


**COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER DIVISION**

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**Subject:** Guidance Memo No. 18-2003, Implementation Guidance for Reissuance of the General VPDES Permit for Potable Water Treatment Plants VAG64

**To:** Regional Directors

**From:** Melanie D. Davenport, Water Permitting Director 

**Date:** May 15, 2018

**Copies:** Regional Water Permit Managers, Regional Water Compliance Managers, Cindy Berndt

**Summary:**

This guidance memo replaces Guidance Memo No. 13-005, Implementation Guidance for Reissuance of the VPDES Permit Regulation for Potable Water Treatment Plants VAG64. On December 7, 2017, the State Water Control Board adopted amendments to the Virginia Pollutant Discharge Elimination System General Permit (VPDES) for Potable Water Treatment Plants, 9VAC25-860, which modified General Permit VAG64. These modifications are effective July 1, 2018. Copies of the amended permit regulation, fact sheet, registration statement, general permit, fee form, and all transmittal letters can be found on [DEQnet](#), the agency's intranet website, and are attached to this memo.

Public information can be found at:

<http://www.deq.virginia.gov/programs/water/permittingcompliance/pollutiondischargeelimination/permitsfees.aspx>

The purpose of this guidance memo is to identify changes that have been made to the General Permit VAG64, to provide DEQ staff with guidance on implementation of these changes, to provide guidance on aspects of the permit that have raised questions and to provide example letters that staff may use for the administration of the regulation.

**Contact Information:**

Elleanore Daub, Office of VPDES Permits, at (804) 698-4111 or [elleanore.daub@deq.virginia.gov](mailto:elleanore.daub@deq.virginia.gov).

**Disclaimer:**

**This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate or prohibit any particular action not otherwise required or prohibited by law or regulation. If alternative proposals are made, such proposals will be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.**

## Introduction

At the December 2017 meeting, the State Water Control Board adopted the VPDES General Permit regulation (9VAC25-860) that allows the reissuance of the subject general permit. The effective date of this general permit is July 1, 2018 and it will expire on June 30, 2023. A copy of the adopted regulation, fact sheet, registration statement, transmittal letters, general permit pages and discharge monitoring reports (DMRs) are attached to this guidance for use by the permit writers. Also these documents, attachments and guidance are available on [DEQnet](#).

Substantive changes to the existing regulation include:

- Revising the “continuation of permit coverage” subsection so it is generic and not dependent on specific dates. Dates were removed but allowances for continuance of permit coverage are the same or can be implemented the same as under the previous permit;
- Removing the requirement to submit a groundwater monitoring plan with the registration statement if the plan has been previously submitted and approved;
- Allowing for electronic submittals of registration statements;
- Defining how to estimate discharge flow as “a technical evaluation of the sources contributing to the discharge”;
- Eliminating the requirement for grab samples to occur within 15 minutes of commencement of the discharge when the discharge is continuous;
- Removing the allowance for reduced monitoring for reverse osmosis plants;
- Eliminating the requirement that the daily inspection of the effluent and the facility must be done when the facility is discharging;
- Requiring a corrective action plan when groundwater is contaminated;
- Changing the requirement to conduct whole effluent toxicity testing from facilities with a one-time daily maximum flow of greater than or equal to 50,000 gallons per day to facilities with a daily maximum flow rate greater than or equal to 50,000 gallons per day over three consecutive monitoring periods; and
- Clarifying throughout the regulation where the requirements apply to the process wastewater treatment or discharge versus the drinking water treatment.

## Permit Coverage

Facilities to be covered include those which generate wastewater from membrane treatment, clarifier underflow, sludge blowdown, particulate filter backwash from plain purification and lime-soda softening processes, and iron filter backwash wastewater from iron and manganese removal processes.

Permit writers should send out the potable water treatment plant general permit registration statement to permittees covered by the 2013 general permit by March 15, 2018. Registration for the 2018 permit is due on or before May 2, 2018. DEQ will accept ‘late’ registrations until June 30, 2018 and grant administrative continuances for complete registrations under the 2013 permit coverage if 2018 permit coverage cannot be provided by August 1, 2018.

There are 36 water treatment plants still covered under individual permits as of the date of this guidance. If these individual permit owners choose to apply for coverage under the general permit they are required to submit a registration statement at least 270 days prior to their individual permit expiration. The general permit registration statement should not be offered to individual permit holders that are ineligible for coverage due to anti-backsliding requirements or effluent toxicity problems (see conditions 10 and 11 below). The general permit registration statement, just like any application, must be complete before the discharge is covered. If necessary, staff may require additional clarification or information be submitted with the registration statement to determine eligibility for coverage under this general permit.

Facilities will need to meet the following conditions to qualify for coverage:

1. The owner of the facility has submitted a complete registration statement (including the \$600 fee).
2. The owner of the facility is engaged in producing water for domestic, commercial, or industrial use as designated by SIC code 4941-Water Supply or others as approved by the board. In approving other water producers, the permit writer should make sure the water being produced is from surface, ground or city water and not reuse water. Also, be aware that some industrial uses may require very clean water (e.g., a semi-conductor plant) which means more pollutants are removed and the effluent limits in the general permit may not be protective of water quality.
3. The facility has a point source discharge.
4. The discharge is to waters that are not specifically named in other board regulations that prohibit such discharges. For example, the discharge is not allowed if it is prohibited by the provisions of an exceptional waters (tier 3) designation in [9VAC25-260-30 A 3](#) or by the provisions of the halogen ban in [9VAC25-260-110](#).
5. There is no sewage in the discharge covered by this permit.
6. The facility has not been required to obtain an individual permit as may be required by [9VAC25-31-170 B 3](#) of the VPDES Permit Regulation.
7. The owner of the facility will be able to comply with the limits and special conditions of the permit. The treatment system described in the registration statement should be evaluated to determine if the discharge will meet the permit limits.
8. The discharge meets the board's antidegradation requirements in [9VAC25-260-30](#) in high quality (tier 2) waters or exceptional waters.
9. The discharge meets all approved TMDL requirements.
10. Whole effluent toxicity (WET) testing is not a pre-requisite to eligibility for facilities consistently (three consecutive months) greater than or equal to 50,000 GPD. WET testing may be done during the first year of coverage; however, any facilities with unresolved whole effluent toxicity problems demonstrated through WET monitoring or limits in their individual permit are not eligible for coverage. This is regardless of the flow from the facility. WET results from previous permit terms may be used to determine eligibility as long as chemical usage or the characteristics of the wastewater have not changed at the facility.
11. Ensure that backsliding is not an issue. Generally, owners of facilities with individual permits with numerical limits that are not in the general permit will not be eligible for coverage (e.g., TSS loads in benthic impaired waters, nutrients, total dissolved solids, metals, WET or ammonia limits). Also, owners of facilities with permits with chlorine limits less than 0.011 mg/l are not eligible for coverage. Individual permits with monitoring requirements for any parameters, including WET, will be eligible as long as water quality standards have been met.
12. If applicable, a groundwater monitoring plan has been submitted or previously submitted and approved. If groundwater is contaminated, a corrective action plan has been submitted or notification of the corrective action plan is forthcoming. Any groundwater monitoring data analysis or corrective action should be coordinated with the waste division;

13. The facility is not subject to the requirements of [9VAC25-820-70 Part I G 1](#) (General Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Watershed in Virginia – Requirement to Register). At this date, only G. Robert House Jr. (VAN040127) is the only potable water treatment plant (WTP) subject to the watershed nutrient general permit.

Per the Memorandum of Understanding between DEQ and the other natural resources agencies and the corresponding Guidance Memo No. 07-2007, there is no threatened and endangered species coordination required for general permits. The permit limits are designed to protect all aquatic organisms, including threatened or endangered species.

This general permit does not cover land application of residuals. A separate Virginia Pollution Abatement (VPA) permit to cover the land application of the residuals or VPDES individual permit to cover the process water and land application requirements would be required where land application is selected as the solids disposal method, a determination should be made whether a VPA permit is required.

#### Registration Statement

Several changes to the registration statement have been made. A latitude and longitude question for the outfall locations has been added. Staff should update CEDS to reflect this information.

If there is an existing groundwater monitoring plan, it shall be submitted unless the plan has been previously submitted and approved and remains unchanged. The permittee is required to cite the plan and date of approval if the plan is not submitted with the registration statement. The permit is not intended to be used as a vehicle to start a groundwater monitoring plan but only to manage existing permits that had existing groundwater monitoring plans.

Information on chemicals has been clarified to state that DEQ is interested in chemicals used in the production of drinking water and process wastewater treatment. Staff decided they would like to know all significant chemicals onsite, not just the ones potentially in the discharge. However, the question about chemicals also added that the owner could indicate which chemicals are likely to enter state waters through the process wastewater.

If the facility discharges to a Municipal Separate Storm Sewer System (MS4), the MS4 owner notification must be submitted with the registration statement. This notification may be an email to the MS4 owner with the name of the facility, a contact person and telephone number, the location of the discharge, the nature of the discharge and the VPDES general permit number. No reply from the MS4 is needed.

Other explanations of the questions may be found on the registration statement instructions.

#### Preparation of Permit Package

Once it is determined that the registration statement represents a facility discharge that qualifies for coverage, the general permit pages can be prepared. The general permit requires quarterly monitoring and reporting for conventional plants, and monthly monitoring and reporting for reverse osmosis plants. The monitoring frequency cannot be reduced. Paper DMRs are necessary for reporting and compliance tracking as e-DMR is not available for this general permit. All outfalls described in the registration statement should be listed on the effluent limits page and on the DMR. Flow, pH, total suspended solids, and total residual chlorine monitoring (chlorine only if present in the discharge) are required for wastewater discharges from conventional potable water treatment plants. Flow, pH, total dissolved solids, and dissolved oxygen monitoring are required for wastewater discharges from reverse osmosis potable water treatment plants.

The cover page (printed on plain agency letterhead (Virginia Seal, Commonwealth of Virginia, Department of Environmental Quality)), the appropriate Part I effluent limits page (depending on whether the plant is a conventional facility, or a reverse osmosis or nanofiltration facility), special conditions and boilerplate should be assembled with the general permit registration number for the facility entered in the indicated areas on the pages. The outfall numbers must also be added at the end of the first sentence on each effluent limitations page. Check that the pagination is correct. The pH limits may be adjusted when alternate standards for pH are established in the water quality standards river basin tables (9VAC25-260-390 through 540). The dissolved oxygen limits should be adjusted to 5.0 in stockable trout waters and 6.0 in natural trout waters. No other changes to the language of the general permit are authorized.

Use the appropriate transmittal letter on regional office letterhead to transmit the permit and DMRs to the permittee. Transmittal letters may be revised to match your regional style or if additional information is needed. It is not necessary to copy the Office of VPDES Permits or EPA on coverage under a general permit. Note that the suggested transmittal letter for coverage under a general permit does not contain the two paragraphs referencing the owner's right to appeal the decision to cover them under the permit. The transmittal should indicate where DMRs are to be sent. Tracking of compliance with the limits and other requirements of the general permit should be done according to the Compliance Auditing Manual already established for individual VPDES permits. Reporting requirements for noncompliance, unusual or extraordinary discharges, etc. are the same as for an individual permit.

### CEDS

This permit module is now in CEDS with skeleton record creation. In order for skeleton records to repopulate properly in CEDS, staff should ask one of the Water Division business analysts or test first before making any change in the active record (e.g., fixing a typo) or doing a PAC (e.g., plant changes from conventional to reverse osmosis, chlorine limit needs to be removed or added) because generally monitoring start dates need to be moved to the next full calendar quarter or month to recreate skeleton records properly. As a general rule for all permit modules, with the advent of e-reporting and the eventual submittal of all data to EPA through the Integrated Compliance Information System (ICIS) and to be published for the public to view on the Enforcement and Compliance History Online (ECHO), it is imperative that staff be cautious of any changes to limits, dates, reporting frequencies, monitoring locations after reissuance, particularly in the active record. Incorrect procedures when making changes in CEDS can trigger false violations or prevent data from being uploaded. Contact one of the business analysts (Mark Bushing or Angela Fletcher as of 2018) in central office when considering a change after reissuance, particularly in the active record.

