



Approved 6/22/2023- Minute #1

Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482 FAX (804) 698-4178

www.deq.virginia.gov

Travis A. Voyles
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

STATE WATER CONTROL BOARD MEETING

**GALLERY, COMMUNITY COLLEGE WORKFORCE ALLIANCE,
1651 EAST PARHAM ROAD, RICHMOND, VA 23228**

THURSDAY MARCH 23, 2023

Board Members Present:

Heather Wood, Chair
Lou Ann Jessee-Wallace, Vice Chair
Scott Cameron
Robert Dunn
Ryan C. Seiger

Board Members Absent:

Jerry Kilgore

Department of Environmental Quality:

Michael Rolband, Director
Melissa Porterfield

Office of the Attorney General:

Ross Phillips

1. The attached minutes summarize activities that took place at this Board Meeting.
2. The meeting convened at 10:34 a.m. and adjourned at 11:11 a.m.



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD
AT ITS MEETING ON MARCH 23, 2023**

Minute No. 1- Minutes

The Board approved the minutes of the meeting held November 29, 2022 by a vote of (5-0).


Melissa S. Porterfield



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE
WATER CONTROL BOARD AT ITS MEETING ON MARCH 23, 2023**

**MINUTE NO. 2 – Virginia Pollutant Discharge Elimination System General Permit
Regulation for Discharges Resulting from the Application of Pesticides to Surface Waters
(9VAC25-800)**

Prior to the meeting the Board was provided materials including a briefing memo to the Board, which included a list of the technical advisory committee membership, the regulation showing proposed amendments, and the town hall agency background document. Peter Sherman, from the Office of VPDES Permits, presented a summary of the significant changes being made to the regulation.

Board Decision

Based on the briefing material and the staff presentation, a vote was taken, and the Board approved by a vote of five to zero the staff recommendations to authorize the amendments and reissue the VPDES General Permit Regulation for Discharges Resulting from the Discharges of Pesticides to Surface Waters (9VAC25-800). The Board also affirmed that they would receive, consider and respond to petitions by any person at any time with respect to reconsideration or revision of the regulations, as provided by the Administrative Process Act.

A handwritten signature in cursive script, appearing to read 'Anthony Morris'.

Anthony Morris
Director, Water Division



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE
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**MINUTE NO. 3 – Virginia Pollutant Discharge Elimination System General Permit
Regulation for Nonmetallic Mineral Mining (9VAC25-190)**

Prior to the meeting the Board was provided materials including a briefing memo to the Board, which included a list of the technical advisory committee membership, the regulation showing proposed amendments, and the town hall agency background document. Peter Sherman, from the Office of VPDES Permits, presented a summary of the significant proposed changes to the regulation.

Board Decision

Based on the briefing material and the staff presentation, a vote was taken, and the Board approved the staff recommendations to authorize a public comment period and public hearing for amendment and reissuance of the VPDES General Permit Regulation for Nonmetallic Mineral Mining (9VAC25-190), and to authorize the staff to serve as hearing officer for the public hearing, by a vote of five to zero.

A handwritten signature in cursive script, appearing to read "Anthony Morris".

Anthony Morris
Director, Water Division



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**MINUTE NO. 4 – Reissuance of Virginia Pollutant Discharge Elimination System (VPDES)
General Permit Regulation for Storm Water Discharges Associated with Industrial Activity
9VAC25-151**

Prior to the meeting the Board was provided materials including a briefing memo which included a list of the technical advisory committee membership, the regulation showing proposed amendments, and the town hall agency background document. Joseph Bryan from the Office of VPDES Permits, Central Office, presented a summary of the significant proposed changes to the regulation.

Board Decision

Based on the briefing material and the staff presentation, the Board voted unanimously to authorize a public comment period and public hearing for amendment and reissuance of the Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm Water Discharges Associated with Industrial Activity (9VAC25-151), and to authorize the staff to serve as hearing officer for the public hearing.

A handwritten signature in blue ink, appearing to read "Scott Morris".

Scott Morris
Director, Water Division



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**MINUTE NO. 5 – Report to the Board Regarding Controversial Permits- VPDES Permit
No. VA0093165, Camp Luray OPCO, LLC**

In accordance with § 10.1-1184.1.B of the Code of Virginia, Dr. Scott Morris provided the Controversial Permit Report to the Board. The report included the permit number, actions taken prior to the board meeting, location of the facility and outfall, summary of comments received, and the schedule for the Public Hearing and Summary of Public Comments Hearing.

A handwritten signature in blue ink, appearing to read "Scott Morris".

Scott Morris
Director, Water Division



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MINUTE NO. 6 – Mountain Valley Pipeline-Update

Mr. Matthew Stafford provided an update on the Mountain Valley Pipeline (MVP) project. She discussed (i) the status of the project, (ii) current construction activities and (iii) compliance monitoring activities.

Mr. Stafford reported that MVP is continuing communication with the Federal Energy Regulatory Commission (FERC), the US Forest Service and the US Fish and Wildlife Service to resolve issues that caused their approvals to be remanded by the 4th Circuit Court. At this time, the project has not resumed any forward progress and the primary activities are the inspection and maintenance of environmental controls and stabilization measures.

Finally, Mr. Stafford noted that during the period since the last Board meeting, no complaints were received by DEQ and there were no findings of non-compliance.

A handwritten signature in black ink, appearing to read "Scott Morris".

Scott Morris
Director, Water Division



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Minute No. 7 – Future Meeting

The board confirmed their future meeting date as June 22, 2023.

A handwritten signature in blue ink that reads "Melissa S. Porterfield".

Melissa S. Porterfield



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Minute No. 8 - Public Forum

Jessica Sims, Appalachian Voices, spoke during the public forum to express concerns about large scale gold mining in Virginia and the Virginia Reliability Project.


Melissa S. Porterfield