



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Stefanie K. Taillon
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director

STATE WATER CONTROL BOARD MEETING

General Assembly Building, House South Subcommittee Room (#210), Second Floor
201 North 9th Street, Richmond, VA 23219

WEDNESDAY AUGUST 20, 2025

Board Members Present:

Lou Ann Jessee-Wallace, Chair
Scott Cameron, Vice-chair
Marc Aveni
Tommy Branin
Michelle Johnson
Jerry Kilgore
Steve Yob

Board Members Absent:

none

Department of Environmental Quality:

Michael Rolband, Director
Melissa Porterfield
Jill Hrynciw

Office of the Attorney General:

Ross Phillips, Assistant Attorney General/Chief

1. The attached minutes summarize activities that took place at this Board Meeting.
2. The meeting convened at 10:02 a.m. and adjourned at 10:52 a.m.



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD
AT ITS MEETING ON AUGUST 20, 2025**

Minute No. 1- Approval of meeting minutes

The Board unanimously approved the minutes of the meeting held June 30, 2025.



Melissa S. Porterfield



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE
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MINUTE NO. 2 – General Virginia Pollutant Discharge Elimination System (VPDES) Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia (9VAC25-820) – 2026 Amendment and reissuance of the existing regulation

Prior to the meeting the Board was provided materials including a briefing memo to the Board, the regulation showing proposed amendments, and the Town Hall Agency Background Document. Laura Galli, from the Office of VPDES Permits, presented a summary of the proposed amendments being made to the regulation.

Board member Steven Yob submitted to DEQ staff a signed transactional disclosure statement pursuant to the Virginia State and Local Government Conflict of Interests Act before participating in/voting on this agenda item. He indicated he has a personal interest affected by the transactions being considered because of his employment as Deputy County Manager for Community Operations by Henrico County. Henrico County, like other Virginia localities, is subject to 9 VAC 25-820 and 9 VAC 25-151. He indicated he was able to participate in this agenda item fairly, objectively, and in the public interest.

Board member Marc Aveni submitted to DEQ staff a signed transactional disclosure statement pursuant to the Virginia State and Local Government Conflict of Interests Act before participating in/voting on this agenda item. He indicated he has a personal interest affected by the transactions being considered because of his employment as Assistant Director of General Services by Loudoun County. Loudoun County, like other Virginia localities, is subject to 9 VAC 25-820 and 9 VAC 25-151. He indicated he was able to participate in this agenda item fairly, objectively, and in the public interest.

Board Decision

Based on the briefing material and the staff presentation, a vote was taken and the Board approved by a vote of seven to zero the staff recommendations to:

- 1) Authorize a public comment period and public hearing for amendments to the General Virginia Pollutant Discharge Elimination System (VPDES) Watershed Permit Regulation

for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia, 9VAC25-820.

- 2) Authorize DEQ staff to serve as hearing officer at the public hearing.



Bryant Thomas
Water Resources Division Director



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT
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Minute No. 3 - Proposed Amendments to the Virginia Pollution Abatement (VPA) Permit Regulation: Implementation of Chapter 209 of the 2024 Acts of Assembly (HB 870) – Procedures for Emergency Management of Biosolids to Protect Against the Release of Biosolids into State Waters, and to Account for Increased Intensity, Frequency, and Duration of Storm Events

Prior to the meeting the Board was provided materials showing the proposed amendments to the regulation. Neil Zahradka, Manager of the Office of Land Application Programs in the Water Division, presented a summary of the proposed changes to the regulation.

Board Decision

Based on the Board Book briefing material and the staff presentation, the Board voted unanimously (7-0, Aveni, Branin, Cameron, Johnson, Kilgore, Wallace, Yob) to authorize a public comment period for the proposed regulation.

A handwritten signature in blue ink, reading "Bryant Thomas", positioned above a horizontal line.