Application records will be created from VAG64 active permits around May 2, 2018 (when the registration statements are due). Permit start, end, monitoring and first DMR due dates will be updated to reflect the 2018 – 2023 permit term. All other items are the same as when the module was developed in 2017 except a drop down will be provide for stream class (choices are I, II, III, IV, V, VI, and VII) on the outfall screen. Make sure the geospatial data for the physical location is correct in CORE and the outfall locations are updated on the outfall tab.

For new issuances, registration permit numbers are assigned sequentially in CEDS. All permit numbers will begin with the same five characters: VAG64.

Paper DMRs are necessary for reporting and compliance tracking as e-DMR is not available for this general permit.

### Permit Inspection and Tracking

These facilities are subject to the inspection strategy in the industrial small category. They should be inspected in accordance with the risk based inspection strategy (RBIS).

If the facility has indicated on the registration statement that chlorine is not present in the discharge, inspectors should verify this during the inspection in addition to the regular inspection procedures.

The special condition requirement that the permittee's inspection of the effluent must be done daily when the facility is discharging has been changed. The facility does not need to be discharging at the time of the daily inspection. This was done in response to TAC discussions and public comment concerns that the operator had to wait for a discharge to do the daily inspection and often these plants do not continuously discharge. Therefore, it is acceptable for the operational log to note that there was no discharge at the time of the daily effluent inspection. The special condition also states that maintenance of the process wastewater treatment facility shall be performed daily. There is generally no wastewater treatment facility to be inspected or maintained at the conventional plants, so inspectors should not note deficiencies with this requirement unless there is a clear negligence related to e.g., the backwash or water softening equipment or chemicals.

Permit coverage related files (registration statements, DMRs, transmittal letters, correspondence) will be maintained by the regional office staff in ECM.

### Termination of Coverage

If an owner requests termination of coverage under the general permit the regional office may terminate coverage under regional delegation of permit termination authority. A termination letter is attached to this guidance and available on [DEQnet](#).

### Change In Ownership

If there is a request for a change of ownership, then the new owner assumes the coverage under the general permit and the permit registration number does not change. The new owner may submit a new registration statement, but it is not necessary unless the automatic transfer of ownership cannot occur. Part II of the permit allows for automatic transfer of ownership if the current permittee notifies the department within 30 days of the transfer of the title (unless permission for a later date has been granted by the board) and provides the required written agreement between the new and old owners.

### Renewal of Coverage

The permittee will receive a reissuance reminder letter (on [DEQnet](#)) to submit a new registration statement for this general permit if continued coverage is desired.

### Permit Fee

The fee for coverage under this general permit is \$600.00. Fees submitted for this permit should be handled according to the same procedures that are followed for other permit fees. Refer to the VPDES permit fee regulation. Notify Curt Linderman of any individual permit holders that are eligible for and granted coverage under the general permit so that he may submit a VPDES/VPA Annual Permit Maintenance Fee Change Form to Finance to avoid invoicing the permittee for the billing year

## Miscellaneous

Chlorine – The permit was clarified in 2018 to state that the total residual chlorine limit is only applicable if chlorine is present in the process wastewater of conventional water treatment plants. This is a change to some regions that were applying chlorine if it was used in the drinking water process or the process wastewater. If the facility schematic drawing of the sources of water used on the property and the conceptual design of the methods of treatment and disposal of process wastewater shows that chlorine is added to the drinking water after or outside the process water discharge, then chlorine does not apply to that facility. CEDS asks in the outfall edit screen if chlorine limits are applicable. Checking “yes” will populate the chlorine limit.

Flow Estimate – The permit was clarified in 2018 to define flow estimate as a “technical evaluation of the sources contributing to the discharge.” This could be any method - such as an actual measurement from a flow meter or other measurement device, estimates from unmetered weirs, flumes or nozzles, calculations based on pump usage, calculation of gallons through the system minus gallons used in the backwash process to a bucket and stopwatch or fill and draw method. The only flow estimate that can result in a permit condition (WET testing) is the daily maximum. See WET below.

For conventional plants, the permit requires quarterly reporting of monthly average and daily maximum\* flows. In the event that more than one flow measurement is taken, the highest monthly average and the highest daily maximum for the quarter are reported. DEQ staff is not expected to require log sheets if they are not submitted unless DEQ is going to review the data and draw conclusions from it.

Groundwater – The permit allows groundwater plans, monitoring, and corrective action to be covered under the permit. Previously, WTPs with contamination requiring corrective action were not covered under the permit. Any groundwater monitoring data analysis or corrective action should be coordinated with the waste division. The permit is not intended to be used as a vehicle to start a groundwater monitoring plan, only to manage existing permits that had existing groundwater monitoring plans.

Operation and maintenance (O&M) manual – The O&M manual special condition was clarified to state that it only applies to the process wastewater treatment works. No O&M related to the drinking water treatment process is required by the permit.

WET – The special condition that requires WET testing for facilities greater than or equal to 50,000 GPD that have not yet conducted WET testing was changed for the 2018 reissuance to apply to facilities with a daily maximum flow rate greater than or equal to 50,000 GPD over three consecutive monitoring periods. To ensure that special condition is properly applied, the permit writer should review flow data at the time of registration. Staff is not expected, and CEDS is not set up, to track flow data during the term of the permit.

\* Daily maximum flow is the only flow with permit requirements associated with it (WET). Monthly average flow is required for effluent limitation guidelines for industry and all permit effluent limitations are stated as daily maximum and monthly average for all dischargers other than publicly owned treatment works.

**Attachments:**

1. General Permit Regulation (sections 10 – 60)
2. General Permit Pages (section 70)
3. General Permit Fact Sheet
4. Registration Statement and Instructions
5. Example Transmittal Letters
6. Discharge Monitoring Reports



## **1. GENERAL PERMIT REGULATION**

Virginia Pollutant Discharge Elimination System General Permit for  
Potable Water Treatment Plants 9VAC25-860 Sections 10 through 60

**NOTE: SECTION 70 OF THE REGULATION FOLLOWS IN THE NEXT ATTACHMENT  
(PERMIT PAGES)**

CHAPTER 860  
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT FOR  
POTABLE WATER TREATMENT PLANTS

**9VAC25-860-10. Definitions.**

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

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

"Membrane treatment" means a pressure driven process using synthetic materials to separate constituents from water. Membranes are used for dissolved solids or suspended solids removal. Membrane treatment for dissolved solids removal includes reverse osmosis and nanofiltration. Membrane treatment for suspended solids removal includes ultrafiltration and microfiltration.

"Microfiltration" means a method of membrane treatment designed to remove particles down to 0.1  $\mu\text{m}$  in size. The treatment removes cysts, bacteria, and most (but not all) particulates.

"Nanofiltration" or "low-pressure reverse osmosis" or "membrane softening" means a method of membrane treatment designed to remove multivalent ions (softening) and removes contaminants down to 1 nm (nanometer = 0.001  $\mu\text{m}$ ) in size.

"Potable water treatment plant" means an establishment engaged in producing water for domestic, commercial, or industrial use as designated by North American Industry Classification System (NAICS) Code 221310 - Water Supply and Irrigation Systems, (Executive Office of the President, Office of Management and Budget, United States, 2017), Standard Industrial Classified (SIC) Code 4941 - Water Supply (Office of Management and Budget (OMB) SIC Manual, 1987), or others as approved by the board.

"Reverse osmosis" means a method of membrane treatment designed to remove salts and low-molecular weight solutes and remove all contaminants down to 0.0001  $\mu\text{m}$  (microns) in size. Reverse osmosis methods apply pressure in excess of osmotic pressure to force water through a semi-permeable membrane from a region of high salt concentration to a region of lower salt concentration.

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

"Ultrafiltration" means a method of membrane treatment designed to remove particles down to 0.01  $\mu\text{m}$  in size. The treatment removes cysts, bacteria, and viruses as well as suspended solids.

**9VAC25-860-15. Applicability of incorporated references based on the dates that they became effective.**

Except as noted, when a regulation of the U.S. Environmental Protection Agency set forth in Title 40 of the Code of Federal Regulations (CFR) is referenced and incorporated herein, that regulation shall be as it exists and has been published as of July 1, 2017.

**9VAC25-860-20. Purpose.**

This general permit regulation governs the discharge of process wastewater from potable water treatment plants to surface waters.

**9VAC25-860-40. Effective date of the permit.**

This general VPDES permit will become effective on July 1, 2018, and will expire on June 30, 2023. This general permit is effective for any covered owner upon compliance with all the provisions of 9VAC25-860-50.

**9VAC25-860-50. Authorization to discharge.**

A. Any owner governed by this general permit is hereby authorized to discharge to surface waters of the Commonwealth of Virginia provided that:

1. The owner submits a registration statement in accordance with 9VAC25-860-60 and that registration statement is accepted by the board;
2. The owner submits the required permit fee;
3. The owner complies with the applicable effluent limitations and other requirements of 9VAC25-860-70; and
4. The board has not notified the owner that the discharge is not eligible for coverage in accordance with subsection B of this section.

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

1. The owner is required to obtain an individual permit in accordance with 9VAC25-31-170 B 3 of the VPDES Permit Regulation;
2. The owner is proposing to discharge to state waters specifically named in other board regulations that prohibit such discharges;
3. The discharge violates or would violate the antidegradation policy in the Water Quality Standards at 9VAC25-260-30;
4. The discharge is not consistent with the assumptions and requirements of an approved TMDL;
5. The facility is subject to the requirements of 9VAC25-820-70 Part I G 1 (General VPDES Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Watershed in Virginia - Requirement to Register); and
6. An owner applying for coverage under this general permit submits the results of representative whole effluent toxicity testing of the discharge, and the results demonstrate that there is a reasonable potential for toxicity.

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

D. Continuation of permit coverage.

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

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

- b. Notifies the owner that the discharge is not eligible for coverage under this general permit.
2. When the owner that was covered under the expiring or expired general permit has violated or is violating the conditions of that permit, the board may choose to do any or all of the following:
  - a. Initiate enforcement action based upon the general permit coverage that has been continued;
  - b. Issue a notice of intent to deny coverage under the reissued general permit. If the general permit coverage is denied, the owner would then be required to cease the discharges authorized by the continued coverage under the terms of the general permit or be subject to enforcement action for discharging without a permit;
  - c. Issue an individual permit with appropriate conditions; or
  - d. Take other actions authorized by the VPDES Permit Regulation (9VAC25-31).

**9VAC25-860-60. Registration statement.**

A. Deadlines for submitting registration statement. The owner seeking coverage under this general permit shall submit a complete VPDES general permit registration statement in accordance with this section, which shall serve as a notice of intent for coverage under the general VPDES permit for potable water treatment plants.

1. New facilities. Any owner proposing a new discharge shall submit a complete registration statement at least 60 days prior to the date planned for commencement of the new discharge.
2. Existing facilities.
  - a. Any owner covered by an individual VPDES permit who is proposing to be covered by this general permit shall submit a complete registration statement at least 270 days prior to the expiration date of the individual VPDES permit.
  - b. Any owner that was authorized to discharge under the expiring or expired general VPDES permit and who intends to continue coverage under this general permit shall submit a complete registration statement to the board at least 60 days prior to the expiration date of the existing permit or a later submittal established by the board.
  - c. Any owner of a potable water treatment plant not currently covered by a VPDES permit who is proposing to be covered by this general permit shall file the registration statement.

