table:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Minimum	Maximum	Frequency <sup>(3)</sup>	Sample Type
Flow (GPD)	NA	5,000	1/Year	Estimate
pH (S.U.)	6.0 <sup>(1)</sup>	9.0 <sup>(1)</sup>	1/Year	Grab
TSS (mg/l)	NA	60 <sup>(2)</sup>	1/Year	Composite <sup>(4)</sup>
Oil and Grease (mg/l)	NA	15	1/Year	Grab

NL - No Limitation, monitoring requirement only  
 NA - Not applicable  
<sup>(1)</sup>Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.  
<sup>(2)</sup>Limit given is expressed in two significant figures.  
<sup>(3)</sup>Discharge Monitoring Reports (DMRs) of yearly monitoring (January 1 to December 31) shall be submitted to the DEQ regional office no later than ~~the 40th day of January~~ January 10 of each the following calendar year.  
<sup>(4)</sup>Five grab samples evenly spaced over an eight-hour period or five grab samples evenly spaced for the duration of the discharge if less than eight hours in length.

237 Part I

238 A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.

239 2. During the period beginning with the permittee's coverage under this general permit and  
 240 lasting until the permit's expiration date, the permittee is authorized to discharge  
 241 wastewater originating from vehicle wash facilities that discharge a monthly average flow  
 242 rate greater than 5,000 gallons per day from outfalls:

243 Such discharges shall be limited and monitored by the permittee as specified below in the  
 244 following table:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Minimum	Maximum	Frequency <sup>(3)</sup>	Sample Type
Flow (GPD)	NA	NL	1/6 Months	Estimate
pH (S.U.)	6.0 <sup>(1)</sup>	9.0 <sup>(1)</sup>	1/6 Months	Grab
TSS (mg/ℓ)	NA	60 <sup>(2)</sup>	1/6 Months	Composite <sup>(4)</sup>
Oil and Grease (mg/ℓ)	NA	15	1/6 Months	Grab

NL - No Limitation, monitoring requirement only  
NA - Not applicable  
<sup>(1)</sup>Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.  
<sup>(2)</sup>Limit given is expressed in two significant figures.  
<sup>(3)</sup>Samples shall be collected by December 31 and June 30 of each year and reported on the facility's Discharge Monitoring Report (DMR). DMRs shall be submitted by January 10 and July 10 of each year following each applicable semiannual monitoring period.  
<sup>(4)</sup>Five grab samples evenly spaced over an eight-hour period or five grab samples evenly spaced for the duration of the discharge if less than eight hours in length.

245 Part I

246 A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.

247 3. During the period beginning with the permittee's coverage under this general permit and  
248 lasting until the permit's expiration date, the permittee is authorized to discharge  
249 wastewater originating from a laundry facility from outfalls:

250 Such discharges shall be limited and monitored by the permittee as specified below in the  
251 following table:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Minimum	Maximum	Frequency <sup>(3)</sup>	Sample Type
Flow (GPD)	NA	NL	1/Quarter	Estimate
pH (S.U.)	6.0 <sup>(1)</sup>	9.0 <sup>(1)</sup>	1/Quarter	Grab
TSS (mg/ℓ)	NA	60 <sup>(2)</sup>	1/Quarter	Grab

BOD <sub>5</sub> (mg/ℓ)	NA	60 <sup>(1), (2)</sup>	1/Quarter	Grab
Dissolved Oxygen (mg/ℓ)	6.0 <sup>(1)</sup>	NA	1/Quarter	Grab
Temperature °C	NA	32 <sup>(1), (4)</sup>	1/6 Months	Immersion Stabilization
Total Residual Chlorine (mg/ℓ)	NA	0.011 <sup>(1)</sup>	1/Quarter	Grab
E. Coli <sup>(5)</sup>	NA	<del>235</del> <u>126</u> CFU/100 ml	1/6 Months	Grab
Enterococci <sup>(6)</sup>	NA	<del>104</del> <u>35</u> CFU/100 ml	1/6 Months	Grab
Fecal Coliform <sup>(7)</sup>	NA	200 CFU/100 ml	1/6 Months	Grab

NL - No Limitation, monitoring requirement only

NA - Not applicable

CFU – Colony forming units

<sup>(1)</sup>Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH, BOD<sub>5</sub>, DO, TRC and temperature in waters receiving the discharge, those standards shall be, as appropriate, the maximum and minimum effluent limitations.

<sup>(2)</sup>Limit given is expressed in two significant figures.

<sup>(3)</sup>Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than ~~the 10th day of April 10, July 10, October 10, and January 10 following each applicable quarterly period. Reports of once per six months Semiannual reports~~ shall be submitted no later than ~~the 10th day of January 10 and the 10th day of July 10~~ for samples collected by December 31 and June 30 of each year.

