Virginia Regulatory Town Hall

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Exempt Action Final Regulation
Agency Background Document

Agency name	State Water Control Board
Virginia Administrative Code (VAC) citation	8 VAC 25-720
Regulation title	Amendment of the Water Quality Management Planning Regulation
Action title	Amendment to adopt nineteen new TMDL waste load allocations in the Potomac-Shenandoah River Basin (9 VAC 25-720-50.A) and adopt one new TMDL waste load allocation the New River Basin (9 VAC 25-720-130.A).
Final agency action date	April 10, 2008
Document preparation date	February 11, 2008

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The amendments to the state's Water Quality Management Planning Regulation (9 VAC 25-720) include twenty-four new Total Maximum Daily Load (TMDL) wasteload allocations. The amendments are to the following river basins: Potomac-Shenandoah River Basin (9 VAC 25-720-50 A) and the New River Basin (9 VAC 25-720-130.A).

The TMDLs were developed in accordance with Federal Regulations (40 CFR § 130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The TMDLs were subject to the TMDL public participation process and the waste load allocations are adopted as part of 9 VAC 25-720 in accordance with Virginia's "Public Participation Procedures for Water Quality Management Planning". Attached is a document that lists by name the two

TMDL reports and individual TMDLs affected by this regulation.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

At its meeting on April 10, 2008, the State Water Control Board adopted the amendments to the Water Quality Management Planning Regulation (9 VAC 25-720 et seq.) to include twenty new TMDL waste load allocations.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The amendment of the Water Quality Management Planning Regulation is for the protection of public health and safety, which has only an indirect impact on families.

List of TMDL reports and TMDL Waste Load Allocations affected by the proposed amendment of the Water Quality Management Planning regulation

Potomac - Shenandoah River Basin (9 VAC 25-720-50.A):

"Total Maximum Daily Loads for the Polychlorinated Biphenyls (PCBs) Tidal Potomac & Anacostia River Watershed in the District of Columbia, Maryland and Virginia"-

-Accotink Bay, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0992 G/YR.

-Aquia Creek, located in Stafford County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 6.34 G/YR.

-Belmont Bay/Occoquan Bay, located in Prince William County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.409 G/YR.

-Chopawamsic Creek, located in Prince William County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 1.35 G/YR.

-Coan River, located in Northumberland County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0 G/YR.

-Dogue Creek, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 20.2 G/YR.

-Fourmile Run, located in Arlington, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 11.0 G/YR.

-Gunston Cove, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.517 G/YR.

-Hoof Run & Hunting Creek, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 36.8G/YR.

-Little Hunting Creek, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 10.1 G/YR.

-Monroe Creek, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0177 G/YR.

-Neabsco Creek, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 6.63 G/YR.

-Occoquan River, located in Prince William County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 2.86 G/YR.

-Pohick Creek/Pohick Bay, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 13.5 G/YR.

-Potomac Creek, located in Stafford County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.556 G/YR.

-Potomac River-Fairview Beach, located in King George County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0183 G/YR.

-Powells Creek, located in Prince William County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0675 G/YR.

-Quantico Creek, located in Prince William County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.742 G/YR.

-Upper Machodoc Creek, located in King George County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0883 G/YR.

New River Basin (9 VAC 25-720-130.A):

"General Standard (Benthic) Total Maximum Daily Load Development for Laurel Fork" –--Laurel Fork Benthic TMDL, located in Sussex County, proposes sediment reductions for portions of the watershed and provides a sediment wasteload allocation of 21 T/YR.