

**Department of Environmental Quality –Notice of Bacteria TMDL Modification of Pamunkey River Basin
TMDL in Hanover, King William, and New Kent Counties**

The Department of Environmental Quality (DEQ) seeks public comment from interested persons on proposed minor modifications of the Total Maximum Daily Loads (TMDLs) developed for impaired segments Totopotomoy Creek (F13R-02) and the Pamunkey River (F13E-02). The TMDL was approved by the Environmental Protection Agency on 08/02/2006 and is available at: <http://www.deq.virginia.gov/portals/0/DEQ/Water/TMDL/apptmdls/yorkrvr/pamunk.pdf>.

Description of proposed changes to the Totopotomoy Creek (F13R-02) TMDL: The Totopotomoy Sewage Treatment Plant (STP) (permit #VA0089915) is a VPDES major municipal facility with a design flow of 0.010 MGD (million gallons per day). In a recent modification, this facility was mistakenly allocated to the Totopotomoy Creek watershed, when it should have been allocated to the Pamunkey River (F13E-02) watershed. To correct this error, DEQ proposes to revise the TMDL by taking the newly allocated WLA of $1.74E+10$ *E. coli* (cfu/yr) which was assigned to the Totopotomoy STP, and moving it to Future Growth. This change will not affect the total WLA or LA values and results in a 0% change with respect to the TMDL.

Description of proposed changes to the Pamunkey River (F13E-02) TMDL: (1) The Totopotomoy Sewage Treatment Plant (STP) (permit #VA0089915) is a VPDES major municipal facility with a design flow of 10 MGD (million gallons per day). DEQ proposes to revise the TMDL by assigning a WLA of $1.74E+13$ *E. coli* (cfu/yr) to accommodate this facility at a maximum design flow of 10 MGD and an *E. coli* concentration at the WQS of 126 cfu/100 ml. DEQ proposes to allocate the WLA by retaining the existing Future Growth and subtracting from Load Allocation (non-point source), which results in a change of the LA value from $7.40E+12$ to $7.22E+14$ *E. coli* (cfu/yr). This will result in a cumulative change of 2.4% with respect to the TMDL. In some circumstances, changes >1% change with respect to the TMDL necessitate the need to consider a re-evaluation the TMDL model. In this case, the Totopotomoy STP was a discharger mistakenly left out of the TMDL during development and the TMDL for this segment is contracted for redevelopment in 2013. Therefore, DEQ does not believe the proposed WLA for the facility will cause or contribute to the non-attainment of the Pamunkey River basin and the TMDL remodeling issue will be resolved over the next year in the new TMDL. (2) DEQ proposes to correct the bacteria load allocation and revise the reduction percentage values stated in Table 5.37 of the document to be consistent with Table 3.6 (where livestock reductions of 99% are described) and to accommodate load allocation revisions.

The public comment period for these modifications will begin on Oct. 22 and will end on Nov. 23, 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 comments received will be sent to EPA for approval final approval. For more information please contact Margaret.