<sup>(4)</sup>The effluent temperature shall not exceed a maximum 32°C for discharges to nontidal coastal and piedmont waters, 31°C for mountain and upper piedmont waters, 21°C for put and take trout waters, or 20°C for natural trout waters. For estuarine waters, nontidal coastal and piedmont waters, mountain and upper piedmont waters, and put and take trout waters, the effluent shall not cause an increase in temperature of the receiving stream of more than 3°C above the natural water temperature. For natural trout waters, the temperature of the effluent shall not cause an increase of 1°C above natural water temperature. The effluent shall not cause the temperature in the receiving stream to change more than 2°C per hour, except in the case of natural trout waters where the hourly temperature change shall not exceed 0.5°C.

<sup>(5)</sup>Applies only when the discharge is into freshwater (see 9VAC25-260-140 C for the classes of waters and boundary designations).

<sup>(6)</sup>Applies only when the discharge is into saltwater or the transition zone (see 9VAC25-260-140 C for the classes of waters and boundary designations).

<sup>(7)</sup>Applies only when the discharge is into shellfish waters (see 9VAC25-260-160 for the description of what are shellfish waters).

252 Part I

253 A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.

254 4. During the period beginning with the permittee's coverage under this general permit and  
 255 lasting until the permit's expiration date, the permittee is authorized to discharge  
 256 wastewater originating from a combined vehicle wash and laundry facility from outfalls:

257 Such discharges shall be limited and monitored by the permittee as specified below in the  
 258 following table:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Minimum	Maximum	Frequency <sup>(3)</sup>	Sample Type
Flow (GPD)	NA	NL	1/Quarter	Estimate
pH (S.U.)	6.0 <sup>(1)</sup>	9.0 <sup>(1)</sup>	1/Quarter	Grab
TSS (mg/ℓ)	NA	60 <sup>(2)</sup>	1/Quarter	5G/8HC
BOD <sub>5</sub> (mg/ℓ)	NA	60 <sup>(1), (2)</sup>	1/Quarter	Grab
Oil and Grease (mg/L)	NA	15	1/6 Months	Grab
Dissolved Oxygen (mg/ℓ)	6.0 <sup>(1)</sup>	NA	1/Quarter	Grab
Temperature °C	NA	32 <sup>(1), (4)</sup>	1/6 Months	Immersion Stabilization
Total Residual Chlorine (mg/ℓ)	NA	0.011 <sup>(1)</sup>	1/Quarter	Grab
E. Coli <sup>(5)</sup>	NA	<del>235</del> <u>126</u> CFU/100 ml	1/6 Months	Grab
Enterococci <sup>(6)</sup>	NA	<del>104</del> <u>35</u> CFU/100 ml	1/6 Months	Grab

Fecal Coliform <sup>(7)</sup>	NA	200 CFU/100 ml	1/6 Months	Grab
<p>NL - No Limitation, monitoring requirement only  NA - Not applicable  CFU – Colony forming units</p> <p><sup>(1)</sup>Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH, BOD<sub>5</sub>, DO, TRC and temperature in waters receiving the discharge, those standards shall be, as appropriate, the maximum and minimum effluent limitations.</p> <p><sup>(2)</sup>Limit given is expressed in two significant figures.</p> <p><sup>(3)</sup>Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than <del>the 10th day of</del> April <u>10</u>, July <u>10</u>, October <u>10</u>, and January <u>10</u> <u>following each applicable quarterly monitoring period</u>. Reports of once per six months shall be submitted no later than the <del>10th day of</del> January <u>10</u> and the <del>10th day of</del> July <u>10</u> for samples collected by December 31 and June 30 of each year.</p> <p><sup>(4)</sup>The effluent temperature shall not exceed a maximum 32°C for discharges to nontidal coastal and piedmont waters, 31°C for mountain and upper piedmont waters, 21°C for put and take trout waters, or 20°C for natural trout waters. For estuarine waters, nontidal coastal and piedmont waters, mountain and upper piedmont waters, and put and take trout waters, the effluent shall not cause an increase in temperature of the receiving stream of more than 3°C above the natural water temperature. For natural trout waters, the temperature of the effluent shall not cause an increase of 1°C above natural water temperature. The effluent shall not cause the temperature in the receiving stream to change more than 2°C per hour, except in the case of natural trout waters where the hourly temperature change shall not exceed 0.5°C.</p> <p><sup>(5)</sup>Applies only when the discharge is into freshwater (see 9VAC25-260-140 C for the classes of waters and boundary designations).</p> <p><sup>(6)</sup>Applies only when the discharge is into saltwater or the transition zone (see 9VAC25-260-140 C for the classes of waters and boundary designations).</p> <p><sup>(7)</sup>Applies only when the discharge is into shellfish waters (see 9VAC25-260-160 for the description of what are shellfish waters).</p>				

259 B. Special conditions.

260 1. The permittee of a vehicle wash facility shall perform visual examinations of the effluent  
261 including sheens, floating solids, or visible foam and maintenance of the wastewater  
262 treatment facilities and inlet protection measures, if applicable, at least once per week and  
263 document this visual examination and maintenance activities in the operational log. This  
264 operational log shall include the examination date and time, examination personnel,

265 presence of a discharge, and the visual quality of the discharge. The operational log shall  
266 be made available for review by the department personnel upon request.

