

## FACT SHEET

### REISSUANCE OF A GENERAL VPDES PERMIT FOR VEHICLE WASH FACILITIES AND LAUNDRY FACILITIES March 1, 2012

The Virginia State Water Control Board has under consideration the reissuance of a VPDES general permit for point source discharges from facilities discharging vehicle wash and laundry wastewater to the surface waters of the Commonwealth of Virginia. This general permit will replace VAG75 (car wash general permit) which expires October 16, 2012 and combine VAG 72 (coin operated laundry general permit) which expires February 8, 2016 into this permit. The addition of the laundry discharge requirements and combined laundry and car wash requirements was added during the 2012 reissuance. Owners covered under the expiring car wash general permit or the existing coin operated laundry general permit, who wish to continue to discharge under a general permit, must register for coverage under this new combined general permit.

Permit Number: VAG75

Name of Permittee: Any owner of a qualifying vehicle wash facility or laundry facility 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 general permit requires that all covered facilities meet standardized effluent limitations, monitoring requirements and Water Quality Standards (9VAC25-260).

One public hearing was held on December 1, 2011 and the public notice comment period was October 24 thru December 27, 2011. The notice of the public comment period and public hearing was published in Style Magazine and in the Virginia Register.

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Following the public comment period, the Board will make a determination regarding the proposed permit action. If adopted by the Board, the general permit will have a fixed term of five years. Every authorization to discharge under this general permit will expire at the same time (October 15, 2017) and all authorizations to discharge will be renewed on the same date.

### **Activities Covered By This General Permit**

This general permit will cover point source discharges of vehicle wash and/or laundry wastewater to surface waters of the Commonwealth of Virginia.

The type of systems for vehicle wash facilities to be covered include wastewater generated from any fixed or mobile facility where the manual, automatic, or self-service exterior washing of vehicles is conducted. A manual type facility consists of manual washing, rinsing and/or waxing the vehicle by personnel. In a tunnel type facility the vehicle is driven or pulled by a conveyor through the length of a building where separate washing, rinsing, and waxing operations are performed. In a rollover type facility the vehicle remains stationary while the equipment passes over the vehicle using high pressure water streams and/or brushes to clean and wax it. The wand type facility uses high-pressure streams of water to clean the vehicle.

The "vehicle wash" definition was expanded during the 2012 reissuance to include more types of vehicle washing activities because exterior washing of most types of vehicles was determined by the technical advisory committee (TAC) to be similar. The definition includes, but is not limited to, automobiles, trucks (except below), motor homes, buses, motorcycles, ambulances, fire trucks, tractor trailers, and other devices that convey passengers or goods on streets or highways. This definition also includes golf course equipment and lawn maintenance equipment washing. Finally, any incidental floor cleaning wash waters associated with facilities that wash vehicles where the floor wash water also passes through the vehicle wash water treatment system is also included.

Vehicle wash does not mean engine, acid caustic metal brightener or steam heated water washing. It does not include cleaning the interior of bulk carriers. It does not include tanker trucks, garbage trucks, logging trucks, livestock trucks, construction equipment, trains, boats or aircraft. It also does not include floor cleaning wash waters from vehicle maintenance areas.

Owners of mobile vehicle washes may apply for coverage under this permit; however the usual mode of operation for these operations is to prevent the discharge of wash waters to surface waters or the storm sewers. This is a clarification added during the 2012 reissuance in 9VAC25-194-50 C. DEQ urges mobile car wash owners to avoid a discharge to state waters or storm drains by applying technologies to collect wash water and dispose of it properly, recycle it, or use best management practices (evaporation, blocking storm drain entrances, use of permeable surfaces, etc.). Many ideas to avoid a discharge are available online. Coverage as a mobile operator would require each discharge location to be identified on the registration statement as a separate outfall.

Charity car washes are not covered under this general permit and are advised to conduct charity fund raising at permitted car wash facilities or avoid any surface water discharge via best management practices. As with mobile car washes, DEQ urges the charity car wash organizations to avoid a discharge to surface waters (see above).