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

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

1. Facility name and street address, owner name, mailing address, telephone number, and email address (if available);
2. Operator or other contact name, mailing address, telephone number, and email address (if available);
3. The nature of the business;
4. A USGS 7.5 minute topographic map or equivalent computer generated map showing the facility location extending to at least one mile beyond the property boundary and the location of the discharge points;
5. The receiving waters of the discharge;

6. The outfall number, latitude and longitude, the daily maximum actual or projected process wastewater flow rate (millions of gallons per day or gallons per day), typical volume, duration of discharges, and frequency of discharge;
7. The type of water treatment (e.g., conventional, microfiltration, ultrafiltration, nanofiltration, reverse osmosis, or a combination of these) and, if applicable, a description of any treatment type changes since the previous registration statement was submitted;
8. The number of any existing VPDES permit that authorizes discharges from the potable water treatment plant;
9. If the existing VPDES permit contains a groundwater monitoring plan requirement, a copy of the board-approved plan shall be submitted unless the plan has been previously submitted and approved and remains unchanged. If a plan has been previously approved, cite the plan and date of approval;
10. Information regarding the lining of any settling basins or lagoons, whether such units are earthen lined, and if so, whether the linings have a permeability of no greater than  $10^{-6}$  cm/sec;
11. The results of any whole effluent toxicity evaluation required by the 2013 potable water treatment plant general permit regulation, 9VAC25-860-50 A 3, or the current individual permit, if not previously submitted to the department;
12. A schematic drawing showing the sources of water used on the property and the conceptual design of the methods of treatment and disposal of process wastewater;
13. Information on chemicals used in the production of drinking water and process wastewater treatment, to include (i) a description of chemicals, (ii) a proposed or actual schedule and quantity of chemical usage, (iii) a description of any chemical or chemical usage changes since the previous registration statement was submitted, and (iv) a description of which chemicals have no likelihood of entering the process wastewater;
14. A description of how solids and residue from any settling basins or lagoons are disposed;
15. Whether the facility will discharge to a municipal separate storm sewer system (MS4). If so, the name of the MS4 owner must be provided. If the owner of the potable water treatment plant is not the owner of the MS4, the facility owner shall notify the MS4 owner of the existence of the discharge and include a copy of the notification with the registration statement. The notification shall include the following information: the name of the facility, a contact person and telephone number, the location of the discharge, the nature of the discharge, and the owner's VPDES general permit number;
16. If a new potable water treatment plant owner proposes to discharge within five miles upstream of another public water supply system's intake, the new potable water treatment plant owner shall notify the public water supply system's owner and include a copy of the notification with the registration statement; and
17. The following certification:

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

D. The registration statement shall be signed in accordance with 9VAC25-31-110.

E. The registration statement shall be delivered to the department's regional office where the industrial facility is located by either postal or electronic mail.

**9VAC25-860-70. General permit.**

Any owner whose registration statement is accepted by the board will receive coverage under the following permit and shall comply with the requirements therein and be subject to all requirements of 9VAC25-31.

NOTE: THE REST OF SECTION 70 OF THE REGULATION FOLLOWS IN THE NEXT ATTACHMENT (PERMIT PAGES)

2. General Permit Pages for Potable Water Treatment Plants  
9VAC25-860-70

See [DEQnet](#) for General Permit Pages for Each Limits Type (Conventional  
and Reverse Osmosis)



# *COMMONWEALTH of VIRGINIA*

## *DEPARTMENT OF ENVIRONMENTAL QUALITY*

General Permit No.: VAG64  
Effective Date: July 1, 2018  
Expiration Date: June 30, 2023

### GENERAL PERMIT FOR POTABLE WATER TREATMENT PLANTS AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of potable water treatment plants are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in board regulations that prohibit such discharges.

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



PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.

1. Facilities other than reverse osmosis or nanofiltration plants.

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge process wastewater from outfalls: \_\_\_\_\_

Such discharges shall be limited and monitored as specified below:

EFFLUENT CHARACTERISTICS	EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
	Monthly Average	Minimum	Maximum	Frequency <sup>(1)</sup>	Sample Type
Flow (MGD)	NL	NA	NL	1/3 Months	Estimate <sup>(2)</sup>
pH (SU) <sup>(3)</sup>	NA	6.0	9.0	1/3 Months	Grab
Total Suspended Solids (mg/l)	30	NA	60	1/3 Months	Composite <sup>(4)</sup>
Total Residual Chlorine <sup>(5)</sup> (mg/l)	0.011	NA	0.011	1/3 Months	Grab

NL - No Limitation, monitoring requirement only

NA - Not applicable

<sup>(1)</sup> Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the 10th day of April, July, October, and January.

<sup>(2)</sup> Reported estimated flow is to be based on the technical evaluation of the sources contributing to the discharge.

<sup>(3)</sup> Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the minimum and maximum effluent limitations.

<sup>(4)</sup> Composite - For continuous discharges, five grab samples collected at hourly intervals. For batch discharges, five grab samples taken at evenly placed intervals until the discharge ceases, or until a minimum of five grab samples have been collected. For batch discharges, the first grab shall occur within 15 minutes of commencement of the discharge.

<sup>(5)</sup> Total residual chlorine limit shall only be applicable if chlorine is present in the process wastewater.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.

2. Reverse osmosis and nanofiltration plants.

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge process wastewater originating from outfalls: \_\_\_\_\_

Such discharges shall be limited and monitored as specified below:

EFFLUENT CHARACTERISTICS	EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
	Monthly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MGD)	NL	NA	NL	1/ Month	Estimate <sup>(1)</sup>
pH (SU) <sup>(2)</sup>	NA	6.0	9.0	1/ Month	Grab
Total Dissolved Solids (mg/l)	NA	NA	NL	1/ Month	Composite <sup>(3)</sup>
Dissolved Oxygen (mg/l) <sup>(4)</sup>	NA	4.0	NA	1/ Month	Grab

NL - No limitation, monitoring requirement only

NA - Not applicable

<sup>(1)</sup>Reported estimated flow is to be based on the technical evaluation of the sources contributing to the discharge.

<sup>(2)</sup>Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the minimum and maximum effluent limitations.

<sup>(3)</sup>Composite - For continuous discharges, five grab samples collected at hourly intervals. For batch discharges, five grab samples taken at evenly placed intervals until the discharge ceases or until a minimum of five grab samples have been collected. For batch discharges, the first grab shall occur within 15 minutes of commencement of the discharge.

<sup>(4)</sup>Where the Water Quality Standards (9VAC25-260) establish alternate standards for dissolved oxygen in waters receiving the discharge, those standards shall be the minimum effluent limitations.

B. Special conditions.

1. Inspection of the effluent, and maintenance of the process wastewater treatment facility, shall be performed daily. Documentation of the inspection and maintenance shall be recorded in an operational log. This operational log shall be made available for review by the department personnel upon request.
2. No domestic sewage discharges are permitted under this general permit.
3. No chemicals used for water and process wastewater treatment, other than those listed on the owner's accepted registration statement, are allowed. Prior approval shall be obtained from the board before any changes are made to the chemicals, in order to assure protection of water quality and beneficial uses of the waters receiving the discharge. The owner shall indicate whether the chemical is likely to enter state waters through the process wastewater discharge.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts.
5. Owners of facilities that are a source of the specified pollutant of concern to waters where an approved total maximum daily load (TMDL) has been established shall implement measures and controls that are consistent with the assumptions and requirements of the TMDL.
6. The permittee shall notify the department as soon as the permittee knows or has reason to believe:
  - a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter;
    - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
    - (3) Five times the maximum concentration value reported for that pollutant in the general permit registration statement; or
    - (4) The level established by the board.
  - b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) Five hundred micrograms per liter;
    - (2) One milligram per liter for antimony;
    - (3) Ten times the maximum concentration value reported for that pollutant in the general permit registration statement; or
    - (4) The level established by the board.
7. If a board-approved groundwater monitoring plan was submitted with the registration statement, the permittee shall continue to sample and report in accordance with the plan. The approved plan shall be an enforceable part of this permit. The board or the owner, with board approval, may evaluate the groundwater monitoring data and demonstrate that

revisions to or the cessation of the groundwater monitoring are appropriate. If the department determines that monitoring indicates that groundwater is contaminated, the permittee shall submit a corrective action plan within 60 days of being notified by the regional office. The plan shall set forth the steps to ensure the contamination source is eliminated or that the contaminant plume is contained on the permittee's property. In addition, based on the extent of contamination, a risk analysis may be required. Once approved, this plan or analysis shall become an enforceable part of this permit.

8. Compliance reporting under Part I A.

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

Effluent Characteristic	Quantification Level
Chlorine	0.10 mg/l
TSS	1.0 mg/l

b. Reporting.

(1) Monthly average. Compliance with the monthly average limitations and reporting requirements for the parameters listed in subdivision 8 a of this subsection shall be determined as follows: all concentration data below the QL listed in subdivision 8 a shall be treated as zero. All concentration data equal to or above the QL listed in subdivision 8 a shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL, then the average shall be reported as "<QL." If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

(2) Daily maximum. Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in subdivision 8 a of this subsection shall be determined as follows: all concentration data below the QL listed in subdivision 8 a shall be treated as zero. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the daily maximum. If all data are below the QL, then the average shall be reported as "<QL." If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

c. Any single datum required shall be reported as "<QL" if it is less than the QL in subdivision 8 a of this subsection. Otherwise, the numerical value shall be reported.

d. The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used (i.e., five always rounding up or to the nearest even number) by the permittee, the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

9. Operation and maintenance manual requirement.

a. Within 90 days after the date of coverage under this general permit, the permittee shall develop or update an operation and maintenance (O&M) manual for the process wastewater treatment works. The O&M manual shall be reviewed within 90 days of changes to the treatment system. The O&M manual shall be certified in accordance with Part II K of this permit. The O&M manual shall be made available for review by department personnel upon request.

b. This manual shall detail the practices and procedures that will be followed to ensure compliance with the requirements of this permit. Within 30 days of a request by the department, the current O&M manual shall be submitted to the board for review and approval. The permittee shall operate the process wastewater treatment works in accordance with the O&M manual. Noncompliance with the O&M manual shall be deemed a violation of the permit.

c. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

(1) Techniques to be employed in the collection, preservation, and analysis of effluent samples;

(2) Discussion of best management practices;

(3) Process wastewater treatment system design, operation, routine preventive maintenance of units within the process wastewater treatment system, critical spare parts inventory and recordkeeping;

(4) A plan for the management and/or disposal of waste solids and residues, which includes a requirement to clean settling basins and lagoons (if present at the facility) in order to achieve effective treatment and a requirement that all solids shall be handled, stored, and disposed of so as to prevent a discharge to state waters;

(5) Procedures for measuring and recording the duration and volume of treated process wastewater discharged; and

(6) Location of the operational log for performing the daily inspections of the effluent. The log shall note any solids or sheens and if there is no discharge at time of inspection.

10. Owners of a facility with a daily maximum flow rate greater than or equal to 50,000 gallons per day over three consecutive monitoring periods that have not conducted whole effluent toxicity (WET) testing to demonstrate there is no reasonable potential for toxicity from their discharge shall conduct WET testing as described in subdivisions a through e of this subsection. Owners with changes in treatment technology or chemical usage that change the characteristics of the discharge and with a daily maximum flow rate greater than or equal to 50,000 gallons per day over three consecutive monitoring periods shall conduct WET testing as described in subdivisions a through e of this subsection.

a. The WET testing shall consist of a minimum of four sets (a set includes both vertebrate and invertebrate tests) of acute or chronic tests that reflect the current characteristics of the process wastewater treatment plant effluent using the following tests and organisms:

For an intermittent or batch discharger	48 hour static acute toxicity tests
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Freshwater organisms	Pimephales promelas or Oncorhynchus mykiss (for cold water) (vertebrates) Ceriodaphnia dubia (invertebrate)
Saltwater organisms	Cyprinodon variegatus (vertebrate) Americamysis bahia (invertebrate)
For continuous discharger	
Freshwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with Pimephales promelas (vertebrate) 3-Brood Chronic Static Renewal Survival and Reproduction Test with Ceriodaphnia dubia (invertebrate)
Saltwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with Cyprinodon variegatus (vertebrate) 7-Day Chronic Static Renewal Survival, Growth and Fecundity Test with Americamysis bahia (invertebrate)

Freshwater organisms are used where the salinity of the receiving water is less than 1.0‰ (parts per thousand). Where the salinity of the receiving water is greater than or equal to 1.0‰ but less than 5.0‰ either freshwater or saltwater organisms may be used. Saltwater organisms are used where the salinity is greater than or equal to 5.0‰. There shall be a minimum of 30 days between sets of tests, and test procedures shall follow 40 CFR Part 136, which references the EPA guidance manuals for WET testing.

b. This testing shall be completed, at a minimum, during the first year of coverage under the general permit or within one year of commencing discharge.

c. The department will evaluate all representative data statistically to see if there is reasonable potential for toxicity in the facility discharge. If such reasonable potential exists and cannot be eliminated, the owner will be notified that the owner must apply for an individual VPDES permit at next reissuance and a WET limit will be included in that individual permit. If the potential cause of the toxicity is eliminated during the five-year term of this general permit, the owner may conduct additional WET testing to demonstrate that there is no longer reasonable potential for toxicity and an individual permit will not be required at the next reissuance.

d. If the department determines that no reasonable potential for toxicity exists in the facility discharge, no further WET testing is required unless changes in treatment technology or chemical usage are made at the plant that change the characteristics of the discharge. If there have been changes to the effluent characteristics, then four sets of WET testing, either acute or chronic tests as applicable to the current characteristics of the process wastewater treatment plant effluent, must be performed to recharacterize the discharge.