267 2. The effluent shall be free of sheens. There shall be no discharge of floating solids or  
268 visible foam in other than trace amounts.

269 3. No sewage shall be discharged from a point source to surface waters from this facility  
270 except under the provisions of another VPDES permit specifically issued for that purpose.

271 4. There shall be no chemicals added to the water or waste that may be discharged other  
272 than those listed on the owner's accepted registration statement, unless prior approval of  
273 the chemical is granted by the board.

274 5. Wastewater should be reused or recycled whenever feasible.

275 6. The permittee of a vehicle wash facility shall comply with the following solids  
276 management ~~plan~~ requirements, where applicable:

277 a. Any settling basins or oil water separators shall be cleaned in accordance with the  
278 schedule outlined in the operation and maintenance (O&M) manual and at a frequent  
279 enough interval to achieve effective treatment.

280 b. Any solids from settling basins, oil water separators, trash, or other debris shall be  
281 handled, stored, and disposed of so as to prevent a discharge to state waters of such  
282 solids.

283 7. Washing of vehicles or containers bearing residue of animal manure or toxic chemicals  
284 (fertilizers, organic chemicals, etc.) is prohibited. If the facility is a self-service operation,  
285 the permittee shall post this prohibition on a sign prominently located and of sufficient size  
286 to be easily read by all patrons.

287 8. If the facility has a vehicle wash discharge with a monthly average flow rate of less than  
288 5,000 gallons per day, and the flow rate increases above a monthly average flow rate of  
289 5,000 gallons per day, an amended registration statement shall be filed within 30 days of  
290 the increased flow.

291 9. A permittee submitting a registration statement in accordance with Part II M and  
292 discharging into a municipal separate storm sewer shall notify the owner of the municipal  
293 separate storm sewer system of the existence of the discharge at the time of registration  
294 under this permit and include that notification with the registration statement. The notice  
295 shall include the following information: the name of the facility, a contact person and  
296 contact information (phone number and email), the location of the discharge, the nature  
297 of the discharge, and the facility's VPDES general permit number, if known or existing.

298 10. Approval for coverage under this general permit does not relieve any owner of the  
299 responsibility to comply with any other federal, state, or local statute, ordinance, or  
300 regulation.

301 11. The owner of a facility discharging vehicle wash water directly to a stormwater drain  
302 shall provide inlet protection measures in addition to meeting all other requirements of the  
303 permit.

304 12. The permittee shall notify the department as soon as the permittee knows or has  
305 reason to believe:

306 a. That any activity has occurred or will occur that would result in the discharge, on a  
307 routine or frequent basis, of any toxic pollutant that is not limited in this permit, if that  
308 discharge will exceed the highest of the following notification levels:

309 (1) One hundred micrograms per liter of the toxic pollutant;

310 (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred  
311 micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one  
312 milligram per liter for antimony;

313 (3) Five times the maximum concentration value reported for that pollutant in the permit  
314 application; or

315 (4) The level established by the board or department.

316 b. That any activity has occurred or will occur that would result in any discharge, on a  
317 nonroutine or infrequent basis, of a toxic pollutant that is not limited in this permit, if  
318 that discharge will exceed the highest of the following notification levels:

319 (1) Five hundred micrograms per liter of the toxic pollutant;

320 (2) One milligram per liter for antimony;

321 (3) Ten times the maximum concentration value reported for that pollutant in the permit  
322 application; or

323 (4) The level established by the ~~board~~ department.

324 13. Operation and maintenance manual requirement. The permittee shall develop and  
325 maintain an accurate operation and maintenance (O&M) manual for the wastewater  
326 treatment works and applicable inlet protection measures. This manual shall detail the  
327 practices and procedures that will be followed to ensure compliance with the requirements  
328 of this permit. The permittee shall operate and maintain the treatment works and the inlet  
329 protection measures in accordance with the O&M manual. The O&M manual shall be  
330 reviewed and updated at least annually and shall be signed and certified in accordance  
331 with Part II K of this permit. The O&M manual shall be made available for review by the  
332 department personnel upon request. The O&M manual shall include the following items,  
333 as appropriate:

- 334 a. Techniques to be employed in the collection, preservation, and analysis of effluent  
 335 samples;
- 336 b. Stormwater inlet protection measure directions for use and maintenance of  
 337 equipment;
- 338 c. Best management practices employed;
- 339 d. Treatment system operation, routine preventive maintenance of units within the  
 340 treatment system, critical spare parts inventory, and recordkeeping;
- 341 e. A sludge/solids management ~~plan~~ practices, including the schedule for settling  
 342 basin or oil water separator cleaning and solids handling as required by Part I B 6;
- 343 f. Procedures for performing the visual examination and maintenance required by Part  
 344 I B 1 including example log sheets and the location of the operational log; and
- 345 g. Date when the O&M manual was updated or reviewed and any changes that were  
 346 made.