This permit also allows coverage for point source discharges of laundry wastewater to surface waters of the State. These are generally facilities that are located in rural areas and are not served by central sewage facilities. The type of systems to be covered include wastewater generated from laundries designated by SIC 7215. These are establishments primarily engaged in the operation of coin-operated or similar self-service laundry equipment for use on the premises (e.g., laundromats), or in apartments, dormitories, and similar locations. However, this permit does not cover facilities that engage in dry cleaning, or commercial laundries of any type.

**FACT SHEET - March 1, 2012**

**General Permit for Vehicle Wash or Laundry Facilities (VAG75)**

**Page 3**

Any owner is authorized to discharge to surface waters of the Commonwealth of Virginia under this general permit if the owner submits and receives acceptance by the Board of the registration statement per 9VAC25-194-60, submits the required permit fee, complies with the effluent limitations and other requirements of 9VAC25-194-70, and provided that the Department has not notified the owner that the discharge is not eligible for coverage because of one 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. Other board regulations 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; or
5. The discharge is to surface waters where there are central wastewater treatment facilities reasonably available, as determined by the board.

Numbers 3, 4 and 5 above are proposed additions to section 9VAC25-194-50 "Authorization to Discharge" during the 2011-2012 rulemaking period due to EPA comment on other general permits over the past several years, carry over from the coin laundry permit or TAC recommendations.

The regulation also contains a new section (9VAC25-194-50 E) which allows for continuation of permit coverage when an owner authorized to discharge under the general permit submits a complete and timely registration statement and is not violating conditions under the expiring or expired general permit. This was added during the 2012 reissuance and is based on other recently reissued general permits.

**Effluent Limitations and Monitoring Requirements Parts 1 A 1 and 1 A 2 (Vehicle Wash)**

<u>Parameter</u>	<u>Limitation</u>	<u>Monitoring</u> <sup>(3)</sup>
Flow	Monitoring	Estimate
pH	9.0 max., 6.0 min. <sup>(1)</sup>	Grab
Total Suspended Solids	60 <sup>(2)</sup> mg/l max.	5G/8HC
Oil and Grease	15 mg/l max.	Grab

5G/8HC Eight Hour Composite - Consisting of five grab samples collected at hourly intervals until the discharge ceases, or until a minimum of five grab samples have been collected.

<sup>(1)</sup> Where the Water Quality Standards (9 VAC 25-260) establish alternate standards for pH, those standards shall be the maximum and minimum effluent limitations.

<sup>(2)</sup> Limit given is expressed in two significant figures (this was added in the 2012 reissuance to match current guidance).

<sup>(3)</sup> Annual samples shall be collected by December 31 of each year and reported on the facility's Discharge Monitoring Report (DMR). Annual DMRs shall be submitted by January 10 of each year. This is a change made during the 2012 reissuance. Previously, annual DMRs were submitted before July 10. The submittal dates in the 2008 general permit (June - July) didn't conform to any guidance and staff thought it less confusing to tie the DMR submittal dates for annual monitoring to a calendar year. Other General Permits are set up this way and the other 3 limits pages in this permit are also set up that way. Biannual samples in parts I A 2 shall be collected by December 31 and June 30 of each year and reported on the facility's Discharge Monitoring Report (DMR) no later than January 10 and July 10 of each year.

**FACT SHEET - March 1, 2012**

**General Permit for Vehicle Wash or Laundry Facilities (VAG75)**

**Page 4**

Two monitoring scenarios are proposed for vehicle wash facilities. Smaller facilities with average flow rates of less than or equal to 5,000 gallons per day are required to monitor once per year. All other facilities are required to monitor once per six months.

