



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director
(804) 698-4020
1-800-592-5482

MINUTES STATE WATER CONTROL BOARD

Monday, June 27, 2016
House Room D
General Assembly Building
9th & Broad Streets
Richmond, Virginia

Board Members Present:

Robert L. Dunn, Chair
Lou Ann Jessee-Wallace
Joseph H. Nash

Heather L. Wood, Vice-Chair
G. Nissa Dean
Thomas M. Branin

Board Members Absent:

Roberta A. Kellum

Department of Environmental Quality:

David K. Paylor, Director
Debra A. Harris

Cindy M. Berndt

Attorney General's Office:

David C. Grandis, Assistant Attorney General

- 1) The attached minutes summarize activities that took place at this Board Meeting.
- 2) The meeting was convened at 9:32 a.m., recessed at 11:20 a.m., reconvened at 12:30 p.m. and adjourned at 1:00 p.m.

Approved Minute No 1
September 22, 2016



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director
(804) 698-4020
1-800-592-5482

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON JUNE 27, 2016

MINUTE NO. 1 - Minutes

The Board approved the minutes of the April 1, 2016, Board meeting.


Cindy M. Berndt
Cindy M. Berndt



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON JUNE 27, 2016

MINUTE NO. 2 - Issuance of Virginia Pollution Abatement (VPA) Permit Number VPA00076, Synagro Central, LLC—Madison County

Staff made a presentation for the issuance of the proposed Virginia Pollution Abatement Permit for the land application of biosolids in Madison County by Synagro Central, LLC. The presentation included a discussion of the project, a summary of the comments received during the public comment periods and staff's responses to the comments, including staff's recommendation to incorporate additional permit conditions suggested by the Virginia Department of Health Office of Drinking Water. The proposed additional permit conditions were included in a change sheet that staff provided to the Board prior to the meeting.

After staff's presentation, the Board heard from John Uzupis, representing Synagro Central, LLC., Lillie T (Beth) Seale, Thomas Miller, Mary Queitzsch, and Lee Rosson. Staff was asked by the Board to respond to certain questions and comments made by citizens related to the proximity of two of the proposed land application sites to the raw water intakes for the Town of Orange and Town of Madison potable water treatment plants. Staff provided additional information, including further description and photographs of the proposed site closest to the Town of Orange raw water intake.

Following the comments made by citizens and staff responses noted above, staff then made the following recommendations:

Based on the draft permit file, the comments received during the public comment period and any explanation of comments previously received during the public comment period made at the Board meeting, the staff recommends that the Board:

1. Find that:
 - a. The permit has been prepared in conformance with all applicable statutes, regulations and agency practices;
 - b. The limits and conditions in the permit have been established to protect public health and the environment; and
 - c. All public comments relevant to the permit have been considered;
2. Approve the permit and conditions as presented today, including the conditions noted in the change sheet provided to the Board.
3. Authorize the Director to issue the permit as approved by the Board.

The Board, based on the Board book material and presentations at the meeting, voted unanimously in favor of the staff recommendation.



Melanie D. Davenport
Director, Water Permitting Division



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY SOUTHWEST REGIONAL OFFICE

Molly Joseph Ward
Secretary of Natural Resources

355-A Deadmore Street, Abingdon, Virginia 24210
Phone (276) 676-4800 Fax (276) 676-4899
www.deq.virginia.gov

David K. Paylor
Director

Allen J. Newman, P.E.
Regional Director

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON JUNE 27, 2016

Minute No. 3 – Reissuance of Virginia Pollutant Discharge Elimination System (VPDES) Individual Permit No. VA0001015; Appalachian Power Company - Clinch River Plant; Russell County

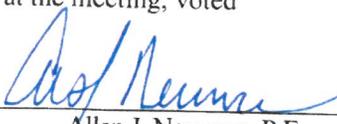
DEQ staff made a presentation for the reissuance of the VPDES Permit No. VA0001015 for the Appalachian Power Company – Clinch River Plant. The permit action involved reissuing a permit to discharge storm water, sanitary wastewater and industrial wastewater which includes wastewater from dewatering activities to facilitate the closure of an existing coal ash pond. Staff provided background information on the project, discussed public participation in the permitting process, summarized the major areas of concern, and presented DEQ responses and proposed changes to the draft permit.

Rick Chafin, the Plant Manager of the Appalachian Power Company - Clinch River Plant, provided comments supporting the reissuance of the permit. Bradford T. McLane (Southern Environmental Law Center) presented comments in opposition to the permit reissuance and offered a suggested modification. Following the oral comments, Rich Chafin (APCO) responded to further questions raised by the Board.