347 14. Compliance reporting under Part I A 1 through 4.

- 348 a. The quantification levels (QL) shall be as follows:

	Effluent Characteristic	Quantification Level
	BOD <sub>5</sub>	2 mg/l
	TSS Oil and Grease	1.0 mg/l 5.0 mg/l
	Chlorine	0.10 mg/l

349 The QL is defined as the lowest concentration used to calibrate a measurement  
 350 system in accordance with the procedures published for the test method.

- 351 b. Reporting. Any single datum required shall be reported as "<QL" if it is less than the  
 352 QL in subdivision 14 a of this subsection. Otherwise, the numerical value shall be

353 reported. The QL must be less than or equal to the QL in subdivision 14 a of this  
354 subsection.

355 c. Monitoring results shall be reported using the same number of significant digits as  
356 listed in the permit. Regardless of the rounding convention used by the permittee (e.g.,  
357 five always rounding up or to the nearest even number), the permittee shall use the  
358 convention consistently and shall ensure that consulting laboratories employed by the  
359 permittee use the same convention.

360 15. The discharges authorized by this permit shall be controlled as necessary to meet  
361 applicable water quality standards in 9VAC25-260.

362 16. Discharges to waters with an approved total maximum daily load (TMDL). Owners of  
363 facilities that are a source of the specified pollutant of concern to waters where an  
364 approved TMDL has been established shall implement measures and controls that are  
365 consistent with the assumptions and requirements of the TMDL.

366 17. Notice of termination.

367 a. The owner may terminate coverage under this general permit by filing a complete  
368 notice of termination with the department. The notice of termination may be filed after  
369 one or more of the following conditions have been met:

370 (1) Operations have ceased at the facility and there are no longer wastewater  
371 discharges from vehicle wash or laundry activities from the facility;

372 (2) A new owner has assumed responsibility for the facility. A notice of termination  
373 does not have to be submitted if a VPDES Change of Ownership Agreement form has  
374 been submitted;

375 (3) All discharges associated with this facility have been covered by a VPDES  
376 individual permit or an alternative VPDES permit; or

377 (4) Termination of coverage is requested for another reason provided the ~~board~~  
378 department agrees that coverage under this general permit is no longer needed.

379 b. The notice of termination shall contain the following information:

380 (1) Owner's name, mailing address, telephone number, and email address (if  
381 available);

382 (2) Facility name and location;

383 (3) VPDES vehicle wash facilities and laundry facilities general permit number; and

384 (4) The basis for submitting the notice of termination, including:

385 (a) A statement indicating that a new owner has assumed responsibility for the facility;

386 (b) A statement indicating that operations have ceased at the facility and there are no  
387 longer wastewater discharges from vehicle wash or laundry activities from the facility;

388 (c) A statement indicating that all wastewater discharges from vehicle wash facilities  
389 and laundry facilities have been covered by an individual VPDES permit; or

390 (d) A statement indicating that termination of coverage is being requested for another  
391 reason (state the reason).

392 c. The following certification:

393 "I certify under penalty of law that all wastewater discharges from vehicle wash or  
394 laundry facilities from the identified facility that are authorized by this VPDES general  
395 permit have been eliminated, or covered under a VPDES individual or alternative  
396 permit, or that I am no longer the owner of the industrial activity, or permit coverage  
397 should be terminated for another reason listed above. I understand that by submitting  
398 this notice of termination, that I am no longer authorized to discharge wastewater from  
399 vehicle wash facilities or laundry facilities in accordance with the general permit, and

400 that discharging pollutants in wastewater from vehicle wash facilities or laundry  
401 facilities to surface waters is unlawful where the discharge is not authorized by a  
402 VPDES permit. I also understand that the submittal of this notice of termination does  
403 not release an owner from liability for any violations of this permit or the Clean Water  
404 Act."

405 d. The notice of termination shall be signed in accordance with Part II K.

406 e. The notice of termination shall be submitted to the DEQ regional office serving the  
407 area where the vehicle wash or laundry facility is located.

408 Part II  
409 CONDITIONS APPLICABLE TO ALL VPDES PERMITS

410 A. Monitoring.

411 1. Samples and measurements taken as required by this permit shall be representative of  
412 the monitored activity.

413 2. Monitoring shall be conducted according to procedures approved under 40 CFR Part  
414 136 or alternative methods approved by the U.S. Environmental Protection Agency unless  
415 other procedures have been specified in this permit.

416 3. The permittee shall periodically calibrate and perform maintenance procedures on all  
417 monitoring and analytical instrumentation at intervals that will ensure accuracy of  
418 measurements.

419 4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-  
420 45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46,  
421 Accreditation for Commercial Environmental Laboratories.