**Effluent Limitations and Monitoring Requirements Part I A 3 (Laundry Wash)**

<u>Parameter</u>	<u>Limitation</u>	<u>Monitoring</u> <sup>(3)</sup>
Flow	Monitoring	Estimate
pH	9.0 max., 6.0 min. <sup>(1)</sup>	Grab
Total Suspended Solids	60 <sup>(2)</sup> mg/l max.	Grab
BOD5	60 mg/l max. <sup>(1), (2)</sup>	Grab
Dissolved Oxygen	6.0 <sup>(1)</sup> mg/l min.	Grab
Temperature °C	32 <sup>(1), (4)</sup>	Immersion Stabilization
Total Residual Chlorine	.011 <sup>(1)</sup> mg/l	Grab
E. coli <sup>(5)</sup>	235CFU/100ml	Grab
Enterococci <sup>(6)</sup>	104CFU/100ml	Grab
Fecal Coliform <sup>(7)</sup>	200CFU/100ml	Grab

- <sup>(1)</sup> Where the Water Quality Standards (9 VAC 25-260) establish alternate standards for pH, BOD5, DO, TRC, and temperature in waters receiving the discharge, those standards shall be the maximum and/or minimum effluent limitations, as appropriate.
- <sup>(2)</sup> Limit given is expressed in two significant figures.
- <sup>(3)</sup> Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the tenth day of April, July, October, and January. Reports of once per six months shall be submitted no later than the tenth day of January and the tenth day of July for samples collected by December 31 and June 30 of each year.
- <sup>(4)</sup> The effluent temperature shall not exceed a maximum 32°C for discharges to non-tidal coastal and piedmont waters, 31°C for mountain and upper piedmont waters, 21°C for put and take trout waters, or 20°C for natural trout waters. For estuarine waters, non-tidal coastal and piedmont waters, mountain and upper piedmont waters, and put and take trout waters, the effluent shall not cause an increase in temperature of the receiving stream of more than 3°C above the natural water temperature. For natural trout waters, the temperature of the effluent shall not cause an increase of 1°C above natural water temperature. The effluent shall not cause the temperature in the receiving stream to change more than 2°C per hour, except in the case of natural trout waters where the hourly temperature change shall not exceed 0.5°C.
- <sup>(5)</sup> Applies only when the discharge is into freshwater (see 9VAC25-260-140 C for the classes of waters and boundary designations).
- <sup>(6)</sup> Applies only when the discharge is into saltwater or the transition zone (see 9VAC25-260-140 C for the classes of waters and boundary designations).
- <sup>(7)</sup> Applies only when the discharge is into shellfish waters (see 9VAC25-260-160 for the description of what are shellfish waters).

Two monitoring frequencies are proposed. Flow, pH, TSS, BOD5, DO, TRC, are required to be monitored once per quarter. Temperature and bacteria (E. coli, enterococci or fecal coliform, as appropriate) are required to be monitored once per six months.

**Proposed Effluent Limitations and Monitoring Requirements Part I A 4 (Combined Vehicle and Laundry Wash)**

**FACT SHEET - March 1, 2012**

**General Permit for Vehicle Wash or Laundry Facilities (VAG75)**

**Page 5**

<u>Parameter</u>	<u>Limitation</u>	<u>Monitoring</u> <sup>(3)</sup>
Flow	Monitoring	Estimate
pH	9.0 max., 6.0 min. <sup>(1)</sup>	Grab
Total Suspended Solids	60 <sup>(2)</sup> mg/l max.	Grab
BOD5	60 mg/l max. <sup>(1), (2)</sup>	Grab
Oil and Grease	15 mg/l max.	Grab
Dissolved Oxygen	6.0 <sup>(1)</sup> mg/l min.	Grab
Temperature °C	32 <sup>(1), (4)</sup>	Immersion Stabilization
Total Residual Chlorine	.011 <sup>(1)</sup> mg/l	Grab
E. coli <sup>(5)</sup>	235CFU/100ml	Grab
Enterococci <sup>(6)</sup>	104CFU/100ml	Grab
Fecal Coliform <sup>(7)</sup>	200CFU/100ml	Grab

<sup>(1)</sup> Where the Water Quality Standards (9 VAC 25-260) establish alternate standards for pH, BOD5, DO, TRC, and temperature in waters receiving the discharge, those standards shall be the maximum and/or minimum effluent limitations, as appropriate.

<sup>(2)</sup> Limit given is expressed in two significant figures.

<sup>(3)</sup> Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the tenth day of April, July, October, and January. Reports of once per six months shall be submitted no later than the tenth day of January and the tenth day of July for samples collected by December 31 and June 30 of each year.