- e. Any WET testing data will be submitted with the next required discharge monitoring report.
11. The discharges authorized by this permit shall be controlled as necessary to meet applicable water quality standards.
12. Notice of termination.
- a. The owner may terminate coverage under this general permit by filing a complete notice of termination with the department. The notice of termination may be filed after one or more of the following conditions have been met:
- (1) Operations have ceased at the facility and there are no longer discharges of process wastewater from the potable water treatment plant;
  - (2) A new owner has assumed responsibility for the facility. A notice of termination does not have to be submitted if a VPDES Change of Ownership Agreement form has been submitted;
  - (3) All discharges associated with this facility have been covered by an individual VPDES permit or a VPDES general permit; or
  - (4) Termination of coverage is being requested for another reason, provided the board agrees that coverage under this general permit is no longer needed.
- b. The notice of termination shall contain the following information:
- (1) Owner's name, mailing address, telephone number, and email address (if available);
  - (2) Facility name and location;
  - (3) VPDES general permit registration number for the facility; and
  - (4) The basis for submitting the notice of termination, including:
    - (a) A statement indicating that a new owner has assumed responsibility for the facility;
    - (b) A statement indicating that operations have ceased at the facility and there are no longer discharges from the facility;
    - (c) A statement indicating that all discharges have been covered by an individual VPDES permit; or
    - (d) A statement indicating that termination of coverage is being requested for another reason and a description of the reason.
- c. The following certification: "I certify under penalty of law that all process wastewater discharges from the identified facility that are authorized by this VPDES general permit have been eliminated, or covered under a VPDES individual or a VPDES general permit, or that I am no longer the owner of the facility, or permit coverage should be terminated for another reason listed above. I understand that by submitting this notice of termination, that I am no longer authorized to discharge process wastewater in accordance with the general permit, and that discharging pollutants to surface waters is unlawful where the discharge is not authorized by a VPDES permit. I also understand that the submittal of this notice of termination does not release an owner from liability for any violations of this permit or the Clean Water Act."

- d. The notice of termination shall be submitted to the department and signed in accordance with Part II K.
13. Approval for coverage under this general permit does not relieve any owner of the responsibility to comply with any other federal, state, or local statute, ordinance, or regulation.



PART II  
CONDITIONS APPLICABLE TO ALL VPDES PERMITS.

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.
4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

B. Records.

1. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individuals who performed the sampling or measurements;
  - c. The dates and times analyses were performed;
  - d. The individuals who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.
2. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the board.

C. Reporting monitoring results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.
2. Monitoring results shall be reported on a DMR or on forms provided, approved or specified by the department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection

Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.

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

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

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

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

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

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

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part II I 1 b. Unusual and extraordinary discharges include any discharge resulting from:

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

I. Reports of noncompliance.

1. The permittee shall report any noncompliance that may adversely affect state waters or may endanger public health.

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

- (1) Any unanticipated bypass; and
- (2) Any upset that causes a discharge to surface waters.

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

- (1) A description of the noncompliance and its cause;
- (2) The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- (3) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

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

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

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the department's regional office. Reports may be made by telephone, FAX, or online at

<http://www.deq.virginia.gov/Programs/PollutionResponsePreparedness/MakingaReport.aspx>. For reports outside normal working hours, a message may be left and this shall fulfill

the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24-hour telephone service at 1-800-468-8892.

3. Where the permittee becomes aware that it failed to submit any relevant facts in a permit registration statement, or submitted incorrect information in a permit registration statement or in any report to the department, it shall promptly submit such facts or information.

J. Notice of planned changes.

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

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

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

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

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations nor to notification requirements under Part I B 6; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit registration process or not reported pursuant to an approved land application plan.

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

K. Signatory requirements.

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

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete

and accurate information for permit registration requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

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

c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports and other information. All reports required by permits, and other information requested by the board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

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

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

c. The written authorization is submitted to the department.

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

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

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

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

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

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

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

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

P. Oil and hazardous substance liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§ 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

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

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

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

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

U. Bypass.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to

assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.

2. Notice.

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

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

3. Prohibition of bypass.

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

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

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

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

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

V. Upset.

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

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

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

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

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

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

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

W. Inspection and entry. The permittee shall allow the director, or an authorized representative, including an authorized contractor acting as a representative of the administrator, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours or whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

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

Y. Transfer of permit coverage. Permit coverage is not transferable to any person except after notice to the department.

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

1. The current permittee notifies the department within 30 days of the transfer of the title to the facility or property unless permission for a later date has been granted by the board;
2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
3. The board does not notify the existing permittee and the proposed new permittee of its intent to deny the new permittee coverage under the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2.

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



## **2. GENERAL PERMIT FACT SHEET**

**FACT SHEET**  
**REISSUANCE OF A GENERAL VPDES PERMIT**  
**FOR POTABLE WATER TREATMENT PLANTS**  
**October 24, 2017**

The Virginia State Water Control Board has under consideration the reissuance of a VPDES general permit for point source discharges from facilities discharging potable water treatment plant wastewater (SIC Code 4941-Water Supply, or other discharges of potable water treatment plant wastewater as approved by the Board) to the surface waters of the Commonwealth of Virginia. This permit is a VPDES general permit covered under the National Pollutant Discharge Elimination System. Owners who wish to discharge under a general permit must register for coverage under the reissued general permit.

Permit Number: VAG64

Name of Permittee: Any owner of a qualifying potable water treatment plant with point source discharges to the surface waters of the Commonwealth of Virginia.

Facility Location: Commonwealth of Virginia

Receiving Waters: Surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in Board regulations which prohibit such discharges.

On the basis of preliminary review and application of lawful standards and regulations, the State Water Control Board proposes to reissue the general VPDES permit subject to certain conditions. The Board has determined that this category of discharges is appropriately controlled under a general permit. The category of discharges to be included involves facilities with the same or similar types of operations and the facilities discharge the same or similar types of wastes. The draft general permit requires that all covered facilities meet standardized effluent limitations and monitoring requirements.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting Eleanore Daub at:

Virginia Department of Environmental Quality  
P.O. Box 1105  
Richmond, Virginia 23218  
(804) 698-4111

[elleanore.daub@deq.virginia.gov](mailto:elleanore.daub@deq.virginia.gov)

Activities Covered By This General Permit:

This general permit will cover point source discharges of potable water treatment plant wastewater (SIC Code 4941 – Water Supply, or other discharges of potable water treatment plant wastewater as approved by the Board) to surface waters of the Commonwealth of Virginia. The types of water treatment plants to be covered include treatment processes such as pretreatment (coagulation/flocculation/sedimentation); conventional filtration; softening with lime/soda ash, ion exchange, or membrane; and membrane filtration and desalting. Wastewater may be generated from clarifier underflow, sludge blowdown and particulate filter backwash from plain purification and lime-soda softening process, iron filter backwash wastewater from iron and manganese removal processes, reverse osmosis and microfiltration processes.

Ground water is most frequently treated to remove dissolved iron and manganese and typically includes oxidation (i.e., ozonation, chlorination, or addition of potassium permanganate) to precipitate the iron and manganese followed by filtration to remove the iron and manganese oxides.

Surface water is most frequently treated by filtration to remove suspended solids and may incorporate presedimentation and sedimentation basins before filtration. Precipitation, coagulation, and flocculation are frequently used to increase the effectiveness of sedimentation and filtration. Aluminum sulfate (alum) is the most common additive and is used for coagulation. Polymers are another common additive that may be used to enhance coagulation, flocculation, or filtration. Chlorination may be used before filtration as an oxidizing agent for precipitation and to remove taste and odor. Chlorine is often added after filtration for disinfection purposes, producing finished water for distribution to customers.

These wastewater treatment systems produce an acceptable quality effluent and operate well when maintained properly.

### Authorization to Discharge

This general permit will have a term of five years. The effective date of this permit is July 1, 2018 and the expiration date of this permit is June 30, 2023.

Any person conducting an activity covered by an individual permit, which could be covered by this general permit, may request that the individual permit be revoked and register for coverage under this general permit. An alternative to this is to wait until the individual permit expires and then ask for coverage at a later date. There are reasons why authorization to discharge cannot be granted. These are described below and should be considered by owners before submitting a registration statement.

A facility is ineligible for coverage under this general permit if DEQ becomes aware of any data indicating the potential for adverse water quality impacts.

Antibacksliding will be considered prior to granting coverage under this general permit. Generally, this means that any effluent limitations or requirements in your individual permit that are more restrictive than those in the general permit cannot be relaxed or removed. If granting coverage under the general permit would result in possible backsliding of effluent limitations or permit requirements, then coverage will not be allowed and you must retain your individual permit.

Antidegradation will be considered prior to granting coverage under this general permit. This means that a determination will be made in accordance with the State Water Control Board's Antidegradation Policy contained in the Virginia Water Quality Standards, 9VAC25-260-30. Generally, the standards require that high quality waters must be maintained and new or increased discharges to exceptional waters (specifically listed in 9VAC25-260-30) are not allowed.

The discharge must also be consistent with the assumptions and requirements of an approved total maximum daily load (TMDL), if applicable. As of this date, most potable water treatment plants are considered insignificant loads in TMDLs, or the limits set forth in the general permit meet the requirements of the TMDL.

Facilities that are subject to the requirements of 9 VAC 25-820-70, Part I.G.1 (*General VPDES Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Watershed in Virginia - Requirement to Register*), will usually also have an individual permit to address tracking of waste load offsets or technology-based annual concentration limits. These facilities are excluded from coverage under this general permit, since the discharge of potable water treatment plant wastewater will be included as part of the individual permit.

Any discharge that has the reasonable potential to cause toxicity instream will not be granted coverage under the general permit. Whole Effluent Toxicity (WET) testing data (from current or previous permit terms) must be submitted with the registration statement if it is available, and must be representative of the current facility discharge. If WET testing is not available, it must be conducted as part of a special condition during the permit term if WET testing has never been conducted or is no longer representative of the discharge. See special conditions below.

### Registration

All facilities that the Department believes are eligible for coverage under this general permit will be authorized to discharge under the terms and conditions of the permit after a complete registration statement is submitted, the applicable permit fee is paid and the Department sends a copy of the general permit to the applicant. If this general permit is inappropriate, the applicant will be so notified and the requirement that an individual permit or alternate general permit is needed will remain in effect.

The registration statement contains instructions for filling out the form and the type of data needed.

