



Exempt Action Final Regulation Agency Background Document

Agency name	State Water Control Board
Virginia Administrative Code (VAC) citation	9VAC25-810
Regulation title	General VPDES Permit for Coin Operated Laundries
Action title	Amend and Reissue the Existing Regulation
Final agency action date	
Document preparation date	August 17, 2010

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.

This rulemaking is proposed in order to amend and reissue the existing general permit which expires on February 8, 2011. The general permit will establish limitations and monitoring requirements for point source discharge of treated wastewaters from coin operated laundries to surface waters. Coin operated laundry means any self service facility where the washing of clothes is conducted as designated by Standard Industrial Classification Code 7215. It does not mean facilities that engage in dry-cleaning. The general permit is being reissued in order to continue making it available for coin operated laundries after that February 8, 2011. This is a reissuance of an existing regulation, and there are changes to the 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.

The State Water Control Board adopted the regulation at its meeting on September 27-28, 2010.

Changes made since the proposed stage

Please describe all changes made to the text of the proposed regulation since the publication of the proposed stage. For the Registrar’s office, please put an asterisk next to any substantive changes.

Section number	Requirement at proposed stage	What has changed	Rationale for change

Sections 9VAC25-810-20 Purpose, 9VAC810-50 Authorization to discharge, 9VAC25-810-60 Registration statement, and 9VAC25-810-70 General permit were revised based on comments and recommendations of the Attorney General Office. Section 9VAC810-50 D (continuation of permit coverage) was added to allow for administrative continuance of permit coverage if the permit regulation is not reissued on time. This is allowed for individual permit and the allowance is being added into all general permits at this time

Public comment

Please summarize all comments received during the public comment period following the publication of the proposed stage, and provide the agency response. If no comment was received, please so indicate.

Commenter	Comment	Agency response
NA	NA	NA

No comments were received during the public notice comment period and the public hearing.

All changes made in this regulatory action

Please detail all changes that are being proposed and the consequences of the proposed changes. Detail new provisions and/or all changes to existing sections.

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
10		No definition	Definition of 'Total Maximum Daily Load' added because the term is new to the permit
20		Not a requirement	Throughout the regulation, 'laundry' is replaced with 'laundries' to clarify.
40		Not a requirement	Effective Date of permit updated.

50		The current requirements are that an owner is ineligible for the general permit if they are required to obtain an individual permit or if other Board regulations prohibit such discharges.	New requirements were added which will make an owner ineligible for coverage under the general permit. These new requirements are if central sewage is available, if the discharge violates the antidegradation policy and if a TMDL contains more restrictive requirements for the facility. The antidegradation and TMDL additions were EPA requirements on the last two general permits the board reissued. The sewage facilities available requirement is a reasonable addition. These new requirements will not impact any existing permittees. Added in subsection D, continuation of permit coverage to allow for administrative continuance of permit coverage if the permit regulation is not reissued on time. This is allowed for individual permit and the allowance is being added into all general permits at this time. Other clarifications made in response to Attorney General Office recommendations.
60		For existing facilities currently covered under an individual permit, registration statements must be submitted 180 days prior to the expiration date of the permit	For existing facilities currently covered under an individual permit, registration statements must be submitted 210 days prior to the expiration date of the permit. This change was recommended by the Attorney General's Office to give staff 30 days to review the registration statement and if the permittee cannot get covered under the general permit, they can still meet the 180 days deadline for reapplication required by the individual permit. Existing facilities currently covered under this general permit must be submitted 30 days prior to the expiration date of the permit. This is a more reasonable expectation for existing general permit holders (this is also repeated in the permit in Part III M).. <u>Also in B, added recognition that late registrations will be accepted but authorization to discharge will not be retroactive. This gives staff ability to accept late registrations which is preferable to having to issue individual permits for these types of facilities.</u> <u>In C, some clarifications were made to the registration information.</u>
70		Total residual chlorine is listed in ug/L. Requirements for a new operations and maintenance manual was the only requirement,	Changed total residual chlorine from micrograms per liter (ug/l) to milligrams per liter (mg/l). This is how the lab normally presents the data. In B 2 added instructions on what to do if an operations and maintenance manual is already on file with the department. In B 3, 4 and 5 deleted repetitive and extraneous language including daily maximum reporting instructions (there is no daily maximum reporting in this permit) In 4 c, added rounding instruction which goes in all permits now. In B 7 added a general requirement to meet water quality standards which is a general requirement being added to all general permits as they get reissued..

Family impact

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

This regulation will have no direct impact on the institution of the family or family stability.