422 B. Records.

423 1. Records of monitoring information shall include:

424 a. The date, exact place, and time of sampling or measurements;

425 b. The individuals who performed the sampling or measurements;

426 c. The dates and times analyses were performed;

427 d. The individuals who performed the analyses;

428 e. The analytical techniques or methods used; and

429 f. The results of such analyses.

430 2. Except for records of monitoring information required by this permit related to the  
431 permittee's sewage sludge use and disposal activities, which shall be retained for a period  
432 of at least five years, the permittee shall retain records of all monitoring information,  
433 including all calibration and maintenance records and all original strip chart recordings for  
434 continuous monitoring instrumentation, copies of all reports required by this permit, and  
435 records of all data used to complete the registration statement for this permit, for a period  
436 of at least three years from the date of the sample, measurement, report or request for  
437 coverage. This period of retention shall be extended automatically during the course of  
438 any unresolved litigation regarding the regulated activity or regarding control standards  
439 applicable to the permittee, or as requested by the ~~board~~ department.

440 C. Reporting monitoring results.

441 1. The permittee shall submit the results of the monitoring required by this permit not later  
442 than the 10th day of the month after monitoring takes place, unless another reporting  
443 schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the  
444 department's regional office.

445 2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on  
446 forms provided, approved or specified by the department. Following notification from the

447 department of the start date for the required electronic submission of monitoring reports,  
448 as provided for in 9VAC25-31-1020, such forms and reports submitted after that date shall  
449 be electronically submitted to the department in compliance with this section and 9VAC25-  
450 31-1020. There shall be at least a three months' notice provided between the notification  
451 from the department and the date after which such forms and reports must be submitted  
452 electronically.

453 3. If the permittee monitors any pollutant specifically addressed by this permit more  
454 frequently than required by this permit using test procedures approved under 40 CFR Part  
455 136 or using other test procedures approved by the U.S. Environmental Protection Agency  
456 or using procedures specified in this permit, the results of this monitoring shall be included  
457 in the calculation and reporting of the data submitted in the DMR or reporting form  
458 specified by the department.

459 4. Calculations for all limitations that require averaging of measurements shall utilize an  
460 arithmetic mean unless otherwise specified in this permit.

461 D. Duty to provide information. The permittee shall furnish to the department, within a  
462 reasonable time, any information that the ~~board~~ department may request to determine whether  
463 cause exists for terminating coverage under this permit or to determine compliance with this  
464 permit. The ~~board~~ department may require the permittee to furnish, upon request, such plans,  
465 specifications, and other pertinent information as may be necessary to determine the effect of the  
466 wastes from the permittee's discharge on the quality of state waters, or such other information as  
467 may be necessary to accomplish the purposes of the State Water Control Law. The permittee  
468 shall also furnish to the department upon request, copies of records required to be kept by this  
469 permit.

470 E. Compliance schedule reports. Reports of compliance or noncompliance with, or any  
471 progress reports on, interim and final requirements contained in any compliance schedule of this  
472 permit shall be submitted no later than 14 days following each schedule date.

473 F. Unauthorized discharges. Except in compliance with this permit or another permit issued  
474 by the ~~board~~ department, it shall be unlawful for any person to:

475 1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or  
476 deleterious substances; or

477 2. Otherwise alter the physical, chemical or biological properties of such state waters and  
478 make them detrimental to the public health, ~~or to~~ animal or aquatic life, or ~~to~~ the use of  
479 such waters for domestic or industrial consumption, ~~or for~~ recreation, or ~~for~~ other uses.

480 G. Reports of unauthorized discharges. Any permittee who discharges or causes or allows a  
481 discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into  
482 or upon state waters in violation of Part II F, or who discharges or causes or allows a discharge  
483 that may reasonably be expected to enter state waters in violation of Part II F, shall notify the  
484 department of the discharge immediately (see Part II I 4) upon discovery of the discharge, but in  
485 no case later than 24 hours after ~~said~~ the discovery. A written report of the unauthorized discharge  
486 shall be submitted to the department within five days of discovery of the discharge. The written  
487 report shall contain:

488 1. A description of the nature and location of the discharge;

489 2. The cause of the discharge;

490 3. The date on which the discharge occurred;

491 4. The length of time that the discharge continued;

492 5. The volume of the discharge;

- 493           6. If the discharge is continuing, how long it is expected to continue;
- 494           7. If the discharge is continuing, what the expected total volume of the discharge will be;
- 495           and
- 496           8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present
- 497           discharge or any future discharges not authorized by this permit.

498           Discharges reportable to the department under the immediate reporting requirements of other

499           regulations are exempted from this requirement.

