

**Department of Environmental Quality –Notice of Bacteria TMDL
Modification of James River and Tributaries – Lower Piedmont Region
in Goochland, Fluvanna, Louisa, Powhatan, and Cumberland Counties, Virginia**
**The Department of Environmental Quality (DEQ) seeks public comment from
interested persons on 4 proposed minor modifications of the Total Maximum Daily
Loads (TMDLs) developed for impaired segment: Beaverdam Creek.**

A total maximum daily load of *E. coli* was developed to address the bacterial impairments in the waterways and counties mentioned above. This TMDL was approved by the Environmental Protection Agency on 06/11/2008. The report is available at: <http://www.deq.virginia.gov/tmdl/apptmdls/jamesrvr/jmsggrp2.pdf> . The Virginia Department of Environmental Quality (DEQ) issued a notice of modification for minor modifications from November 7 – December 7, 2011. No comments were received. In addition to the three modifications included previously for the Beaverdam Creek TMDL, DEQ is proposing one additional modification and seeks written comments from interested persons.

In November 2011, three modifications were proposed for the Beaverdam Creek TMDL. First, DEQ proposed to remove facility Huguenot Academy (VA0063037), which should not have been given a waste load allocation (WLA) in the Beaverdam Creek TMDL because it discharges to the Fine Creek drainage. DEQ suggested the WLA of 6.96E+09 (cfu/yr) *E. coli* based on a maximum discharge of 0.004 million gallons per day (MGD), be added to the “Future Growth” load for the Beaverdam Creek TMDL. Second, DEQ proposed to remove facility James River Correctional Center (VA0020681), which no longer discharges to Beaverdam Creek. DEQ suggested the WLA of 3.76E+11 (cfu/yr) *E. coli* based on a maximum discharge of 0.216 MGD, be added to the “Future Growth” load for Beaverdam Creek. Third, DEQ proposed to add a new WLA, Oilville Waste Water Treatment Plant (WWTP) (VA0092428), which is a municipal facility with a maximum discharge of 0.3 MGD, and suggested allocation by subtracting from the “Future Growth” load of Beaverdam Creek. The WLA to be assigned to this facility based on design flow at the standard is equal to 5.23E+11 (cfu/yr) *E. coli*.

The new proposed modification is related to the original Future Growth calculation, which was five times the WLA of dischargers (James River Correctional Center (VA0020681), VDOT Interstate 64 Goochland Rest Area (VA0023108), Huguenot Academy (VA0063037), and James River Correctional Center (VA0006149)), and equal to 2.61E+12 (cfu/yr) *E. coli*. This Future Growth value is 32% of the TMDL, which is relatively excessive when compared to the majority of Virginia TMDLs, whose Future Growth values are usually <10% of the TMDL. Out of the four original facilities given WLAs, only the VDOT facility remains and a new facility will begin discharging (Oilville WWTP #VA0092428). DEQ proposes to revise the Future Growth to a new value of two

times the WLA of the new Oilville WWTP, equal to $1.05E+12$ (cfu/yr) *E. coli*. The revised Future Growth would be equal to 12.8% of the TMDL, which DEQ believes is a more reasonable number of future growth reserve as a portion of the overall TMDL. The difference in old and new Future Growth will be moved to the Load Allocation (non-point source category). The total revised WLA will be equal to $5.57E+11$ and the total revised LA will be equal to $6.54E+12$, (cfu/yr) *E. coli*, respectively. The proposed changes for the Beaverdam Creek TMDL are equal to < 1%. The proposed WLA changes above will neither cause nor contribute to the non-attainment of the James River basin.

The public comment period for these modifications will end on April 16, 2012. Please send comments to Margaret Smigo, Department of Environmental Quality, Piedmont Regional Office, 4969-A Cox Road, Glen Allen, Virginia 23060, by email at Margaret.Smigo@deq.virginia.gov, or by fax (Attn. Margaret Smigo) at (804)527-5106. Following the comment period, a modification letter and any comments received will be sent to EPA for approval final approval.