COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
BLUE RIDGE REGIONAL OFFICE
7705 Timberlake Road, Lynchburg, Virginia 24502
(434) 582-5120 Fax (434) 582-5125
www.deq.virginia.gov

L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

Steven A. Dietrich
Regional Director

October 9, 2009

Mark Smith (3WP12)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: VPDES Permit No. VA0090891, Virginia Electric and Power Company **- Bear Garden Generating Station,** Buckingham County, Virginia**; Major permit associated with a 303(d) listed Watershed**

Dear Mark:

In accordance with the Memorandum of Understanding regarding permit and enforcement programs between the State Water Control Board and the Regional Administrator, Region III, U.S. Environmental Protection Agency, this is to advise that the Board intends to **reissue** the referenced permit.

The subject facility will discharge to the *James River* and *UT, Webb branch, a tributary of the James River,* Section 10, Class III. The *James River* is listed as category 5A of the 303(d) list for PCB contamination in fish tissue. Item 24 of the fact sheet discusses that the 303(d) listing is based upon PCB contamination in fish tissue. No limit for PCBs is included in this permit because the effluent is not anticipated to contain that pollutant. In fact, this permit contains a prohibition against the discharge of PCBs from this source. The permit includes limitations on pH, temperature, chlorine, TSS, Oil & Grease, Total Chromium, and Total Zinc. Electronic copies of the fact sheet and draft permit are available on the departments' EPA ftp site. An electronic copy of the application is not available. Since the application is not available electronically, hard copies can be provided to you if needed and requested.

Please send any comments and/or objections regarding this permit to the Virginia Department of Environmental Quality, at the following address:

Virginia DEQ
Office of Water Permit Programs
P.O. Box 10009
Richmond, Virginia 23240

If EPA does not comment or object within 30 days of receipt of this notification, processing of the referenced permit will be deemed acceptable to the Regional Administrator.

Sincerely,

Kirk A. Batsel
Senior Environmental Engineer