500           H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge,

501           including a bypass or upset, should occur from a treatment works, and the discharge enters or

502           could be expected to enter state waters, the permittee shall promptly notify (see Part II I 4), in no

503           case later than 24 hours, the department after the discovery of the discharge. This notification

504           shall provide all available details of the incident, including any adverse effects on aquatic life and

505           the known number of fish killed. The permittee shall submit the report to the department in writing

506           within five days of discovery of the discharge in accordance with Part II I 2. Unusual and

507           extraordinary discharges include any discharge resulting from:

- 508           1. Unusual spillage of materials resulting directly or indirectly from processing operations;
- 509           2. Breakdown of processing or accessory equipment;
- 510           3. Failure or taking out of service some or all of the treatment works; and
- 511           4. Flooding or other acts of nature.

512           I. Reports of noncompliance. The permittee shall report any noncompliance that may

513           adversely affect state waters or may endanger public health.

514 1. An oral or online report shall be provided within 24 hours from the time the permittee  
515 becomes aware of the circumstances. The following shall be included as information that  
516 shall be reported within 24 hours under this subsection:

517 a. Any unanticipated bypass; and

518 b. Any upset which causes a discharge to surface waters.

519 2. A written report shall be submitted within five days and shall contain:

520 a. A description of the noncompliance and its cause;

521 b. The period of noncompliance, including exact dates and times, and if the  
522 noncompliance has not been corrected, the anticipated time it is expected to continue;  
523 and

524 c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the  
525 noncompliance.

526 The ~~board~~ department may waive the written report on a case-by-case basis for reports  
527 of noncompliance under Part II I if the oral or online report has been received within 24  
528 hours and no adverse impact on state waters has been reported.

529 3. The permittee shall report all instances of noncompliance not reported under Part II I 1  
530 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall  
531 contain the information listed in Part II I 2.

532 4. The immediate (within 24 hours) reports required in Part II G, H, and I may be made to  
533 the department's regional office. Reports ~~may~~ shall be made by telephone or online at  
534 <https://www.deq.virginia.gov/land-waste/pollution-response> (online reporting is preferred).  
535 For reports outside normal working hours, ~~leave a message and this~~ the online portal shall  
536 ~~fulfill the immediate reporting requirement~~ be used. For emergencies, call the Virginia

537 ~~Department of Emergency Operations Center (24 hours) Management maintains a 24-~~  
538 ~~hour telephone service~~ at 804-750-8845.

539 5. Where the permittee becomes aware that it failed to submit any relevant facts in a permit  
540 registration statement or in any report to the department, it shall promptly submit such  
541 facts or information.

542 J. Notice of planned changes.

543 1. The permittee shall give notice to the department as soon as possible of any planned  
544 physical alterations or additions to the permitted facility. Notice is required only when:

545 a. The permittee plans alteration or addition to any building, structure, facility, or  
546 installation from which there is or may be a discharge of pollutants, the construction of  
547 which commenced:

548 (1) After promulgation of standards of performance under § 306 of the Clean Water  
549 Act that are applicable to such source; or

550 (2) After proposal of standards of performance in accordance with § 306 of the Clean  
551 Water Act that are applicable to such source, but only if the standards are promulgated  
552 in accordance with § 306 within 120 days of their proposal;

553 b. The alteration or addition could significantly change the nature or increase the  
554 quantity of pollutants discharged. This notification applies to pollutants that are subject  
555 neither to effluent limitations nor to notification requirements specified in Part I B 12;  
556 or

557 c. The alteration or addition results in a significant change in the permittee's sludge  
558 use or disposal practices, and such alteration, addition, or change may justify the  
559 application of permit conditions that are different from or absent in the existing permit,

560 including notification of additional use or disposal sites not reported during the permit  
561 registration process or not reported pursuant to an approved land application plan.

562 2. The permittee shall give advance notice to the department of any planned changes in  
563 the permitted facility or activity that may result in noncompliance with permit requirements.

564 K. Signatory requirements.

565 1. Registration statement. All registration statements shall be signed as follows:

566 a. For a corporation: by a responsible corporate officer. For the purpose of this section,  
567 a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-  
568 president of the corporation in charge of a principal business function, or any other  
569 person who performs similar policy-making or decision-making functions for the  
570 corporation, or (ii) the manager of one or more manufacturing, production, or operating  
571 facilities, provided the manager is authorized to make management decisions that  
572 govern the operation of the regulated facility including having the explicit or implicit  
573 duty of making major capital investment recommendations, and initiating and directing  
574 other comprehensive measures to ~~assure~~ ensure long-term environmental compliance  
575 with environmental laws and regulations; the manager can ensure that the necessary  
576 systems are established or actions taken to gather complete and accurate information  
577 for permit registration requirements; and where authority to sign documents has been  
578 assigned or delegated to the manager in accordance with corporate procedures;

579 b. For a partnership or sole proprietorship: by a general partner or the proprietor,  
580 respectively; or

581 c. For a municipality, state, federal, or other public agency: by either a principal  
582 executive officer or ranking elected official. For purposes of this section, a principal  
583 executive officer of a public agency includes: (i) the chief executive officer of the

584 agency, ~~or~~ and (ii) a senior executive officer having responsibility for the overall  
585 operations of a principal geographic unit of the agency.