Owners of new potable water treatment plants must submit the registration statement at least 60 days prior to commencing discharge. Owners of existing facilities covered under the previous general permit must submit a registration statement by May 1, 2018 to reregister for coverage under this permit. Complete registration statements submitted after May 1, 2018 will grant the permittee authorization to discharge under the 2013 permit (i.e., an administrative continuance) until such time that DEQ is able to approve or disapprove coverage. Registrations will be accepted after the expiration date of the 2013 permit (June 30, 2018); however, authorization to discharge will not be retroactive. Existing owners covered by individual VPDES permits must submit a complete registration statement 270 days prior to the expiration of the individual VPDES permit. The 270 day deadline allows DEQ time to review the registration and respond to the owner in time for the owner to submit an individual permit application if their general permit registration is not accepted. Registration statements may be submitted to the DEQ regional office by postal or email. .

General Permit

There are two permit limits pages. The first limits page covers 'conventional' (anything that is not a reverse osmosis or nanofiltration plant) water treatment plants. The second limits page covers reverse osmosis and nanofiltration plants.

Proposed Limitations and Monitoring Requirements:

A. Effluent limitations for potable water treatment plant process wastewater that are not reverse osmosis or nanofiltration plants are as follows:

<u>Parameter</u>	<u>Limitation</u>	<u>Monitoring</u> <sup>(1)</sup>
Flow	Monitoring (NL)	Estimate <sup>(2)</sup>
pH <sup>(3)</sup>	9.0 max., 6.0 min.	Grab
Total Suspended Solids	30 mg/l avg., 60 mg/l max.	Composite <sup>(4)</sup>
Total Residual Chlorine <sup>(5)</sup>	0.011 mg/L avg. and max.	Grab

NL is defined as no limitation, monitoring and reporting are required.

<sup>(1)</sup> Monitoring frequency shall be once per quarter. Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the 10th day of April, July, October, and January.

<sup>(2)</sup> Reported estimated flow is to be based on the technical evaluation of the sources contributing to the discharge.

<sup>(3)</sup> Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the minimum and maximum effluent limitations.

<sup>(4)</sup> Composite - For continuous discharges, five grab samples collected at hourly intervals. For batch discharges, five grab samples taken at evenly placed intervals until the discharge ceases, or until a minimum of five grab samples have been collected. For batch discharges, the first grab shall occur within 15 minutes of commencement of the discharge.

<sup>(5)</sup> Total residual chlorine limit shall only be applicable if chlorine is present in the process wastewater. The use of chlorine for drinking water disinfection may not necessitate a chlorine limit in the process wastewater. It is dependent on where in the plant the chlorine is added and whether it is present in the backwash water or other process wastewater.

B. Effluent limitations for reverse osmosis and nanofiltration potable water treatment plant process wastewater are as follows:

<u>Parameter</u>	<u>Limitation</u>	<u>Monitoring</u>
Flow	Monitoring (NL)	Estimate <sup>(1)</sup>
pH <sup>(2)</sup>	9.0 max., 6.0 min.	Grab
Total Dissolved Solids	NL mg/l max	Composite <sup>(3)</sup>
Dissolved Oxygen <sup>(4)</sup>	4.0 mg/l min.	Grab

NL is defined as no limitation, monitoring and reporting are required.

Monitoring frequency shall be once per month.

<sup>(1)</sup> Reported estimated flow is to be based on the technical evaluation of the sources contributing to the discharge.

<sup>(2)</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 (minimum only for dissolved oxygen).

<sup>(3)</sup> Composite - For continuous discharges, five grab samples collected at hourly intervals. For batch discharges, five grab samples taken at evenly placed intervals until the discharge ceases, or until a minimum of five grab samples have been collected. For batch discharges, the first grab shall occur within 15 minutes of commencement of the discharge.

<sup>(4)</sup> Where the Water Quality Standards (9VAC25-260) establish alternate standards for dissolved oxygen in waters receiving the discharge, those standards shall be the minimum effluent limitations.

Basis for Proposed Effluent Limitations and Monitoring Requirements

In developing the proposed effluent limitations and special conditions the following information was reviewed. DEQ’s permit manual currently contains standard effluent limits and special permit conditions to be used for water treatment plant individual permits, and several other states issue general permits for discharges from potable water treatment plant wastewater facilities. As no federal effluent limitation guidelines currently exist for discharges from water treatments plants, the monitoring requirements and limitations in this permit are based on best professional judgment and the water quality standards in 9VAC25-260.

As determined by the nature of the business, the parameters to be limited or monitored in this general VPDES permit for potable water treatment plant discharges are pH, total residual chlorine and total suspended solids. The parameters for reverse osmosis discharges are pH, dissolved oxygen, and total dissolved solids. The pH limitation is based upon Virginia's stream water quality standards (9VAC25-260-50 and 9VAC25-260-380). The total suspended solids, and total dissolved solids parameters are based on best professional judgment (9VAC25-31-210) and are established at levels which, based on the Department's experience with individual VPDES permits, are achievable with conventional treatment technology and which will prevent the build-up of solids on the bottom of receiving waters. The dissolved oxygen and total residual chlorine parameter are based on water quality standards for the type of treatment employed by these systems. Complying with these limitations is an indication that the treatment system is being operated and maintained properly and is producing an acceptable quality effluent.

Water treatment plants applying for coverage under this permit may use either ground water or surface water as their source water, and processes can vary depending on the treatment the source water requires.

Proposed Special Conditions and Rationale

1. Inspection of the effluent, and maintenance of the process wastewater treatment facility shall be performed daily. Documentation of the inspection and maintenance shall be recorded in an Operational Log. This operational log shall be made available for review by the Department personnel upon request and its location identified in the O&M Manual.

Rationale: 9VAC25-31-10, and 40 CFR 122.41(e) require proper operation and maintenance of the permitted facility.

2. No domestic sewage discharges are permitted under this general permit.

Rationale: The effluent limitations do not address pollutants typical of treated sewage, therefore no sewage discharges to surface or ground waters are permitted under the general permit.

3. No chemicals used for water and process wastewater treatment, other than those listed on the owner's accepted registration statement, are allowed. Prior approval shall be obtained from the Board before any changes are made to the chemical(s), in order to assure protection of water quality and beneficial uses of the waters receiving the discharge. The owner shall indicate whether the chemical is likely to enter state waters through the process wastewater discharge.

Rationale: 9VAC25-31-50 A prohibits the discharge of any wastes into State waters unless authorized by this permit. Code of Virginia §62.1-44.16 and §62.1-44.17 authorizes the Board to regulate the discharge of industrial waste or other waste.

4. There shall be no discharge of floating solids or visible foam in other than trace amounts.

Rationale: This condition is required to implement the Water Quality Standards (9VAC25-260-20). Restriction of solids deposition in surface water in the vicinity of the outfall as a result of the industrial activity is also a standard special condition found in all VPDES permits. It serves as a measure of protection that the treatment works are operating correctly.

5. Owners of facilities that are a source of the specified pollutant of concern to waters where an approved TMDL has been established shall implement measures and controls that are consistent with the assumptions and requirements of the TMDL.

Rationale: EPA does not want DEQ to authorize general permits that are not in conformance with any applicable TMDL. This was a requirement also added to the regulation in section 50 'Authorization to Discharge.' Staff thought it important to repeat this as a special condition in the permit itself. It reinforces the way general permits are currently handled in TMDLs. The assumption of the TMDL is that general permits are insignificant to the total load until such time that the TMDL program determines that the load is significant and the TMDL needs to be modified to include the load.

6. The permittee shall notify the Department as soon as they know or have reason to believe:
  - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) 100 micrograms per liter  $\mu\text{g/l}$ ;
    - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
    - (3) Five times the maximum concentration value reported for that pollutant in the permit application; or
    - (4) The level established by the Board.

- b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
  - (1) Five hundred micrograms per liter;
  - (2) One milligram per liter for antimony;
  - (3) Ten times the maximum concentration value reported for that pollutant in the permit application; or
  - (4) The level established by the Board.

Required by VPDES Permit Regulation, 9VAC25-31-200 A, for all manufacturing, commercial, mining and silvicultural dischargers.

- 7. If a Board approved groundwater monitoring plan was submitted with the registration statement, the permittee shall continue to sample and report in accordance with the plan. The approved plan shall be an enforceable part of this permit. The Board or the owner, with Board approval, may evaluate the groundwater monitoring data and demonstrate that revisions to, or the cessation of the groundwater monitoring are appropriate. If the Department determines that monitoring indicates that groundwater is contaminated, the permittee shall submit a corrective action plan within 60 days of being notified by the regional office. The plan shall set forth the steps to ensure the contamination source is eliminated or that the contaminant plume is contained on the permittee's property. In addition, based on the extent of contamination, a risk analysis may be required. Once approved, this plan or analysis shall become an enforceable part of this permit.

Rationale: The purpose of the ground water monitoring plan is to determine if the system integrity is being maintained and to indicate if activities at the site are resulting in violations of the Board's Ground Water Standards (9VAC25-280).

- 8. Compliance reporting under Part I A
  - a. The quantification levels (QL) shall be as follows:

<u>Effluent Characteristic</u>	<u>Quantification Level</u>
Chlorine	0.10 mg/l
TSS	1.0 mg/l

- b. Reporting

Monthly Average -- Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in a. above shall be determined as follows: All concentration data below the QL listed above shall be treated as zero. All concentration data equal to or above the QL listed in a. above shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as "calculated". If all data are below the QL, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

Daily Maximum -- Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in a., above shall be determined as follows: All concentration data below the QL listed in a. above shall be treated as zero. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected

within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

- c. Any single datum required shall be reported as "<QL" if it is less than the QL in a. above. Otherwise the numerical value shall be reported.
- d. The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used (i.e., 5 always rounding up or to the nearest even number) by the permittee, the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

Rationale: Authorized by VPDES Permit Regulation, 9VAC25-31-190 J 4 and 220 I. This condition is necessary when toxic pollutants are monitored by the permittee and a maximum level of quantification and /or a specific analytical method is required in order to assess compliance with a permit limit or to compare effluent quality with a numeric criterion. The condition also establishes protocols for calculation of reported values.

9. Operation and Maintenance Manual Requirement.

a. Within 90 days after the date of coverage under this general permit, the permittee shall develop or update an O&M manual for the process wastewater treatment works. The manual shall also be reviewed within 90 days of changes to the treatment system. The manual shall be certified in accordance with Part II K of this permit. The manual shall be made available for review by Department personnel upon request.

b. This manual shall detail the practices and procedures which will be followed to ensure compliance with the requirements of this permit. Within 30 days of a request by DEQ, the current O&M Manual shall be submitted to the DEQ Regional Office for review and Board approval. The permittee shall operate the process wastewater treatment works in accordance with the approved O&M Manual. Noncompliance with the O&M Manual shall be deemed a violation of the permit.

c. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

- (1) Techniques to be employed in the collection, preservation, and analysis of effluent samples;
- (2) Discussion of Best Management Practices;
- (3) Process wastewater treatment system design, operation, routine preventive maintenance of process wastewater units within the treatment system, critical spare parts inventory and recordkeeping;
- (4) A plan for the management and/or disposal of waste solids and residues which includes a requirement to clean settling basins and lagoons (if present at the facility) in order to achieve effective treatment, and a requirement that all solids shall be handled, stored and disposed of so as to prevent a discharge to state waters; and
- (5) Procedures for measuring and recording the duration and volume of treated wastewater discharged.
- (6) Location of the operational log for performing the daily inspections of the effluent. The log shall note any solids or sheens and if there is no discharge at time of inspection.



Required by Code of Virginia § 62.1-44.16; VPDES Permit Regulation, 9VAC25-31-190 E, and 40 CFR 122.41(e). These require proper operation and maintenance of the permitted facility. Compliance with an approval O&M manual ensures this.