<sup>(4)</sup> The effluent temperature shall not exceed a maximum 32°C for discharges to non-tidal coastal and piedmont waters, 31°C for mountain and upper piedmont waters, 21°C for put and take trout waters, or 20°C for natural trout waters. For estuarine waters, non-tidal coastal and piedmont waters, mountain and upper piedmont waters, and put and take trout waters, the effluent shall not cause an increase in temperature of the receiving stream of more than 3°C above the natural water temperature. For natural trout waters, the temperature of the effluent shall not cause an increase of 1°C above natural water temperature. The effluent shall not cause the temperature in the receiving stream to change more than 2°C per hour, except in the case of natural trout waters where the hourly temperature change shall not exceed 0.5°C.

<sup>(5)</sup> Applies only when the discharge is into freshwater (see 9VAC25-260-140 C for the classes of waters and boundary designations).

<sup>(6)</sup> Applies only when the discharge is into saltwater or the transition zone (see 9VAC25-260-140 C for the classes of waters and boundary designations).

<sup>(7)</sup> Applies only when the discharge is into shellfish waters (see 9VAC25-260-160 for the description of what are shellfish waters).

Two monitoring frequencies are proposed. Flow, pH, TSS, BOD5, DO, TRC, are required to be monitored once per quarter. Oil and grease, temperature and bacteria (E. coli, enterococci or fecal coliform, as appropriate) are required to be monitored once per six months.

**Basis For Effluent Limitations And Monitoring Requirements PART I A**

The Environmental Protection Agency has reviewed these categories of dischargers and concluded, in their *Guidance Document for Effluent Discharges From the Auto and Other Laundries Point Source Category*, dated February 1982, that the amounts and toxicity of pollutants in the discharges from these facilities did not justify national regulations.

In developing the proposed effluent limitations and special conditions the following information was reviewed: permitting strategies, effluent limitations, treatment technologies and special conditions that are being employed by the Department of Environmental Quality and the surrounding states for individual and general VPDES permits issued to car wash facilities and the Environmental Protection Agency's *Guidance Document for Effluent Discharges from the Auto and Other Laundries Point Source Category*, February 1982 and the *DRAFT Development Documents for Proposed Effluent Limitations Guidelines and New Sources Performance Standards for the Auto and Other Laundries Point Source Category*, April 1974.

Determined by the nature of the business, the parameters to be limited for vehicle wash are pH, total suspended solids, and oil/grease. For laundries, the parameters are pH, total suspended solids, BOD<sub>5</sub>, dissolved oxygen, temperature, total residual chlorine and bacteria (E. coli, enterococci or fecal coliform as appropriate for each water body). The pH, temperature, dissolved oxygen, total residual chlorine and bacteria limitations are based upon Virginia's stream water quality standards (9 VAC 25-260-50, 60, 70, 140, 160 and 170.). The enterococci and fecal coliform bacteria limits were added during the 2012 reissuance so that laundry discharges to salt water were clearly covered under this permit and have appropriate limitations. The total suspended solids, BOD<sub>5</sub> and oil/grease parameters are based on best engineering judgment for the type of treatment employed by these systems. Complying with these parameters is an indication that the treatment system is being operated and maintained properly and is producing an acceptable quality effluent.

The basis for the reduced frequency of analysis for small vehicle wash dischargers with average flow rates of less than or equal to 5,000 gallons per day is that their potential to affect water quality is minimal based on the small quantity of discharge. These are generally facilities that are located in rural areas and are not served by central sewerage facilities.

The treatment systems commonly utilized at vehicle wash facilities consist of sediment traps in the bays followed by a larger sedimentation basin baffled to contain any floating material and/or sand filtration. These treatment systems produce an acceptable quality effluent and operate well when maintained properly. Laundry facilities would have a sedimentation basin and depending on the size, would rarely discharge.

### **Basis for Special Conditions PART I B**

1. The permit requires inspections of the effluent and maintenance of the wastewater treatment facilities at vehicle wash facilities at least once per week and documentation of the maintenance on an Operational Log. This log is available for review by the department upon request. 9VAC 25-31-190 E and 40 CFR 122.41(e) require proper operation and maintenance of the permitted facility. Wastewater treatment facilities associated with vehicle wash facilities require more maintenance than at a laundry facility with a sedimentation basin so this condition does not apply to laundries.

