



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Groundwater Remediation of Contaminated Sites, Dewatering Activities of Contaminated Sites and Hydrostatic Tests (9VAC25-120)

**Piedmont Regional Office
4949-A Cox Rd., Glenn Allen, VA 23060**

**August 19, 2026
10:00 AM**

(Start Time: 10:03 AM – End Time: 11:40 AM)

Technical Advisory Committee Meeting #2 Minutes

Technical Advisory Committee (TAC) Members/Alternates Present	
Nich Allen, ECC. Inc. (Alternate for John P. Diehl)	Anna Simon, AECOM
Joseph Bryan, Department of Environmental Quality (DEQ)	David L. Wilson, Virginia Department of Transportation (VDOT)

Technical Advisory Committee (TAC) Members/Alternates Absent	
John P. Diehl, ECC, Inc	Gavin Pelliteri, City of Alexandria, VA
Avi Hoffer, ERI Development, LLC	Harold Powers, JBG Smith

DEQ Technical Support Staff Present	
James Bennett	Katherine Heitz
Azra Bilalagic	William K. Norris
Laura Galli	Jaime Robb

No members of the public attended the meeting.

Meeting Minutes

Welcome and Introductions:

Laura Galli, Water Program Coordinator with the Office of VPDES Programs, welcomed members to the second meeting of the Technical Advisory Committee (TAC) for the reissuance of the VPDES General Permit Regulation for Groundwater Remediation of Contaminated Sites,

Dewatering Activities of Contaminated Sites and Hydrostatic Tests, sometimes referred to as the Petroleum GP and asked for those in attendance to introduce themselves.

Review and Approval of Meeting Minutes:

Ms. Galli reviewed the Meeting Minutes for the May 28, 2026, meeting with the TAC. Ms. Galli reviewed the key action items from the last meeting. No one asked for any changes or revisions to the minutes, so staff will post them as “final” on Town Hall.

Purpose, Exempt Regulatory Process and Role of the TAC:

Ms. Galli gave a brief overview of the purpose of the TAC and how the regulatory process works. The general permit will expire on February 28, 2028, and must be amended and reissued for another five-year permit term to ensure coverage for new and existing users. A Notice of Intended Regulatory Action (NOIRA) was published on February 9, 2026, and ran through March 11, 2026. No comments were received.

Following this TAC meeting, staff will prepare a proposed regulation for presentation to the State Water Control Board. The final steps in the regulatory process will include EPA’s review, a 60-day public comment period, and a public hearing. staff will prepare a final regulation taking into consideration any comments received which will be presented to the Board for approval.

Overview of the additional revisions to the Petroleum GP since the first TAC meeting

Ms. Galli reviewed the proposed additional revisions to the regulation:

- **9VAC25-120-10. Definitions:**
 - A new definition for “person” has been added to ensure that the term covers both individuals and entities under the regulation.
- **9VAC25-120-20. Purpose:**
 - The purpose section is being revised to clarify the types of activities and contaminants covered by the permit.
 - The proposed changes aim to reduce redundancy by consolidating the list of contaminants – such as gasoline, petroleum products, and metals and activities like aquifer testing.
 - The proposed change would be to divide the list of purpose section into two sections with part A listing the contaminants that would be covered and part B listing the activities that are covered under the general permit.
 - Staff has also discussed the idea of providing the purpose section in a summary paragraph style to describe the types of discharges covered instead of listing them as bullets and then providing the activities covered in bullets.

- The updated verbiage is intended to mirror the structure of the monitoring tables found later in the regulation.
- **9VAC25-120-70.H. Incomplete Registration Statement:**
 - The new condition has been revised since the first TAC meeting to add clarification regarding when the department closes a registration statement because it's incomplete, and a new registration statement is required for an owner seeking coverage under the general permit. The revisions were presented to the TAC members.
- **9VAC25-120-80. General Permit:**
 - Updated language to clarify that the owner is authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except to surface waters designated public water supplies where the discharge location is less than 5 miles upstream of a public water supply (PWS) intake, or to waters specifically named in other board regulations which prohibit such discharges.
- **9VAC25-120-80 Part 1 A. Effluent Limitations and Monitoring Requirements:**
 - Updated frequencies formatting and added non-PWS limits when available.
 - Changes have been made to ensure consistency in monitoring frequencies formatting and display.
- **9VAC25-120-80 Part 1.B.3. Operation and Maintenance Manual:**
 - Expanded language to provide more details on what the O&M manual should address, and to better match other VPDES general permits.