586 2. Reporting requirements. All reports required by permits and other information requested  
587 by the ~~board~~ department shall be signed by a person described in Part II K 1 or by a duly  
588 authorized representative of that person. A person is a duly authorized representative only  
589 if:

590 a. The authorization is made in writing by a person described in Part II K 1;

591 b. The authorization specifies either an individual or a position having responsibility for  
592 the overall operation of the regulated facility or activity such as the position of plant  
593 manager, operator of a well or a well field, superintendent, position of equivalent  
594 responsibility, or an individual or position having overall responsibility for  
595 environmental matters for the company. A duly authorized representative may thus be  
596 either a named individual or any individual occupying a named position; and

597 c. The written authorization is submitted to the department.

598 3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate  
599 because a different individual or position has responsibility for the overall operation of the  
600 facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to  
601 the department prior to or together with any reports or information to be signed by an  
602 authorized representative.

603 4. Certification. Any person signing a document under Part II K 1 or 2 shall make the  
604 following certification:

605 "I certify under penalty of law that this document and all attachments were prepared  
606 under my direction or supervision in accordance with a system designed to ensure that  
607 qualified personnel properly gather and evaluate the information submitted. Based on

608 my inquiry of the person or persons who manage the system, or those persons directly  
609 responsible for gathering the information, the information submitted is, to the best of  
610 my knowledge and belief, true, accurate, and complete. I am aware that there are  
611 significant penalties for submitting false information, including the possibility of fine  
612 and imprisonment for knowing violations."

613 L. Duty to comply. The permittee shall comply with all conditions of this permit. Any permit  
614 noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act,  
615 except that noncompliance with certain provisions of this permit may constitute a violation of the  
616 State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for  
617 enforcement action, for permit coverage termination, or for denial of a permit coverage renewal  
618 application.

619 The permittee shall comply with effluent standards or prohibitions established under § 307(a)  
620 of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish  
621 these standards or prohibitions, even if this permit has not yet been modified to incorporate the  
622 requirement.

623 M. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after  
624 the expiration date of this permit, the permittee shall submit a new registration statement at least  
625 60 days before the expiration date of the existing permit, unless permission for a later date has  
626 been granted by the ~~board~~ department. The ~~board~~ department shall not grant permission for  
627 registration statements to be submitted later than the expiration date of the existing permit.

628 N. Effect of a permit. This permit does not convey any property rights in either real or personal  
629 property or any exclusive privileges, ~~nor~~ This permit does not authorize any injury to private  
630 property or invasion of personal rights, or any infringement of federal, state or local law or  
631 regulations.

632 O. State law. Nothing in this permit shall be construed to preclude the institution of any legal  
633 action under, or relieve the permittee from any responsibilities, liabilities, or penalties established  
634 pursuant to any other state law or regulation or under authority preserved by § 510 of the Clean  
635 Water Act. Except as provided in permit conditions on "bypassing" (Part II U) and "upset" (Part II  
636 V), nothing in this permit shall be construed to relieve the permittee from civil and criminal  
637 penalties for noncompliance.

638 P. Oil and hazardous substance liability. Nothing in this permit shall be construed to preclude  
639 the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or  
640 penalties to which the permittee is or may be subject under Article 11 (§ 62.1-44.34:14 et seq.) of  
641 the State Water Control Law.

642 Q. Proper operation and maintenance. The permittee shall at all times properly operate and  
643 maintain all facilities and systems of treatment and control (and related appurtenances) that are  
644 installed or used by the permittee to achieve compliance with the conditions of this permit. Proper  
645 operation and maintenance also includes effective plant performance, adequate funding,  
646 adequate staffing, and adequate laboratory and process controls, including appropriate quality  
647 assurance procedures. This provision requires the operation of back-up or auxiliary facilities or  
648 similar systems which are installed by the permittee only when the operation is necessary to  
649 achieve compliance with the conditions of this permit.

650 R. Disposal of solids or sludges. Solids, sludges, or other pollutants removed in the course of  
651 treatment or management of pollutants shall be disposed of in a manner so as to prevent any  
652 pollutant from such materials from entering state waters.

653 S. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any  
654 discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of  
655 adversely affecting human health or the environment.

656 T. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an  
657 enforcement action that it would have been necessary to halt or reduce the permitted activity in  
658 order to maintain compliance with the conditions of this permit.

659 U. Bypass.

660 1. The permittee may allow any bypass to occur that does not cause effluent limitations to  
661 be exceeded, but only if it also is for essential maintenance to assure efficient operation.  
662 These bypasses are not subject to the provisions of Part II U 2 and U 3.

663 2. Notice.

664 a. Anticipated bypass. If the permittee knows in advance of the need for a bypass,  
665 prior notice shall be submitted, if possible, at least 10 days before the date of the  
666 bypass.

667 b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass  
668 as required in Part II I.

669 3. Prohibition of bypass.