2. The permit prohibits discharge of floating solids or visible foam in other than trace amounts. This special condition was taken from the footnotes of Tables 1A from both the 2006 car wash permit and the 2011 coin laundry permit. This is a standard requirement for all permits per the VPDES Permit Manual (2010) and conforms to the general water quality criteria at 9VAC25-260-20.

3. No sewage shall be discharged from a point source to surface waters from this facility except under the provisions of another VPDES permits specifically issued for that purpose. The effluent limitations do not

**FACT SHEET - March 1, 2012**

**General Permit for Vehicle Wash or Laundry Facilities (VAG75)**

**Page 7**

address pollutants typical of treated sewage, no sewage discharge to surface waters are permitted under the general permit.

4. The permit prohibits adding chemicals to the water or waste which may be discharged other than those listed on the owner's accepted registration statement, unless prior approval of the chemical(s) is granted by the board. This special condition assures protection of water quality and beneficial uses of the waters receiving the discharge.

5. The permit encourages reuse or recycle of wastewater whenever feasible. This language is included in keeping with DEQ's pollution prevention philosophy.

6. The permit establishes a solids management plan for vehicle wash facilities that includes:

- a. A requirement to clean settling basins frequently in order to achieve effective treatment.
- b. A requirement that all solids shall be handled stored and disposed of so as to prevent a discharge to state waters.

This management plan will require the use of best management practices where applicable to control or abate the discharge of pollutants. A prohibition on the discharge of floating solids or visible exists for both vehicle wash facilities and laundry facilities in special condition 2.

7. Prohibition on washing of vessels that contain residue of toxic chemicals (fertilizers, organic or inorganic chemicals, etc.). If the facility is a self-service operation, the permittee is required to post a sign to this effect. This prohibition will reduce the risk of toxics pollution and eliminate the need for a Toxic Management Program (Whole Effluent Toxicity Program) under 9VAC25-31-220 D 1 d.

8. If the facility has a vehicle wash discharge with a monthly average flow rate of less than 5,000 gallons per day, and the flow rate increases above a monthly average flow rate of 5,000 gallons per day, an amended registration statement shall be filed within 30 days of the increased flow. This requirement repeats the registration requirement from Section 60 A 2 d of regulation. The TAC thought it important that be added in the permit itself so the owner will see the requirement in their permit.

9. Any permittee discharging into a municipal separate storm sewer shall notify the owner of the municipal separate storm sewer system of the existence of the discharge within 30 days of coverage under the general permit and provide the following information: the name of the facility, a contact person and phone number, and the location of the discharge, the nature of the discharge and the facility's VPDES general permit number.

The purpose of this special condition is to meet VPDES program guidance in the Permit Manual, Section IN-4, September 23, 2005, General Storm Water Special Conditions. Permittees must notify the owner of the MS4 if they discharge into the MS4. The last two notifications (nature of discharge and VPDES number) were taken from Coin Laundry GP to clarify for the MS4 program the type of discharge and that the discharge has a valid DEQ permit.

10. 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 special condition repeats the requirement in 9VAC25-194-50 (Authorization to discharge). The TAC thought it important that be added in the permit itself so the owner will see the requirement in their permit.

11. The permittee shall notify the Department as soon as they know or have reason to believe:

**FACT SHEET - March 1, 2012**

**General Permit for Vehicle Wash or Laundry Facilities (VAG75)**

**Page 8**

- 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) 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 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.

9VAC25-31-200 A requires these notifications for all manufacturing, commercial, mining, and silvicultural discharges.