The TAC members discussed the following:

- The terminology used regarding groundwater remediation and aquifer testing needs to ensure clarity without unnecessary restrictions.
 - The current wording for “groundwater remediation” might imply that free product must be present to qualify for the permit.
 - The use of more generic language such as “groundwater remediation discharges” to ensure that the permit doesn’t inadvertently restrict coverage was recommended.
 - It needs to be clarified that free product removal can be included without making it a mandatory requirement for all discharges.

- The terminology related to aquifer and hydrostatic testing parameters.
 - Does aquifer testing apply only to contaminated areas or to general yield testing for potential development?
 - Hydrostatic testing of water storage tanks and pipelines may not involve contaminants but still require coverage.
- The restriction for discharges within five-miles upstream of a designated PWS intake needs to be clarified.
 - While some stream segments are designated as PWS throughout their entire reach, the five-mile restriction applies specifically to the location of the intake.
 - Logistically there is difficulty in dewatering large projects when they cannot discharge near an intake due to the distance restrictions.
 - There should be a “carve-out” or exception for low-risk activities such as hydrostatic testing of potable water lines near PWS intakes. Many of these discharges are de minimis and have historically shown few exceedances so they might not pose a significant risk.
 - There is a need to determine if VDH would allow discharges to locations less than five miles from a PWS on a case-by-case basis.
- Accessing public-facing maps that show specific locations of PWS intakes is difficult for the regulated community. This information is often located in internal DEQ databases or GIS layers.
 - There need to be clearer references or links to water quality standards to help permittees calculate the required distances accurately.
- Need to make the Effluent Limitations and Monitoring Requirements table more consistent in regard to formatting, acronyms, footnotes, etc.:
 - There needs to be consistency in the monitoring frequency tables, especially when addressing the distinction between discharges to PWS vs non-PWS.
 - The tables for monitoring and frequencies need to be simplified, there is a lot of information in the columns that can be confusing.
 - The use of acronyms or separate columns to reduce clutter while maintaining clarity for permittees was suggested.
 - There was a proposal to separate the PWS vs non-PWS frequencies to be displayed in columns, rather than rows; however, this format would make reading the frequencies with the respective PWS/ non-PWS limitation more difficult. It was decided to keep the current formatting as is.

- There is a need to refine and clarify the requirements for an Operations & Maintenance (O&M) Manual:
 - There is a need for enhancing the language for inspector clarity, especially regarding sampling protocols and monitoring procedures as a better framework for evaluating compliance.
 - The O&M manual should outline the steps necessary to operate systems and to prevent environmental issues rather than just repeating permit conditions.
 - A TAC member asked if the O&M manual should include detailed sampling protocols or simply reference established standards like EPA protocols to avoid redundancy.
 - There is a need to clarify the definition of the term “treatment works” to ensure that timelines for O&M development are practical, especially when systems are installed mid-permit. Should the 90-day deadline for developing an O&M manual be based on the start of permit coverage or the installation of treatment works? It was noted that projects often install treatment works mid-way through a permit term due to changing needs, which make a 90-day coverage deadline problematic. Staff clarified that “treatment works” refers to systems used for sewage or industrial waste and likely does not include simple BMPs such as dewatering bags for sediment.
- The legal complexities surrounding permit transfers during ownership changes were discussed.
 - There are potential issues occurring when a permit is transferred but the business sale subsequently falls through.
 - To prevent situations where someone without operational control holds a permit, staff is working on language that will allow the permit to revert to the previous owners if the transfer fails.
 - Staff noted that one proposed solution involves requiring at least 30-days advance notice of ownership changes while withholding the official transfer until proof of transaction is received.

NEXT STEPS:

Ms. Galli informed the TAC that the next steps in the regulatory process would involve finalizing the language and then presenting that proposal to the Board at a future board meeting.

ACTION ITEMS:

- Staff will post the minutes from the May 28, 2026, meeting of the TAC to Town Hall as “Final.”
- Staff will consult with the Virginia Department of Health (VDH) regarding the potential requirements or conditions for addressing “low-risk” discharges to PWS.

Adjournment:

Ms. Galli thanked the TAC for their input and participation and adjourned the meeting at 11:40 AM.