

TENTATIVE AGENDA  
STATE WATER CONTROL BOARD MEETING

MONDAY, JUNE 29, 2020

**ELECTRONIC COMMUNICATION MEETING**

<https://attendeegotowebinar.com/register/1896038940105082128>

Convene – 10:00 a.m.

Agenda Item	Presenter	Tab
<b>Minutes</b> (December 13, 2019)		A
<b>Regulations</b> [Note - public comment will be accepted only on the VPDES and Occoquan Policy Final Exempt Amendment Actions.]		
<ul style="list-style-type: none"> <li>• Virginia Pollutant Discharge Elimination System Permit Regulation (9VAC25-31) - Final Exempt Amendments</li> <li>• Occoquan Policy (9VAC25-410) - Final Exempt Amendments</li> <li>• Virginia Pollutant Discharge Elimination System General Permit Regulation for Domestic Sewage Discharges of Less than or Equal to 1,000 Gallons Per Day (9VAC25-110) - Proposed Amendments</li> <li>• Virginia Pollutant Discharge Elimination System General Permit for Seafood Processing Facilities (9VAC25-115) - Proposed Amendments</li> <li>• Virginia Pollution Abatement Regulation and General Permit for Poultry Waste Management (9VAC25-630) - Proposed Amendments.</li> </ul>	<ul style="list-style-type: none"> <li>Daub</li> <li>Porterfield</li> <li>Sherman</li> <li>Daub</li> <li>Bowles</li> </ul>	<ul style="list-style-type: none"> <li>B</li> <li>C</li> <li>D</li> <li>E</li> <li>F</li> </ul>
<b>Total Maximum Daily Load Reports and Water Quality Management Planning Regulation (9VAC25-720) Final Exempt Amendments</b> [Note - no public comment on this item.]: Sediment TMDL in North Fork Catoctin Creek Located in Loudoun County Report; Benthic TMDL for North Fork Rivanna River Watershed and Tributaries Located in Albemarle, Greene and Orange Counties Report; 9VAC25-720-50 A - One New Wasteload Allocation; 9VAC25-720-60 A - Ten New Wasteload Allocations	Meadows	G
<b>Significant Noncompliance Report</b> [Note - no public comment.]	Sadtler	H
<b>Consent Special Order - VPDES</b> [Note - no public comment] <ul style="list-style-type: none"> <li>• City of Richmond)</li> </ul>	Sadtler	I
<b>Permit</b> [Note persons who commented at the public hearing or during the public comment period (December 26, 2019 through February 14, 2020) on the groundwater withdrawal for Chickahominy Power, LLC may address the Board regarding the summary of comments provided to the Board.] <ul style="list-style-type: none"> <li>• Groundwater Withdrawal Special Exception for Chickahominy Power, LLC</li> <li>-Memorandum</li> <li>-Summary of Public Comment and Staff Responses and</li> </ul>	Kudlas/Grist	<ul style="list-style-type: none"> <li>J</li> <li>K</li> </ul>

Agenda Item	Presenter	Tab
List of Commenters		L
- Draft Permit		M
- Permit Fact Sheet		N
- Public Comment		
<b>Other Business</b> - [Note - no public comment.]		
• Chesapeake Bay Preservation Act Local Program Briefing	Schneider/Williams	
• Future Meetings		
• Division Director's Report	Schneider/Davenport	
• <b>Public Forum - No Public Forum at this Meeting</b>		

## ADJOURN

NOTE: The Board reserves the right to revise this agenda without notice unless prohibited by law. Revisions to the agenda include, but are not limited to, scheduling changes, additions or deletions. Questions on the latest status of the agenda should be directed to Cindy M. Berndt at (804) 698-4378.

**PUBLIC COMMENTS AT STATE WATER CONTROL BOARD MEETINGS:** The Board encourages public participation in the performance of its duties and responsibilities. To this end, the Board has adopted public participation procedures for regulatory action and for case decisions. These procedures establish the times for the public to provide appropriate comment to the Board for its consideration.