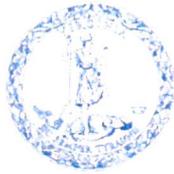
The staff then recommended the Board:

1. Find that:
 - a. The permit has been prepared in conformance with all applicable statutes, regulations, and agency practices;
 - b. The effluent limits and conditions in the permit have been established to protect instream beneficial uses and fish and wildlife resources; and
 - c. All public comments relevant to the permit have been considered.
2. Approve the permit and conditions as presented; and
3. Authorize the Director to issue the permit as approved by the Board.

The Board, based on the Board book material and presentations at the meeting, voted unanimously in favor of staff's recommendation.


Allen J. Newman, P.E.
Regional Director

6/28/2016



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON JUNE 27, 2016

MINUTE NO. 4 – WATERSHED PROGRAMS

Liz McKercher, Watershed Programs, presented seven Total Maximum Daily Load (TMDL) reports, with thirty-one new waste load allocations and two revised waste load allocations for Board approval and amendment to the Water Quality Management Planning Regulation (WQMPR).

The proposed actions pertain to water bodies in the Potomac-Shenandoah River Basin, the James River Basin, the Tennessee-Big Sandy River Basin, the York River Basin, and the New River Basin. The TMDL reports included the following:

1. TMDLs for Turley Creek (sediment) and Long Meadow Run (sediment and nitrogen) Rockingham County, Virginia.
2. Sediment TMDLs for Moores Creek, Lodge Creek, Meadow Creek, and Schenks Branch in Albemarle County and Charlottesville City, Virginia.
3. E. coli TMDL Development for South Fork Holston River in Smyth and Washington Counties, VA
4. Bacteria Total Maximum Daily Load (TMDL) Development for the Mattaponi River Watershed Located in Orange, Spotsylvania, Caroline, King William, and King and Queen Counties, Virginia
5. Bacteria TMDL Development for East Wilderness Creek, Kimberling Creek, Nobusiness Creek, Town Creek, and Walker Creek in Bland and Giles Counties Virginia
6. E. coli TMDL Development for Wolf Creek and Tributaries in Giles, Bland and Tazewell County, VA
7. Bacteria Total Maximum Daily Load Development for North Fork Hardware River and Hardware River

Liz McKercher, Watershed Programs, also presented eight technical corrections to the Water Quality Management Planning regulation. The proposed revisions included revisions to stream names to improve consistency, removing duplicate waste load allocations, correcting water body identification (WBID) numbers, and updating waste load allocations to be consistent with EPA and SWCB approved values. These proposed revisions pertain to waste load allocations for water bodies in the Potomac-Shenandoah River Basin, the Tennessee-Big Sandy River Basin, and the Chesapeake Bay-Small Coastal-Eastern Shore River Basin.

Board Decision:

Based on the briefing material and the staff presentation, the Board voted unanimously to:

1. Approve the seven Total Maximum Daily Load (TMDL) reports for inclusion into the Water Quality Management Plan,
2. Adopt the corresponding thirty-one new and two revised TMDL Waste Load Allocations into the Water Quality Management Planning Regulation, and
3. Approve eight revisions to incorporate technical corrections to the Water Quality Management Planning regulation.

Jutta Schneider

Director, Water Planning Division



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

Fax: 804-698-4019 - TDD (804) 698-4021

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

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

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON JUNE 27, 2016

MINUTE NO. 5– Significant Noncompliance Report

The Board members were informed, through a report included in their board books, that there were no new permittees reported to EPA on the Quarterly Noncompliance Report as being in significant noncompliance for the quarter ending December 31, 2015.

The Board accepted the report.

A handwritten signature in cursive script that reads "Kathleen F. O'Connell".

Kathleen F. O'Connell
Water Enforcement Program Manager
Division of Enforcement



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director
(804) 698-4020
1-800-592-5482

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON JUNE 27, 2016

MINUTE NO. 6 - Public Forum

No one appeared during the public forum.


Cindy M. Berndt
Cindy M. Berndt



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

www.deq.virginia.gov

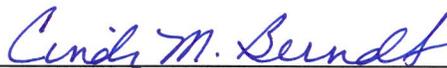
Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director
(804) 698-4020
1-800-592-5482

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON JUNE 27, 2016

MINUTE NO. 8 – Future Meetings

The Board confirmed July 28, September 22-23 and December 12-13, 2016, as the dates of their next meetings.


Cindy M. Berndt



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON June 27, 2016

MINUTE NO. 7 – DIVISION DIRECTOR'S REPORT

Ms. Davenport gave a report on House Joint Resolution 120. This legislative resolution directs the Joint Legislative Audit Review Committee (JLARC) to conduct a two year study on biosolids and industrial residuals. JLARC is to review a number of scientific, health and economic issues related to land application of these materials.

Ms. Davenport also reported that staff had reviewed the CD presented to the Board by C. W. Williams at a previous meeting. She informed the Board that this CD had been submitted to staff during the development of the current biosolids regulations (circa 2006) and did not include any new information.

A handwritten signature in blue ink that reads "Melanie D. Davenport".

Melanie D. Davenport
Director, Water Permitting Division