Bryant Thomas
Water Resources Division Director



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON AUGUST 20, 2025

MINUTE NO. 4 – Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Discharges of Stormwater Associated with Industrial Activity 9VAC25-151 - Technical corrections for consistency with stormwater regulations

Prior to the meeting the Board was provided materials including a briefing memo to the Board, the regulation showing proposed amendments, and the Town Hall Agency Background Document. Joseph Bryan, from the Office of VPDES Permits, presented a summary of the technical corrections being made to the regulation.

Board member Steven Yob submitted to DEQ staff a signed transactional disclosure statement pursuant to the Virginia State and Local Government Conflict of Interests Act before participating in/voting on this agenda item. He indicated he has a personal interest affected by the transactions being considered because of his employment as Deputy County Manager for Community Operations by Henrico County. Henrico County, like other Virginia localities, is subject to 9 VAC 25-820 and 9 VAC 25-151. He indicated he was able to participate in this agenda item fairly, objectively, and in the public interest.

Board member Marc Aveni submitted to DEQ staff a signed transactional disclosure statement pursuant to the Virginia State and Local Government Conflict of Interests Act before participating in/voting on this agenda item. He indicated he has a personal interest affected by the transactions being considered because of his employment as Assistant Director of General Services by Loudoun County. Loudoun County, like other Virginia localities, is subject to 9 VAC 25-820 and 9 VAC 25-151. He indicated he was able to participate in this agenda item fairly, objectively, and in the public interest.

Board Decision

Based on the briefing material and the staff presentation, a vote was taken and the Board approved by a vote of seven to zero the staff recommendations to:

- 1) Authorize DEQ to promulgate the proposal for public comment using the fast-track process established in § 2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial. The Board's authorization constitutes its adoption of the regulation at the end of the public comment period provided that (i) no objection to use of the fast-

track process is received from 10 or more persons, or any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, and (ii) DEQ does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal.

- 2) Authorize DEQ to set an effective date 15 days after close of the 30-day public comment period provided (i) the proposal completes the fast-track rulemaking process as provided in § 2.2-4012.1 of the Administrative Process Act and (ii) DEQ does not find it necessary to make any changes to the proposal.



Bryant Thomas
Water Resources Division Director



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT
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Minute No. 5 - Report to the Board Regarding Controversial Permits: Synagro Central LLC – Essex County, VPA00831; Surface Water Withdrawal Permit issuance, Caroline County, VWP No. 20-0514, and U. S. Army Garrison – Fort Belvoir VA0092771.

In accordance with § 10.1-1184.1.B of the Code of Virginia, Bryant Thomas provided the Controversial Permit Report to the Board. The report included each permit number, location of the activities, a summary of events prior to the Board meeting and the schedule for the remaining actions to be taken by the Department. The Board was provided the opportunity to respond to the Department's presentation and provide commentary regarding the permits.

A handwritten signature in blue ink, reading "Bryant Thomas", positioned above a horizontal line.

Bryant Thomas
Water Resources Division Director



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Minute No. 6: Mountain Valley Pipeline – Update

Ms. Davenport presented an update on the status of the project. She reported that the project continues in the post-restoration phase and the ongoing activity for this quarter involves achieving permanent vegetation and maintaining erosion and sediment controls until ground cover is uniform and mature enough to survive. Controls are also being removed where they are no longer needed. She provided an overview of compliance activities from June 20, 2025, to August 18, 2025 and noted that for the period March 11, 2025 to June 10, 2025 DEQ assessed \$7000 in stipulated penalties.

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

Melanie D. Davenport



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Minute No. 7- Future Meeting Date

No future meeting dates for the Board were confirmed at this meeting.

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

Melissa S. Porterfield



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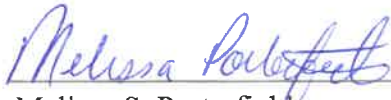
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Minute No. 8- Public Forum

No members of the public addressed the Board during the public forum.


Melissa S. Porterfield