12. Operation and maintenance manual requirement. The permittee shall develop and maintain an accurate operations and maintenance (O&M) manual for the treatment works. This manual shall detail the practices and procedures that will be followed to ensure compliance with the requirements of this permit. The permittee shall operate the treatment works in accordance with the O&M manual. The O&M manual shall be reviewed and updated at least annually and shall be signed and certified in accordance with Part II K of this permit. The O&M manual shall be made available for review by the department personnel upon request. The O&M manual shall include, but not necessarily be limited to, the following items, as appropriate:

- a. Techniques to be employed in the collection, preservation, and analysis of effluent samples;
- b. Discussion of best management practices, if applicable;
- c. Treatment system operation, routine preventive maintenance of units within the treatment system, critical spare parts inventory, and recordkeeping;
- d. A sludge/solids disposal plan; and
- e. Date(s) when the O&M manual was updated or reviewed and any changes that were made.

This special condition was taken from (with some changes) from the 2011 coin operated laundry general permit. The 2007 car wash general permit did not have an O&M manual requirement. It was added here but the need to submit and receive approval from DEQ on the O&M manual per the 2011 coin laundry general permit was eliminated. Also, the requirement to review and update the O&M manual annually was added during the 2012 reissuance.

13. Compliance Reporting under Part I A 1- 4.

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

Effluent Characteristic	Quantification Level
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**FACT SHEET - March 1, 2012**

**General Permit for Vehicle Wash or Laundry Facilities (VAG75)**

**Page 9**

BOD <sub>5</sub>	2 mg/l
TSS	1.0 mg/l
Oil and Grease	5.0 mg/l
Chlorine	0.10 mg/l

b. Reporting. Any single datum required shall be reported as "<QL" if it is less than the QL in subdivision a. Otherwise the numerical value shall be reported.

c. Monitoring results shall be reported using the same number of significant digits as listed in the permit. Regardless of the rounding convention used by the permittee (e.g., 5 always rounding up or to the nearest even number), the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

This is a special condition which matches similar language in compliance reporting special conditions going into other recent general and individual permits. This special condition helps to ensure more consistent compliance reporting. It is 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. Also the quantification level for BOD is 2 rather than 5 which reflect what laboratories can achieve today.

14. 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.

This is a new requirement for the 2012 reissuance being added to all general permits and individual permits. It reflects new regulations in 1VAC30-45 and 1VAC30-46.

15. The discharges authorized by this permit shall be controlled as necessary to meet applicable water quality standards. This special condition was added during the 20012 rulemaking period as a general requirement. Similar special conditions are being added to all general permits during reissuance at this time.

16. Discharges to waters with an approved "total maximum daily load" (TMDL). 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. This special condition is being inserted into all general permits as they are reissued. The condition was developed since general permit discharges are considered insignificant to the overall TMDL waste load allocation. This special condition allows staff more flexibility to allow permit coverage for discharges without requiring immediate modification of the TMDL. DEQ will track all the general permit discharges and once they become significant for purposes of the TMDL, the TMDL will be modified to include the load.

17. Notice of Termination

a. The owner may terminate coverage under this general permit by filing a complete notice of termination. 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 wastewater discharges from vehicle wash or laundry activities from the facility.

- (2) A new owner has assumed responsibility for the facility (NOTE: 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 or an alternative VPDES permit; or
  - (4) Notice of termination is 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 vehicle wash facilities and laundry facilities general permit number;
  - (4) The basis for submitting the notice of termination, including:
    - i. A statement indicating that a new owner has assumed responsibility for the facility;
    - ii. A statement indicating that operations have ceased at the facility and there are no longer wastewater discharges from vehicle wash or laundry activities from the facility;
    - iii. A statement indicating that all wastewater discharges from vehicle wash facilities and laundry facilities have been covered by an individual VPDES permit; or
    - iv. A statement indicating that termination of coverage is being requested for another reason (state the reason).
- c. The following certification: "I certify under penalty of law that all wastewater discharges from vehicle wash or laundry facilities 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 industrial activity, 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 wastewater from vehicle wash facilities or laundry facilities in accordance with the general permit, and that discharging pollutants in wastewater from vehicle wash facilities or laundry facilities 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 signed in accordance with Part II K.
- e. The notice of termination shall be submitted to the DEQ regional office serving the area where the vehicle wash or laundry facility is located.