10. Owners of a facility with a daily maximum flow rate greater than or equal to 50,000 gallons per day (GPD) over three consecutive monitoring periods that have not conducted whole effluent toxicity (WET) testing to demonstrate there is no reasonable potential for toxicity from their discharge shall conduct WET testing as described below. Daily maximum flow will be determined from the maximum flow submitted on the DMRs over the last permit coverage term. Owners with changes in treatment technology or chemical usage that change the characteristics of the discharge and with a daily maximum flow rate greater than or equal to 50,000 GPD over three consecutive monitoring periods shall conduct WET testing as described below. An example of a significant change is changing polymers in the flocculation process, adding chlorine, and upgrading the plant. An insignificant change would be switching fluoride suppliers. Any questions about significant changes will be dealt with at the time of registration. This is also when the owner will be told whether or not WET testing is required during the next permit term.
- a. The WET testing shall consist of a minimum of four sets (a set included both vertebrate and invertebrate tests) of acute or chronic tests that reflect the current characteristics of the process wastewater treatment plant effluent using the following tests and organisms:

For intermittent or batch dischargers, these are hourly grab samples for the duration of the discharge. The first grab should be within 15 minutes of commencement of the discharge.	48 hour static acute toxicity tests
Freshwater organisms	<i>Pimephales promelas</i> or <i>Oncorhynchus mykiss</i> (for cold water) (vertebrates) <i>Ceriodaphnia dubia</i> (invertebrate)
Saltwater organisms	<i>Cyprinodon variegatus</i> (vertebrate) <i>Americamysis bahia</i> (invertebrate)
For continuous dischargers, generally, this is a minimum of 5 consecutive day discharges. Samples should be 24 hour flow proportional composites.	
Freshwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with <i>Pimephales promelas</i> (vertebrate) 3-Brood Chronic Static Renewal Survival and Reproduction Test with <i>Ceriodaphnia dubia</i> (invertebrate)
Saltwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with <i>Cyprinodon variegatus</i> (vertebrate) 7-Day Chronic Static Renewal Survival, Growth and Fecundity Test with <i>Americamysis bahia</i> (invertebrate)

Freshwater organisms are used where the salinity of the receiving water is less than 1.0‰ (parts per thousand). Where the salinity of the receiving water is greater than or equal to 1.0‰ but less than 5.0‰ either freshwater or saltwater organisms may be used. Saltwater organisms are used where the salinity is greater than or equal to 5.0‰. There shall be a minimum of 30 days between sets of tests, and test procedures shall follow Title 40 of the Code of Federal Regulations (CFR) Part 136, which references the EPA guidance manuals for WET testing.

- b. This testing shall be completed, at a minimum, during the first year of coverage under the general permit or within one year of commencing discharge. If discharge commences late in the five year coverage term, the owner should ensure the next registration statement is submitted on time and, with that submittal, consider asking for an administrative continuance of the 2013 permit coverage in order to complete the WET testing.
- c. The Department will evaluate all representative data statistically to see if there is reasonable potential for toxicity in the facility discharge. If such reasonable potential exists and cannot be eliminated, the owner will be notified that they must apply for an individual VPDES permit at next reissuance and a WET limit will be included in that individual permit. If the potential cause of the toxicity is eliminated during the five year term of this general permit, the owner may conduct additional WET testing to demonstrate that there is no longer reasonable potential for toxicity and an individual permit will not be required at the next reissuance. It will benefit the owner to find and eliminate the cause of toxicity so that you may retain coverage under the general permit.
- d. If the Department determines that no reasonable potential for toxicity exists in the facility discharge, no further WET testing is required unless changes in treatment technology or chemical usage are made at the plant that change the characteristics of the discharge. If there have been changes to the effluent characteristics, then four sets of WET testing, either acute or chronic tests as applicable to the current characteristics of the process wastewater treatment plant effluent, must be performed to re-characterize the discharge.
- e. The completed series of WET testing data must be submitted with the next required discharge monitoring report.

Required by VPDES Permit Regulation, 9VAC25-31-210 and 220 I. Requires monitoring in the permit to provide for and assure compliance with all applicable requirements of the State Water Control Law and the Clean Water Act.

- 11. The discharges authorized by this permit shall be controlled as necessary to meet applicable water quality standards.

This matches similar language going into other general permits and have been a general narrative condition requested by EPA.

- 12. Notice of termination.
  - a. The owner may terminate coverage under this general permit by filing a complete notice of termination with the department. The notice of termination may be filed after one or more of the following conditions have been met:
    - (1) Operations have ceased at the facility and there are no longer discharges of process wastewater from the potable water treatment plant;
    - (2) A new owner has assumed responsibility for the facility. A notice of termination does not have to be submitted if a VPDES Change of Ownership Agreement form has been submitted;

- (3) All discharges associated with this facility have been covered by an individual VPDES permit or a VPDES general permit; or
  - (4) Termination of coverage is being requested for another reason, provided the board agrees that coverage under this general permit is no longer needed.
- b. The notice of termination shall contain the following information:
- (1) Owner's name, mailing address, telephone number, and email address (if available);
  - (2) Facility name and location;
  - (3) VPDES general permit registration number for the facility; and
  - (4) The basis for submitting the notice of termination, including:
    - (a) A statement indicating that a new owner has assumed responsibility for the facility;
    - (b) A statement indicating that operations have ceased at the facility and there are no longer discharges from the facility;
    - (c) A statement indicating that all discharges have been covered by an individual VPDES permit; or
    - (d) A statement indicating that termination of coverage is being requested for another reason and a description of the reason.
- c. The following certification: "I certify under penalty of law that all process wastewater discharges from the identified facility that are authorized by this VPDES general permit have been eliminated, or covered under a VPDES individual or a VPDES general permit, or that I am no longer the owner of the facility, or permit coverage should be terminated for another reason listed above. I understand that by submitting this notice of termination, that I am no longer authorized to discharge process wastewater in accordance with the general permit, and that discharging pollutants to surface waters is unlawful where the discharge is not authorized by a VPDES permit. I also understand that the submittal of this notice of termination does not release an owner from liability for any violations of this permit or the Clean Water Act."
- d. The notice of termination shall be submitted to the department and signed in accordance with Part II K.

These termination procedures are necessary to provide documentation for the permittee and the department that the activities covered under the general permit have been concluded and coverage is no longer needed.

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

This requirement is part of the regulation at section 50 C and is repeated in the permit to remind the permittee of the responsibility.

### Part III Conditions Applicable to All Permits

This section contains language from the permit regulation at 9VAC25-31-190 for conditions applicable to all permits. Several items are different from the permit regulation. For example, Part III A recognizes the new Virginia Accredited Laboratory Program requirement. Part III B and L do not contain references to sewage sludge use because sewage sludge use is not part of this general permit. Part III M is 60 days (instead of 180 days) before expiration to match the registration statement requirements in 9VAC25-860-60. Part III X does not reference modification or revoke and reissue because these permit

actions do not apply to general permits. Part III Y allows for automatic transfer of coverage to a new permit if the current permittee notifies the department within 30 days of the transfer of the title to the facility or property instead of at least 30 days in advance of the proposed transfer.

## **5. REGISTRATION STATEMENT AND INSTRUCTION**

**SEE <http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx#wtp>**

**VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
GENERAL PERMIT REGISTRATION STATEMENT  
FOR POTABLE WATER TREATMENT PLANTS**

*Please Type or Print All Information*

1. FACILITY INFORMATION

Name of Facility \_\_\_\_\_

Facility Street Address \_\_\_\_\_

City or Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

\_\_\_\_\_

2. OWNER INFORMATION

Owner Name \_\_\_\_\_

Owner Mailing Address (Street or P.O. Box) \_\_\_\_\_

\_\_\_\_\_

City or Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

\_\_\_\_\_

Email Address \_\_\_\_\_

Indicate if DEQ may transmit the permit electronically.  Yes  No

3. OPERATOR OR OTHER CONTACT INFORMATION

Contact Name \_\_\_\_\_

Contact Mailing Address (Street or P.O. Box) \_\_\_\_\_

\_\_\_\_\_

City or Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

\_\_\_\_\_

Email Address \_\_\_\_\_

4. Will this facility discharge to surface waters?  Yes  No

If yes, name of receiving waters: \_\_\_\_\_

5. Describe the type of water treatment (e. g., conventional treatment (describe), microfiltration, ultrafiltration, nanofiltration, reverse osmosis or some combination of these) and describe any treatment changes since the previous registration statement was submitted (if applicable).

\_\_\_\_\_  
\_\_\_\_\_

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6. Does this facility currently have an existing VPDES Permit?  Yes  No

If yes, what is the Permit No. \_\_\_\_\_

7. Are the settling basins and/or lagoons lined to a permeability of no greater than  $10^{-6}$  cm/sec?  Yes  
 No

8. Does the facility have an existing VPDES permit containing a ground water monitoring plan?   
Yes  No

Has the ground water monitoring plan been submitted and approved by DEQ?  Yes  No

If yes, cite the plan and date of approval: \_\_\_\_\_

If no, attach a copy of the DEQ ground water monitoring plan.

9. Have you completed a Whole Effluent Toxicity (WET) evaluation for this facility?  Yes   
No

If yes, attach the results of the evaluation required by 9VAC860-70 B 10 or as part of your individual permit unless you have previously submitted the results to DEQ. Note: WET testing is not required to complete this registration.

10. MAP

Attach a USGS 7.5 minute topographic map or equivalent computer generated map extending to at least one mile beyond the property boundary; indicate location of facility and the discharge point(s).

11. NATURE OF BUSINESS: (provide a brief description)

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12. NUMBER OF OUTFALLS AND THE FLOW RATE

Provide the daily maximum actual or projected wastewater flow rate (millions of gallons per day (MGD) or gallons per day (gpd)), typical discharge volume (gallons), duration of discharge (e.g. minutes, hours, days, continuous) and frequency of discharge (e.g., number of discharges per day/week/ month).

Outfall \_\_\_\_\_  
Maximum actual or projected wastewater \_\_\_\_\_ MG or \_\_\_\_\_ gpd  
Typical volume \_\_\_\_\_ gallons D  
Duration of \_\_\_\_\_  
Frequency of \_\_\_\_\_  
Lat/Long \_\_\_\_\_

-----

Outfall \_\_\_\_\_  
 Maximum actual or projected wastewater \_\_\_\_\_ MG or \_\_\_\_\_ gpd  
 Typical volume \_\_\_\_\_ gallons D  
 Duration of \_\_\_\_\_  
 Frequency of \_\_\_\_\_  
 Lat/Long \_\_\_\_\_

13. FACILITY DRAWING AND TREATMENT INFORMATION

Attach a schematic drawing showing the source(s) of water used on the property and the conceptual design of the methods of treatment and disposal of wastewater.

14. CHEMICALS USED:

Provide the information in the table below on chemicals used in the production of drinking water and the treatment of the process wastewater. Attach a Material Safety Data Sheet (MSDS).

Chemical Description or Name	Proposed or Actual Schedule of Usage	Quantity of Chemical Usage	Will Chemical Enter Process Wastewater? Explain	Has this Chemical or its Usage Changed Since the Previous Registration?

15. SOLIDS DISPOSAL:

Provide a description of how solids and residue from any settling basins or lagoons are disposed.

\_\_\_\_\_

\_\_\_\_\_

If solids are landfilled, provide the name of the landfill receiving the solids. \_\_\_\_\_

\_\_\_\_\_

If solids are land applied, provide the VPDES or VPA Permit # under which the solids are land applied. \_\_\_\_\_

16. MUNICIPAL SEPARATE STORM SEWER SYSTEM

Does any outfall discharge to a municipal separate storm sewer system (MS4)?  Yes  No

If yes, please provide the name of the MS4 owner: \_\_\_\_\_



If the owner of the potable water treatment plant is not the owner of the MS4, you must notify the MS4 owner of the existence of the discharge and include a copy of this notification with this registration statement. The notification to the MS4 owner shall include the name of your facility, a contact person and phone number, location of the discharge, nature of the discharge and your VPDES general permit registration number.

17. NEW POTABLE WATER TREATMENT PLANT NOTIFICATION

If the owner of a new potable water treatment plant owner proposes to discharge within five miles upstream of another public water supply system's intake, the plant owner shall notify the public water supply system's owner and include a copy of the notification with this registration statement.

