



Virginia  
Regulatory  
Town Hall

## Final Regulation Agency Background Document

<b>Agency Name:</b>	State Water Control Board
<b>VAC Chapter Number:</b>	9 VAC 25-430-20, 30 & 40
<b>Regulation Title:</b>	Roanoke River Basin Water Quality Management Plan
<b>Action Title:</b>	Roanoke River Basin WQMP Amendment – Town of Chase City
<b>Date:</b>	July 30, 2001

Please refer to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99) , and the *Virginia Register Form, Style and Procedure Manual* for more information and other materials required to be submitted in the final regulatory action package.

### Summary

*Please provide a brief summary of the new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment; instead give a summary of the regulatory action. If applicable, generally describe the existing regulation. Do not restate the regulation or the purpose and intent of the regulation in the summary. Rather, alert the reader to all substantive matters or changes contained in the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. Please briefly and generally summarize any substantive changes made since the proposed action was published.*

Water quality management plans identify water quality problems, consider alternative solutions, and recommend control measures needed to attain or maintain water quality standards. The amendment to the Roanoke River Basin Water Quality Management Plan increases the BOD<sub>5</sub> wasteload allocations in the plan for the Chase City Municipal Sewage Treatment Plant.

## Statement of Final Agency Action

*Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.*

---

The State Water Control Board adopted the amendment to the water quality management plan at its meeting on June 12, 2001.

## Basis

*Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority, shall be provided. If the final text differs from that of the proposed, please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the final regulation and that it comports with applicable state and/or federal law.*

---

Section 62.1-44.15(13) of the Code of Virginia authorizes the State Water Control Board to establish policies and programs for effective area-wide and basin-wide water quality control and management. Section 62.1-44.15(1) authorizes the State Water Control Board to adopt such regulations as it deems necessary to enforce the general water quality management program of the Commonwealth.

In addition, Section 303(e) of the Clean Water Act (33 USC 1251) as implemented by 40 CFR 130 require states to implement water quality management plans.

The Office of the Attorney General has certified that the State Water Control Board has the statutory authority to promulgate the amendment.

## Purpose

*Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the final regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.*

---

The purpose of the amendment is to increase the wasteload allocations for the Town of Chase City. The Town requested increased wasteload allocations for their existing facility, which discharges to Little Bluestone Creek. The Town's request is based on a 1997 model developed

by conducting an intensive stream survey. The increased wasteload allocations take advantage of higher flows and lower temperatures during winter months.

**Substance**

*Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement of the regulatory action's detail.*

The amendment deletes the 303(e) wasteload allocation (BOD<sub>5</sub>) for Chase City Regional sewage treatment plant in WQMA VII – Clarksville-Chase City-Boydton, from Table 2 – Wasteload Allocations for Significant Discharges for Selected Alternative (9 VAC 25-430-20), and substitutes a reference to Table 3; and adds to Table 3 – Wasteload Allocations for Discharges with Tiered Permits (9 VAC 25-430-20), as follows:

Water Quality Management Area (WQMA): WQMA VII  
 Study Area Name: Clarksville-Chase City-Boydton  
 Discharger – Chase City Regional STP  
 Months: Dec-Apr; Flow (mgd): 0.60; Effluent D.O. (mg/l): 7.0; cBOD<sub>5</sub> (lbs/day): 125.22; BOD<sub>5</sub> (mg/l); 25.0<sup>1</sup>; Ammonia (mg/l): 3.4; TKN (mg/l): 8.8  
 Months: May-Nov; Flow (mgd) 0.60; Effluent D.O. (mg/l) 6.0; cBOD<sub>5</sub> (lbs/day): 65.04; BOD<sub>5</sub> (mg/l) 13.0<sup>1</sup>; Ammonia (mg/l): 1.8; TKN (mg/l): 4.2  
 NOTES: 1 cBOD<sub>5</sub>/BOD<sub>5</sub> = 25/30

**Issues**

*Please provide a statement identifying the issues associated with the final regulatory action. The term “issues” means: 1) the advantages and disadvantages to the public of implementing the new provisions; 2) the advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.*

There are no known disadvantages to the public or the Commonwealth. However, there are advantages to the public and the Commonwealth in that the water quality of Little Bluestone Creek can be maintained while giving relief to the Town of Chase City.

**Statement of Changes Made Since the Proposed Stage**

*Please highlight any changes, other than strictly editorial changes, made to the text of the proposed regulation since its publication.*

No changes were made from the proposed.

### Public Comment

*Please summarize all public comment received during the public comment period and provide the agency response. If no public comment was received, please include a statement indicating that fact.*

Only two comments were received. One comment was from the Town of Chase City and was in support of the proposed amendment. The second comment was no objection to the proposal and was from the Department of Conservation and Recreation.

### Detail of Changes

*Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or crosswalk - of changes implemented by the proposed regulatory action. Include citations to the specific sections of an existing regulation being amended and explain the consequences of the changes.*

The amendment deletes the 303(e) wasteload allocation (BOD<sub>5</sub>) for Chase City Regional sewage treatment plant in WQMA VII – Clarksville-Chase City-Boydton, from Table 2 – Wasteload Allocations for Significant Discharges for Selected Alternative (9 VAC 25-430-20), and substitute a reference to Table 3; and add to Table 3 – Wasteload Allocations for Discharges with Tiered Permits (9 VAC 25-430-20), as follows:

Water Quality Management Area (WQMA): WQMA VII

Study Area Name: Clarksville-Chase City-Boydton

Discharger – Chase City Regional STP

Months: Dec-Apr; Flow (mgd): 0.60; Effluent D.O. (mg/l): 7.0; cBOD<sub>5</sub> (lbs/day): 125.22; BOD<sub>5</sub> (mg/l): 25.0<sup>1</sup>; Ammonia (mg/l): 3.4; TKN (mg/l): 8.8

Months: May-Nov; Flow (mgd) 0.60; Effluent D.O. (mg/l) 6.0; cBOD<sub>5</sub> (lbs/day): 65.04; BOD<sub>5</sub> (mg/l) 13.0<sup>1</sup>; Ammonia (mg/l): 1.8; TKN (mg/l): 4.2

NOTES: 1 cBOD<sub>5</sub>/BOD<sub>5</sub> = 25/30

### Family Impact Statement

*Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

The Board does not anticipate any direct impact on the institution of the family and family stability.