COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
TDD (804) 698-4021
www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4020
1-800-592-5482

SUBJECT: 2nd Technical Advisory Committee (TAC) Meeting
9VAC25-196, General VPDES Permit for Noncontact Cooling Water Discharges of 50,000 GPD or Less (VAG25)
TO: TAC Members
FROM: Burt Tuxford, OWPCA
DATE: November 8, 2011

A meeting of the VPDES Noncontact Cooling Water GP Technical Advisory Committee (TAC) was held on November 3, 2011 at DEQ Central Office. The meeting began at 1:30 PM. The members of the TAC attending the meeting were:

Name	Organization
Bob Greene	INGENCO
Ray Jenkins	DEQ - PRO
Carl Thomas	DEQ - TRO (by phone)
Fred Cunningham	DEQ - CO
Burt Tuxford	DEQ - CO

Also attending as a special invited guest:

Alison Thompson	DEQ - NVRO (by phone)

The TAC member not in attendance was:

Elleanore Daub	DEQ - CO

The following item was submitted to the TAC for review prior to the meeting:

- 9VAC25-196, General VPDES Permit for Noncontact Cooling Water Discharges of 50,000 GPD or Less (VAG25) - Draft Regulation, revision 3.

The TAC discussed the following items:

- Three monitoring alternatives for metals monitoring were included in the draft:
  - Put metals monitoring as "Total Recoverable", and do not include limits.
  - Put metals monitoring as "Total Recoverable", and include a limit for each based on the WQS: freshwater chronic criterion for copper and zinc; freshwater acute criterion for silver.
  - Put metals monitoring as "Dissolved", and do not include limits.

One reason to put limits in the GP is so that the permit writer/Region can continue to issue cooling tower (CT) facilities coverage under the GP. Otherwise, they would need an individual permit, or would need to connect to sanitary sewer, or would need to pump-and-haul the wastewater. An evaluation of past monitoring data for one of the Regions indicated that many of the currently permitted facilities would need limits. However, the equation in the proposed permit limit poses a problem for both CEDS (which can't list a limit as an equation) and the permittee (who would have to calculate the limit each time based on the data). Also, CEDS would not flag a violation of the calculated limitation. The compliance auditor would have to recognize the violation and make manual entries to that effect.

The TAC member from INGENCO said they have 19 plants with CTs in operation or permitted around the country, mostly at landfills. All plants have CTs that run 1 to 2 gpm. They add no chemicals to the system, but their source water can be high in metals. A number of the plants have no access to sewer or other means non-NPDES discharge. Establishment of limitations for these discharges would be quite a burden on facilities; typically there is no mixing zone since most discharges are to dry ditches that never make it to an all weather stream. If we go with limits, they will likely be pumping and hauling rather than discharging.

Some of the TAC members stated that they were reluctant to support limits in the GP at this time. In the Tidewater area they have a WER for most of their streams (special standard "z" waters). There is also copper and zinc in their source water (city water).

A suggestion was made to put limits in the GP, but have them become effective at the end of the permit term, or we could phase them in. If the Region has already made a "Reasonable Potential" determination for a facility, limits would go into effect right away. New facilities would get the limits phase in.

A question was asked if we could treat discharges to dry ditches differently in the GP. The TAC decided that we should not treat them differently in the GP than we do now for other GPs or individual permits.

The TAC also discussed non-continuous discharges; the possibility of having applicants submit WET tests with the application; possibly having multiple Part I A pages; and, putting limits in with average hardness values for specific parts of the State. A suggestion was made that if we put effluent limits in we should ignore WERs, go with end-of-pipe limits, and have a separate EL page for salt water/fresh water.

No consensus was reached by the TAC on the issue of limits. Staff will discuss further and draft something for the TAC to review and comment.

- A question was asked about CT DMR phosphorus data - - the data is showing up at high levels for some facilities. Has any thought been given to control of this parameter in the GP? Staff will look at the Chesapeake Bay TMDL WIP and see how we addressed these facilities, but we don't think they are a problem. We will get back to the TAC on this issue.

- A question was asked about how TMDLs are handled in the GP. It was suggested that the GP include language stating any pollutant load from a facility that qualifies for the general permit is considered part of the TMDL Load Allocation (nonpoint sources and background) for that pollutant and therefore, in compliance with the TMDL Staff stated that this is backwards to how the TMDLs work... the TMDL establishes whether a WLA is required for a facility. The TMDL section has just recently sent out some draft guidance on this.

- The TAC discussed the Registration Statement and why we require the information to be resubmitted if nothing has changed since the facility last submitted a RS. No change is proposed for this.
- A question came up regarding the anti-degradation language in the regulation itself. The TAC member would like us to put standard language in the GPs saying that the facility is OK regarding anti-degradation. Staff will look at other GPs (and specifically the Industrial Stormwater GP) to see how we addresses the issue and get back to the TAC.
- A suggestion was made to include the online reporting language in the Part II I "Immediate Reporting" note. The change will be made for the next draft.
- Target Levels (TL) for metals. The TL shown in the Part I A table footnote 4 did not include the conversion factors. When you apply the conversion factors they come out to 7.0 µg/l for copper, 65.0 for zinc and 1.0 for silver. One of the Regions stated that they use the TLs to show if a facility is close to needing limits based on "reasonable potential". A suggestion was made to change "Target Level" to "Quantification Level". This will clarify this term to the regulated community, and will bring it in line with how we specify it in individual permits. We want the permittee to report an actual value when they monitor. A suggestion to achieve this was to change "TL" to "Max QL".
- A comment was made that the 1600 series methods should be put back into the permit. Staff noted that there are currently no labs in Virginia accredited for these. Based on this fact, the TAC agreed that it was OK to leave these out.