18. CERTIFICATION:

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of person signing above: \_\_\_\_\_  
(printed or typed)

Title: \_\_\_\_\_

ATTACHMENTS:

Ground water monitoring plan (if applicable)

WET testing results (if any)

Topographic Map

Facility Drawing

MSDS

MS4 Notification (if MS4 owner is not potable water treatment plant owner)

New Potable Water Treatment Plant Notification to Downstream Public Water Supply Intakes (if applicable)

**INSTRUCTIONS FOR COMPLETING THE REGISTRATION STATEMENT  
GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT  
FOR POTABLE WATER TREATMENT PLANTS (VAG64)**

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**WHO MUST FILE THE REGISTRATION STATEMENT**

This registration statement must be completed and submitted by the owner of a new or existing potable water treatment plant that discharges to state waters and wishes to be covered under this general permit instead of an individual permit.

**WHERE TO FILE THE REGISTRATION STATEMENT**

The completed registration statement should be sent to the Department of Environmental Quality Regional Office for your area. To locate the appropriate regional office see the Department's website at the following link: <http://www.deq.virginia.gov/Locations.aspx>. The fee form and your check or money order (\$600 payable to "Treasurer of Virginia") should be sent to Department of Environmental Quality, Receipts Control, P.O. Box 1104, Richmond, VA 23218.

**COMPLETENESS**

Complete all items except where indicated, or enter NA for "not applicable." Attach extra sheets of paper if more space is needed.

**DEFINITIONS**

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

"Membrane treatment" means a pressure driven process using synthetic materials to separate constituents from water. Membranes are used for dissolved solids or suspended solids removal. Membrane treatment for dissolved solids removal includes reverse osmosis and nanofiltration. Membrane treatment for suspended solids removal includes ultrafiltration and microfiltration.

"Microfiltration" means a method of membrane treatment designed to remove particles down to 0.1 µm in size. The treatment removes cysts, bacteria, and most (but not all) particulates.

"Municipal separate storm sewer system" or "MS4" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) (i) owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under § 208 of the Clean Water Act (CWA) that discharges to surface waters of the state; (ii) designed or used for collecting or conveying storm water; (iii) which is not a combined sewer; and (iv) which is not part of a publicly owned treatment works (POTW).

"Nanofiltration" or "low-pressure reverse osmosis" or "membrane softening" means a method of membrane treatment designed to remove multivalent ions (softening) and removes contaminants down to 1 nm (nanometer = 0.001 µm) in size.

"Potable Water Treatment Plant" means an establishment engaged in producing water for domestic, commercial or industrial use as designated by Standard Industrial Classified (SIC) Code 4941 – Water Supply (Office of Management and Budget (OMB) SIC Manual, 1987), or others as approved by the board.

"Reverse osmosis" means a method of membrane treatment designed to remove salts and low-molecular weight solutes and remove all contaminants down to 0.0001 µm (microns) in size. Reverse osmosis

methods apply pressure in excess of osmotic pressure to force water through a semi-permeable membrane from a region of high salt concentration to a region of lower salt concentration.

“Wastewater” is water that results from the treatment of raw water to produce potable water.

### **LINE BY LINE INSTRUCTIONS**

**Item 1. FACILITY INFORMATION.** Provide the name, street address (911 address) and telephone number of the potable water treatment plant.

**Item 2. OWNER INFORMATION.** Provide the name, mailing address, telephone number and email address (if available) of the entity that owns the potable water treatment plant. This should be an entity that is responsible for the plant and that wants coverage under the general permit. Normally, for this type of permit the owner is a town or county. Please indicate whether we may send the permit to you via email. If **Yes**, DEQ will send the permit to the owner’s and the contact’s email address. If **No**, the permit will be mailed hard-copy to the owner via regular postal mail.

**Item 3. OPERATOR OR OTHER CONTACT INFORMATION.** Provide the name, mailing address, telephone number and email address (if available) of the plant operator or any other contact person you would like DEQ to have for day to day questions.

**Item 4.** If the wastewater discharge will be to surface waters check **Yes**, and give the name of the receiving waters. If you discharge to a municipal separate storm sewer (MS4) see **Item 16**. Otherwise check **No**.

**Item 5.** Describe the type of water treatment used at the plant. For example, describe the conventional treatment or type of filtration or reverse osmosis or any combination of treatment processes in use. Attach extra pages if necessary. Also indicate changes made to the type of water treatment since permit coverage was last issued. If nothing has changed write “**No changes.**”

**Item 6.** If this facility has an existing VPDES permit (either coverage under a general permit or an individual permit), check **Yes** and list the VPDES Permit Number(s).

**Item 7.** If the settling basins and/or lagoons are earthen lined to a permeability of no greater than  $10^{-6}$  cm /sec check **Yes**. Otherwise check **No**.

**Item 8.** Indicate if the existing VPDES permit contains a ground water monitoring plan by checking **Yes**. Next, indicate if that plan has been submitted and approved by DEQ. If **Yes**, cite the plan name and date of approval. It is not necessary to attach a copy of the groundwater monitoring plan if DEQ already has a copy. Otherwise, the ground water monitoring plan must be attached. This permit gives the owner an opportunity during the permit term to change or eliminate the plan upon Board approval and to do correction action if the ground water is contaminated. See permit special condition 9VAC25-860-70 B 7 as follows: *If a board-approved groundwater monitoring plan was submitted with the registration statement, the permittee shall continue to sample and report in accordance with the plan. The approved plan shall be an enforceable part of this permit. The board or the owner, with board approval, may evaluate the groundwater monitoring data and demonstrate that revisions to or the cessation of the groundwater monitoring are appropriate. If the department determines that monitoring indicates that groundwater is contaminated, the permittee shall submit a corrective action plan within 60 days of*

*being notified by the regional office. The plan shall set forth the steps to ensure the contamination source is eliminated or that the contaminant plume is contained on the permittee's property. In addition, based on the extent of contamination, a risk analysis may be required. Once approved, this plan or analysis shall become an enforceable part of this permit.*

**Item 9.** Indicate if you have conducted a Whole Effluent Toxicity evaluation by checking **Yes**. Attach the results of the tests unless they have previously been submitted to DEQ. It is expected most existing permittees have already conducted and submitted WET testing. Note that Whole Effluent Toxicity testing is not a prerequisite to obtaining coverage under this permit. However, it is required during the first year of the permit for plants consistently (at least over 3 consecutive months)  $\geq$  50,000 that are new and for existing plants when there have been changes to the effluent characteristics (e.g., new chemicals in use, new process, new polymer). See special condition 9VAC25-860-70 B 10 for the full requirement.

**Item 10. MAP.** The map should be legible and of sufficient scale to show the required features with the site boundaries clearly marked. Copies of U.S. Geographical Survey 7.5 minute quadrangle maps are allowed or any similar computer generated map.

**Item 11. NATURE OF BUSINESS.** Describe the nature of the business. This is normally a locality producing drinking water from raw water. However, the permit offers coverage now to an industry that might be producing potable water for its own use. If that is the case, the industry type should be described here also.

**Item 12. NUMBER OF OUTFALLS.** For each outfall number provide the daily maximum actual or projected wastewater flow rate in gallons per day (GPD) or millions of gallons per day (MGD), the typical volume of the discharge, the duration of discharges (e.g. 30 minutes?, 5 hours? 5 days?) and the frequency of the discharges (every day? once a month? twice a year?). Add the latitude or longitude of the outfall(s) if you have that information. If you do not have a global positioning device to calculate latitude and longitude, there are web sites that can estimate this for you (e.g., <http://itouchmap.com/latlong.html>). Do this for each outfall. There are lines for two outfalls on the registration form. If more than two outfalls exist, attach that information to the form. If only one outfall exists, write NA in the second outfall blanks.

**Item 13. FACILITY DRAWING AND TREATMENT INFORMATION.** The line drawing should show the source(s) of the water and the water's flow through all the treatment areas. List the dimensions or capacities for each unit in the treatment system (back wash, sedimentation basin, and decant water). This drawing may be hand drawn but should be legible.

**Item 14. CHEMICALS USED.** List any chemicals used at the plant in the drinking water production and the process wastewater treatment and attach the MSDS if one is available. Provide the actual name or the common name (description). Provide the proposed or actual schedule of usage (daily, weekly, monthly?) and the quantity used (# gallons, pounds?). Indicate if the chemical is expected to enter the process wastewater (e.g., if chlorinated water is used in the filter backwash, then it is likely to enter the process wastewater). Indicate (Yes/No) if the chemical or its usage has changed since the previous registration. Enter NA if this is the first issuance of coverage.

**Item 15. SLUDGE DISPOSAL.** List the disposal method for solids in the basins and/or lagoons, such as landfill or land applied, etc. If landfilled, provide the name of the landfill. If land applied provide the VPDES or VPA permit under which the solids are land applied.

**Item 16. MUNICIPAL SEPARATE STORM SEWER SYSTEM.** Indicate if the discharge from the plant goes into to a municipal separate storm sewer system instead of directly to a receiving stream. If yes, please provide the name of the MS4 owner. Usually the owner of the potable water treatment plant is the same locality that owns the MS4. If the owner of the potable water treatment plant is not the owner of the MS4, you must notify the MS4 owner of the existence of the discharge and include a copy of this notification with this registration statement. The notification to the MS4 owner shall include the name of your facility, a contact person and phone number, the location of the discharge, the nature of the discharge and your VPDES general permit registration number (or individual VPDES permit number for individual permit holders applying for coverage under this general permit). A copy of an email sent to the MS4 owner is sufficient. MS4 owners and contact information can be found at the bottom of this website:

<http://www.deq.virginia.gov/Programs/Water/StormwaterManagement/VSMPPermits/MS4Permits.aspx>

**Item 17. NEW POTABLE WATER TREATMENT PLANT NOTIFICATION.** If an owner of a new potable water treatment plant owner proposes to discharge within five miles upstream of another public water supply system's intake, the plant owner shall notify the public water supply system's owner and include a copy of the notification with this registration statement. This notification may be a letter to the intake owner or an email.

**Item 18. CERTIFICATION.** All registration statement shall be signed as follows:

1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
3. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency

## **6. EXAMPLE TRANSMITTAL LETTERS**

**Registration Transmittal Letter Existing Permittees  
Potable Water Treatment Plant Permit Registration Statement**

**Regional Letterhead**

Date

Facility Name

Address

ATTN: Owner or Contact

RE: Registration for the Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Potable Water Treatment Plants

Dear:

The VPDES General Permit VAG64 for Potable Water Treatment Plants was adopted by the State Water Control Board at its December 7, 2017 meeting and will be reissued effective on July 1, 2018. This general permit provides VPDES permit coverage to discharges from all qualified potable water treatment plants for owners that submit a complete registration statement and are approved for coverage.

VPDES general permit holders must complete and submit the attached registration statement if they wish to continue coverage under this general permit. The complete registration must be submitted on or before May 2, 2018, in order to be eligible for administrative continuance. If your facility qualifies for the general permit, it is recommended that you maintain coverage under the general permit in order to simplify requirements for having your wastewater discharges permitted. Facilities that do not qualify for continued coverage are required to seek an individual VPDES permit for wastewater discharge.

Instructions for completing the registration statement are included with the form. The application fee for this general permit is \$600.00, and should be submitted in accordance with the attached permit fee form instructions. You do not need to copy this office with the fee form or the check. Instead, send them to the address provided on the form.

You may submit your signed registration statement by postal or electronic mail to me at *[insert permit writer email address and postal address]*. Please contact me by email or at (xxx) xxx-xxxx if this due date cannot be met or you have any questions.

Sincerely,

*Permit Writer Name (or Water Permit Manager)*

Water Permit Writer (or Water Permit Manager)

Attachments: Registration Statement and Instructions  
Fee Form

**Registration Transmittal Letter Individual Permits  
Potable Water Treatment Plant Permit**

**Regional Letterhead**

Date

Facility Name

Address

ATTN: Owner or Designee

RE: Registration for the General VPDES Permit for Potable Water Treatment Plants (WTP)

Dear Mr. Contact:

You currently hold an individual Virginia Pollutant Discharge Elimination System (VPDES) permit *[insert permit number]*. This letter is your notification that your facility might be eligible for coverage under the VPDES General Permit for Potable Water Treatment Plants VAG64. This general permit *[is or was]* effective on July 1, 2018. This general permit provides VPDES permit coverage to discharges from all qualified potable water treatment plants for owners that submit a complete registration statement and are approved for coverage.