For REGULATORY ACTIONS (adoption, amendment or repeal of regulations), public participation is governed by the Administrative Process Act and the Board's Public Participation Guidelines. Public comment is accepted during the Notice of Intended Regulatory Action phase (minimum 30-day comment period) and during the Notice of Public Comment Period on Proposed Regulatory Action (minimum 60-day comment period). Notice of these comment periods is announced in the Virginia Register, by posting to the Department of Environmental Quality and Virginia Regulatory Town Hall web sites and by mail to those on the Regulatory Development Mailing List. The comments received during the announced public comment periods are summarized for the Board and considered by the Board when making a decision on the regulatory action.

For CASE DECISIONS (issuance and amendment of permits), the Board adopts public participation procedures in the individual regulations which establish the permit programs. As a general rule, public comment is accepted on a draft permit for a period of 30 days. In some cases a public hearing is held at the conclusion of the public comment period on a draft permit. In other cases there may be an additional comment period during which a public hearing is held. In light of these established procedures, the Board accepts public comment on regulatory actions and case decisions, as well as general comments, at Board meetings in accordance with the following:

**REGULATORY ACTIONS:** Comments on regulatory actions are allowed only when the staff initially presents a regulatory action to the Board for final adoption. At that time, those persons who commented during the public comment period on the proposal are allowed up to 3 minutes to respond to the summary of the comments presented to the Board. Adoption of an emergency regulation is a final adoption for the purposes of this policy. Persons are allowed up to 3 minutes to address the Board on the emergency regulation under consideration.

**CASE DECISIONS:** Comments on pending case decisions at Board meetings are accepted only when the staff initially presents the pending case decision to the Board for final action. At that time the Board will allow up to 5 minutes for the applicant/owner to make his complete presentation on the pending decision, unless the applicant/owner objects to specific conditions of the decision. In that case, the applicant/owner will be allowed up to 15 minutes to make his complete presentation. The Board will then allow others who commented at the public hearing or during the public comment period up to 3 minutes to exercise their rights to respond to the summary of the prior public comment period presented to the Board. No public comment is allowed on case decisions when a FORMAL HEARING is being held.

**POOLING MINUTES:** Those persons who commented during the public hearing or public comment period and attend the Board meeting may pool their minutes to allow for a single presentation to the Board that does not exceed the time limitation of 3 minutes times the number of persons pooling minutes, or 15 minutes, whichever is less.

**NEW INFORMATION** will not be accepted at the meeting. The Board expects comments and information on a regulatory action or pending case decision to be submitted during the established public comment periods. However, the Board recognizes that in rare instances new information may become available after the close of the public comment period. To provide for consideration of and ensure the appropriate review of this new information, persons who commented during the prior public comment period shall submit the new information to the Department of Environmental Quality (Department) staff contact listed below at least 10 days prior to the Board meeting. The Board's decision will be based on the Department-developed official file and discussions at the Board meeting. In the case of a regulatory action, should the Board or Department decide that the new information was not reasonably available during the prior public comment period, is significant to the Board's decision and should be included in the official file, the Department may announce an additional public comment period in order for all interested persons to have an opportunity to participate.

**PUBLIC FORUM:** The Board schedules a public forum at each regular meeting to provide an opportunity for citizens to address the Board on matters other than those on the agenda, pending regulatory actions or pending case decisions. Those persons wishing to address the Board during this time should indicate their desire on the sign-in cards/sheet and limit their presentations to 3 minutes or less.

The Board reserves the right to alter the time limitations set forth in this policy without notice and to ensure comments presented at the meeting conform to this policy.

Department of Environmental Quality Staff Contact: Cindy M. Berndt, Director, Regulatory Affairs, Department of Environmental Quality, 1111 East Main Street, Suite 1400, P.O. Box 1105, Richmond, Virginia 23218, phone (804) 698-4378, fax (804) 698-4346, e-mail: [cindy.berndt@deq.virginia.gov](mailto:cindy.berndt@deq.virginia.gov).

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