This was added during the 2012 reissuance. Notification requirement is usually in the regulation but the TAC thought it better served in the permit part of the regulation so the owner can see the requirement in their permit. Except for the 4th condition an owner may submit a notice of termination ("*Notice of termination is requested for another reason provided the board agrees that coverage under this general permit is no longer needed.*") the language reflects what is currently in the Storm Water Associated with Industrial Activity general permit. The 4th condition was added as a 'catch all' reason that an owner may request termination, per TAC recommendation, as there may be other reasons an owner requests termination (e.g., connects to sanitary, goes to complete recycle and reuse) besides the 3 that were listed (operations have ceased, new owner, covered by an individual permit).

### **Basis for Conditions Applicable to all VPDES Permits Part II**

The entire Part II is based on 9VAC25-31-190 of the Permit Regulation. One change made during the 2012 issuance was in paragraph I "Reports of noncompliance" with the addition of the online pollution reporting website as another option for 24 hour reporting. The second change made in Part II during the 2012 reissuance was in paragraph M "Duty to reapply" where the 180 day prior to expiration requirement for submittal of a new registration statement was changed to 30 days before expiration to match the same

**FACT SHEET - March 1, 2012**

**General Permit for Vehicle Wash or Laundry Facilities (VAG75)**

**Page 11**

new deadline in the regulation at 9VAC25-194-60 A 2 c. The third change in Part II was in paragraph Y "Transfer of permits" which states that automatic transfers to a new permittee may occur 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 title. This change is being made because we have been told by staff that notification of an ownership transfer cannot occur in advance. Our regional office staff has also stated this advance transfer notification is unnecessary and we should be able to accept a transfer notification at any time.

**Administrative**

The general permit has a fixed term of five years. Every authorization under this general permit will expire at the same time and all authorizations will be renewed on the same date, provided a complete registration statement has been filed prior to the general permit's expiration date.

All owners/operators desiring to be covered by this general permit must register with the Department by filing a registration statement and payment of applicable fees. The registration statement shall be submitted and a notification of coverage issued prior to any discharges or other activities for which this permit is required. Vehicle wash facilities or laundry facilities that are discharging to surface waters on the effective date of this general permit, and which have not been issued an individual VPDES permit, may submit the registration statement.

Existing operations with individual VPDES permits that wish to seek coverage under the proposed general permit would have to file a registration statement at least 210 days prior to the expiration date of the individual VPDES permit. This is a change from the 2007 permit based on advice from our Attorney General's Office to allow for 30 days to review the registration and then if denied, the permittee can still meet their individual permit requirement of 180 days to reapply for an individual permit. For all new dischargers that will begin activities after the effective date of this permit, the registration statement shall be filed at least 30 days prior to the commencement of operation of the facility.

Any existing owner that was authorized to discharge under a general VPDES permit for coin operated laundries that became effective on February 9, 2011 or car wash facilities authorized in October 16, 2007 and who intends to continue coverage under this general permit shall submit a complete registration statement to the board prior to September 16, 2012 which is 30 days prior to expiration of the previous car wash permit. This requirement used to say 180 days prior to expiration. It is our experience that we need to make this period less than 180 days for general permits given the relatively long regulatory timelines we need to get general permit regulations adopted. This is also allowed by the VPDES permit regulation at 9VAC25-31-100 C.

This general permit does not cover activities or discharges covered by an individual VPDES permit until the individual permit has expired or has been revoked. 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 terminated and register for coverage under this general permit. Any owner or operator not wishing to be covered or limited by this general permit may make application for an individual VPDES permit, in accordance with VPDES procedures, stating the reasons supporting the request.

This general permit does not apply to any new or increased discharge that will result in significant effects to the receiving waters. That determination is made in accordance with the State Water Control Board's Antidegradation Policy contained in the Virginia Water Quality Standards, 9VAC25-260-30. This general permit will maintain the Water Quality Standards adopted by the Board.

**FACT SHEET - March 1, 2012**

**General Permit for Vehicle Wash or Laundry Facilities (VAG75)**

**Page 12**

All facilities that the board determines 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.

Vehicle or laundry wash facilities with point source discharges that do not qualify for coverage under this general permit may make application for an individual VPDES permit.