*[Use the following sentence for individual permittees not expired]* Individual VPDES permit holders must complete and submit the enclosed registration statement if they wish to be covered under this general permit instead of an individual permit 270 days prior to the expiration date of the existing individual permit which is *[insert date]*. *[Use this sentence for all other individual permittees whose permits have expired, are administratively continued]* Individual VPDES permit holders must complete and submit the enclosed registration by *[insert a date at least 30 days from the date of this letter]*. If you have not already done so, note that you are still responsible for submitting your individual VPDES permit application 180 days prior to your individual permit expiration date if coverage under this general permit is denied. Facilities that do not qualify for coverage will be required to remain an individual VPDES permit holder for the wastewater discharge.

Instructions for completing the registration form are included in this package. The application fee for this general permit is \$600.00, and should be submitted in accordance with the attached permit fee form instructions. You do not need to copy this office with the fee form or the check; send them to the address provided on the form.

You may submit your original signed registration statement to me by *[insert date from paragraph #2 above]* at *[insert address]*. Please contact me at *[insert email address]* or *[insert phone number]* if this due date cannot be met or you have any questions. To see information about this general permit regulation see the following link: <http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx> (Look for Potable Water Treatment Plants GP (VAG64))

Sincerely,

*[Insert name Water Permit Manager or Designee]*

*[Insert title]*

Attachments: Registration Statement and Instructions  
Fee Form



**Registration Transmittal Letter New Issuances  
Potable Water Treatment Plant Permit**

**Regional Letterhead**

Date

Facility Name  
Address

ATTN: Owner or Designee

RE: Registration for the General VPDES Permit for Potable Water Treatment Plants (WTP)

Dear:

The General VPDES Permit VAG64 for Potable Water Treatment Plants was reissued effective on July 1, 2018. This general permit provides VPDES permit coverage to discharges from all qualified potable water treatment plants for owners that submit a complete registration statement and are approved for coverage.

If you wish to apply for coverage under this general permit, you must complete and submit the attached registration statement. The registration must be submitted within 60 days prior to the date planned for commencement of the new discharge. If your facility discharge qualifies for the general permit, it is recommended that you obtain coverage in order to simplify requirements for having your wastewater discharges permitted. Facilities that do not qualify for coverage will be required to apply for an individual VPDES Permit for their wastewater discharge.

Instructions for completing the registration form are included in this package. The application fee for this general permit is \$600.00, and should be submitted in accordance with the attached permit fee form instructions. You do not need to copy this office with the fee form or the check; send them to the address provided on the form.

You may submit your original signed registration statement to me at *[insert street or mailing address]*. Please contact *[name]* at *[insert email]* or *[insert telephone]* if this due date cannot be met or you have any questions. To see information about this general permit regulation see the following link:

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx>  
(Look for Potable Water Treatment Plants GP (VAG64))

Sincerely,

*[Insert Name Water Permit Manager or Designee]*  
*[Insert Title]*

Attachments: Registration Statement and Instructions  
Fee Form

**Deny Registration for Coverage Transmittal Letter  
Potable Water Treatment Plant Permit**

**Regional Letterhead**

Date

Facility Name  
Address

ATTN: Owner or Designee

RE: Registration for VPDES general permit for Potable Water Treatment Plants dated \_\_\_\_\_, facility name, location

Dear:

The Virginia Department of Environmental Quality intends to deny your request for coverage under a VPDES general permit. *[Insert appropriate statement(s)]* Coverage under the general permit requires no reasonable potential for toxicity per 9VAC25-860-50 B 6 of this general permit regulation. We have determined from your registration statement that you have conducted whole effluent toxicity and the data demonstrates that you have reasonable potential for toxicity from the discharge at your facility. Because of this, we have determined that you are not eligible for coverage under this general permit. You must retain your individual permit coverage at this time.

*[AND/OR ]*

We have determined from your last VPDES individual permit that you have final effective limits for *[insert parameters e.g. metals, ammonia, total dissolved solids, whole effluent toxicity, etc...]* in your individual permit. These limits are not included in the general permit. Because of antibacksliding requirements in the VPDES Permit Regulation at [9VAC31-220 L](#), you must retain these limits in your individual permit because they are not controlled via coverage under the general permit.

*[INCLUDE OTHER REASONS AUTHORIZATION TO DISCHARGE MUST BE DENIED]*

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director of the Virginia Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Your \$600 registration fee will be refunded to you. Please call me at *[insert phone number]* if you have any comments or questions.

Sincerely,

*[Insert Name Regional Director or Designee]  
[Insert Title]*

**General Permit Coverage Transmittal Letter  
Potable Water Treatment Plant General Permit**

**Regional Letterhead**

Date

Facility Name

Address

ATTN: Owner or Designee

RE: Coverage under the General VPDES Permit for Potable Water Treatment Plant VAG64\_\_\_\_

Dear:

We have reviewed your Registration Statement received on \_\_\_\_\_, and determined that this potable water treatment plant activity is hereby covered under the referenced general VPDES permit. Your coverage under this general permit becomes effective on July 1, 2018 or the date of this letter, whichever is later. The enclosed copy of the general permit contains the effluent limitations, monitoring requirements and other conditions of coverage.

In accordance with the permit you are required to submit discharge monitoring reports (DMR) to:

*[insert regional office address]*

The reporting form is included with the permit. You will be responsible for obtaining additional copies of the reporting form. A DMR is to be completed for each permitted outfall. *[For conventional plants (microfiltration and ultrafiltration) choose]*The sampling and reporting are on a quarterly basis with the DMRs due on the tenth of April, July, October and January. *[For reverse osmosis and nanofiltration plants choose]*The sampling and reporting are on a monthly basis with DMRs due on the tenth of the month following monitoring.

Part I B 10 (Special Conditions) of this general permit requires owners with a wastewater discharge maximum flow rate greater than or equal to 50,000 gallons per day to demonstrate no reasonable potential for whole effluent toxicity (WET) in their discharge if they have not already done so. *[Choose one]*We have determined from your registration statement that you have exceeded a daily maximum flow rate of 50,000 gallons per day on three consecutive monitoring periods and have not yet made that demonstration, so Part I B 10 WET testing must be conducted within the first year of coverage or within the first year of commencing discharge from your facility. *[OR]*You submitted WET testing with your registration statement that demonstrates you have no reasonable potential for toxicity from the discharge at your facility; therefore, you are not required to conduct the WET testing in Part I B 10 unless changes in treatment technology or chemical usage are made at the plant that change the characteristics of the discharge. *[OR]*We have determined from your registration statement that the maximum flow at your plant is not greater than or equal to 50,000 gallons per day; therefore, you are not required to conduct the WET testing in Part I B 10.

The general permit will expire on June 30, 2023. You will be sent a reissuance reminder letter to submit a new registration statement if you wish continued coverage under the general permit.

If you have any questions, please do not hesitate to contact us.

Sincerely,

*[Regional Water Permit Manager or Designee]*

*[Title]*

**Uncontested Termination Transmittal Letters  
Intent to Terminate Letter (use if needed)  
Potable Water Treatment Plant General Permit**

**Regional Letterhead**

Date

Facility Name

Address

ATTN: Owner or Designee

The Department of Environmental Quality intends to terminate permit coverage under the General VPDES Permit for Potable Water Treatment Plants, permit registration number VAG64\_\_\_\_\_ for the following reason:

*[provide an explanation].*

If you agree with the proposed termination and wish to dispense with the prescribed hearing under §62.1-44.15(5b) please sign and date the attached agreement form in the spaces provided and return it to this office.

If you do not agree with the termination of permit coverage and wish a hearing under §62.1-44.15(5b), please contact me as soon as possible.

Sincerely,

Regional WPM Name  
Water Permit Manager

Attachment: Notice of Termination Agreement Form

**VPDES General Permit for Potable Water Treatment Plants (VAG64)  
Notice of Termination**

(Please Type or Print All Information)

**1. Owner** <sup>Information</sup>

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address (where available): \_\_\_\_\_

**2. Facility Information**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**3. VPDES General Potable Water Treatment Plant Registration Number:** \_\_\_\_\_

**4. Check the appropriate box indicating the reason for terminating coverage under the general permit.**

**A new owner has assumed responsibility for the facility. NOTE: This termination notice does not have to be submitted if a VPDES Change of Ownership Agreement Form has been submitted.**

**Operations have ceased at the facility and there are no longer discharges of process wastewater from the facility.**

**All process wastewater have been covered by an individual VPDES permit.**

**Other (specify)** \_\_\_\_\_  
\_\_\_\_\_

**5. Certification:** "I certify under penalty of law that all wastewater discharges from the identified facility that are authorized by this VPDES general permit have been eliminated, or covered under a VPDES individual or alternative permit, or that I am no longer the owner of the facility, or permit coverage should be terminated for another reason listed above. I understand that by submitting this Notice of Termination, that I am no longer authorized to discharge potable water treatment plant processing wastewater in accordance with the general permit, and that discharging pollutants to surface waters is unlawful where the discharge is not authorized by a VPDES permit. I also understand that the submittal of this notice of termination does not release an owner from liability for any violations of this permit or the Clean Water Act."

Print Name \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

**For Department of Environmental Quality Use Only**

Accepted/Not Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTICE OF TERMINATION INSTRUCTIONS 8**  
**VPDES General Permit for Potable Water Treatment Plants (VAG64)**

**WHEN SHOULD A NOTICE OF TERMINATION BE FILED?**

A VPDES General Permit Notice of Termination may be submitted when an owner no longer wishes to be covered under the VPDES General Permit for Potable Water Treatment Plants (VAG64).

**Section 1 Facility Owner Information**

Give the legal name of the person, firm, public organization, or other entity that owns the facility or site described in this Notice of Termination and was issued the general permit for the facility. The name of the owner may or may not be the same as the name of the facility. Do not use a colloquial name. Enter the complete address, phone number and email address (where available) of the owner.

**Section 2 Facility Location Information**

Enter the facility's or site's official name and complete street address, including city, state and ZIP code.

**Section 3 Permit Information**

Enter the existing VPDES Potable Water Treatment Plant General Permit number assigned to the facility or site identified in Section 2.

**Section 4 Reason for Termination**

Check the appropriate statement indicating the reason for submitting this Notice of Termination.

**Section 5 Certification**

State statutes provide for severe penalties for submitting false information on this Termination Notice. State regulations require this Notice of Termination to be signed as follows:

For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (2) the manager of one or more manufacturing, production, or operating facilities provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipality, state, Federal, or other public facility: by either a principal executive officer or ranking elected official.

**The Department of Environmental Quality reserves the right to request additional information not directly addressed by the Notice of Termination if, in its discretion, a facility or operation poses a potential impact on water quality.**

**Uncontested Termination Notification Letter  
Potable Water Treatment Plant General Permit**

**Regional Letterhead**

Date

Facility Name  
Address

ATTN: Owner or Designee

RE: Termination Coverage under the General VPDES Permit for Potable Water Treatment Plant VAG64\_\_\_\_\_

Dear Permittee:

The Department of Environmental Quality has approved the termination of your coverage under the General VPDES Permit for Potable Water Treatment Plants, permit registration number VAG64\_\_\_\_\_. Termination is effective 30 days from the date of this notification unless you provide an objection in accordance with one of the two paragraphs below.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Virginia Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Alternatively, any owner under §§ 62.1-44.16, 62.1-44.17 and 62.1-44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said request agreement must meet the requirements set forth in 9VAC25-230-130 (Procedural Rule No. 1 – Petition for formal hearing). In cases involving actions of the Board, such petition must be filed within 30 days after notice of such action is mailed to such owner by certified mail.

If you have any questions, please contact *[insert permit writer name]* at *[insert contact information]*.

Sincerely,

Regional WPM Name  
Water Permit Manager

cc: *[insert name of compliance auditor]*

**DISCHARGE MONITORING REPORTS**  
**(Generated by CEDS)**