670 a. Bypass is prohibited, and the ~~board~~ department may take enforcement action  
671 against a permittee for bypass, unless:

672 (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property  
673 damage;

674 (2) There were no feasible alternatives to the bypass, such as the use of auxiliary  
675 treatment facilities, retention of untreated wastes, or maintenance during normal  
676 periods of equipment downtime. This condition is not satisfied if adequate back-up  
677 equipment should have been installed in the exercise of reasonable engineering

678 judgment to prevent a bypass that occurred during normal periods of equipment  
679 downtime or preventive maintenance; and

680 (3) The permittee submitted notices as required under Part II U 2.

681 b. The ~~board~~ department may approve an anticipated bypass, after considering its  
682 adverse effects, if the ~~board~~ department determines that it will meet the three  
683 conditions listed in Part II U 3 a.

684 V. Upset.

685 1. An upset constitutes an affirmative defense to an action brought for noncompliance with  
686 technology based permit effluent limitations if the requirements of Part II V 2 are met. A  
687 determination made during administrative review of claims that noncompliance was  
688 caused by upset, and before an action for noncompliance, is not a final administrative  
689 action subject to judicial review.

690 2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate  
691 through properly signed, contemporaneous operating logs, or other relevant evidence  
692 that:

693 a. An upset occurred and that the permittee can identify the causes of the upset;

694 b. The permitted facility was at the time being properly operated;

695 c. The permittee submitted notice of the upset as required in Part II I; and

696 d. The permittee complied with any remedial measures required under Part II S.

697 3. In any enforcement proceeding the permittee seeking to establish the occurrence of an  
698 upset has the burden of proof.

699 W. Inspection and entry. The permittee shall allow the director, or an authorized  
700 representative, (including an authorized contractor acting as a representative of the

701 administrator}, upon presentation of credentials and other documents as may be required by law  
702 to:

703 1. Enter upon the permittee's premises where a regulated facility or activity is located or  
704 conducted, or where records must be kept under the conditions of this permit;

705 2. Have access to and copy, at reasonable times, any records that must be kept under the  
706 conditions of this permit;

707 3. Inspect at reasonable times any facilities, equipment (including monitoring and control  
708 equipment), practices, or operations regulated or required under this permit; and

709 4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance  
710 or as otherwise authorized by the Clean Water Act and the State Water Control Law, any  
711 substances or parameters at any location.

712 For purposes of this section, the time for inspection shall be deemed reasonable during  
713 regular business hours, and whenever the facility is discharging. Nothing contained ~~herein~~ in this  
714 general permit shall make an inspection unreasonable during an emergency.

715 X. Permit actions. Permit coverage may be terminated for cause. The filing of a request by  
716 the permittee for a permit coverage termination or a notification of planned changes or anticipated  
717 noncompliance does not stay any permit condition.

718 Y. Transfer of permit coverage.

719 1. Permit coverage is not transferable to any person except after notice to the department.

720 2. Coverage under this permit may be automatically transferred to a new permittee if:

721 a. The current permittee notifies the department ~~within~~ at least 30 days in advance of  
722 the transfer of the title to the facility or property, unless permission for a later date has  
723 been granted by the department;

724 b. The notice includes a written agreement between the existing and new permittees  
725 containing a specific date for transfer of permit responsibility, coverage, and liability  
726 between them; and

727 c. The ~~board~~ department does not notify the existing permittee and the proposed new  
728 permittee of its intent to modify or revoke and reissue the permit. If this notice is not  
729 received, the transfer is effective on the date specified in the agreement mentioned in  
730 Part II Y 2 b.

731 Z. Severability. The provisions of this permit are severable, and, if any provision of this permit  
732 or the application of any provision of this permit to any circumstance, is held invalid, the application  
733 of such provision to other circumstances, and the remainder of this permit, shall not be affected  
734 thereby.

735 FORMS (9VAC25-194)

736 [Registration Statement for the General Virginia Pollutant Discharge Elimination System](#)  
737 [\(VPDES\) Permit for Vehicle Wash Facilities and Laundry Facilities 2022 Reissuance \(rev. 6/2022\)](#)

738 DOCUMENTS INCORPORATED BY REFERENCE (9VAC25-194)

739 Standard Industrial Classification Manual 1987, U.S. Office of Management and Budget,  
740 National Technical Information Service, Order No. PB 87-100012.

# Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Vehicle Wash Facilities and Laundry Facilities

## Summary of Known Revisions

- Update permit term to 1/1/2028 – 12/31/2032
- Incorporate changes required by SB 657, revising regulatory language to clarify that regulatory actions fall under the State Water Control Board (SWCB), while permit actions fall under the Department of Environmental Quality (DEQ)
- Add definitions for “Department” and “Director”
- Revise the discharge monitoring reporting instructional footnote
- Update *E. coli* and Enterococci discharge limitations to reflect the more stringent water quality standards effective October 21, 2019
- Update compliance reporting requirements in Part III.I (Reports of Noncompliance)
  - Revise provisions to address online reporting