

Down the Pipeline



Special points of interest:

- Ammonia Criteria Is Going Final!
- Push is on for greater Reuse of wastewater.
- James River chlorophyll deadline is extended.
- DEQ directed to update guidance documents.
- General Permit for Industrial Stormwater to be reissued in 2019.

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Department of Environmental Quality

The Department has recently published details of its proposed Phased Implementation Program for the new and more stringent ammonia criteria.

It has established a public comment period that runs until October 5, 2018. Following this comment period, DEQ management anticipates taking the ammonia rulemaking to the State Water Control Board for final action at the Board's December meeting.

As currently proposed it would work as follows. The new criteria would be implemented in three phases. For major POTWs (> or = 1.0 mgd) and major industrial facilities, reissued Permits would address the new criteria beginning six months following the criteria effective date. Thus, assuming an effective date of January 1, 2020 (after EPA approval), Permits reissued after June 30, 2020 would address whether new limits are needed, and if reasonable potential ap-

plies the Permit would impose the new numeric criteria with a compliance schedule. Minor POTWs would be similarly affected in Permits reissued after June 30, 2021, and those POTWs with less than 100,000 gpd would be affected after June 30, 2022.

However, during the Permit application process, the POTWs would have the option to propose and justify an extended schedule of compliance. New facilities would not be eligible for a compliance schedule, and most likely expanding facilities would have to include full nitrification as part of the expansion.

It is expected that the SWCB will likely approve the current proposal or something close to it at its meeting this December.

Water Reuse Regulation

The SWCB recently conducted a required periodic review. DEQ determined that the regulation should be retained. This regulation establishes requirements for the reclamation and reuse of

wastewater and contains two sets of treatment standards and monitoring requirements. Public comments were received during the periodic review. Groundwater recharge

with reuse water has become of significant interest with regards to encouraging reuse and to help reduce the demand upon our aquifers statewide.

EPA Extends James River Deadlines for Chlor-a

In July, a Joint Motion for Abeyance was filed with the US District Court for the Western District of Virginia. On July 20, the Court granted the Motion. This means a deferral period for litigation will run until July 2020, giving DEQ enough time to get

better science and better decisions regarding the river's chlorophyll-a levels.

EPA has agreed to revise its expectations on the Bay's TMDL. EPA recognizes that DEQ plans to take specific steps by 2020 and another set of specific

steps by 2022.

EPA also revised the compliance deadline to December 31, 2025, or such later dates established by VDEQ as part of any appropriate permit compliance schedule/s for affected dischargers.



Governor Issues Executive Order for Agencies

In Executive Order 14, Governor Northam has directed all State agencies how to carry out rulemaking activities.

Some of the requirements are: least possible intru-

sion into citizen lives, disclosure rather than regulation, only "necessary" regulations, periodic review of all regulations (4 year deadline), impacts on jobs and compliance costs to the general

public, as well as performance standards in place of prescription on techniques or behavior.

"Agencies must consider impacts on jobs and the compliance costs to the general public."

Executive Order 6

In April the Governor signed this Order, which requires DEQ, in consultation with the Department of Natural Resources, to perform a comprehensive review of DEQ's permitting,

monitoring, and enforcement activities across all program areas and provide a full report to the governor by April 30, 2019. There is to be a focus upon critical updates to regulations or guid-

ance and upon permitting, monitoring, and enforcement recommendations.

DEQ is to update outdated regulations and identify causes of permitting delays.





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Update—Industrial Stormwater General Permit

The current General Permit for stormwater discharges associated with industrial activity expires on June 30, 2019.

DEQ began the reissuance process earlier this year and now plans to take the proposed Permit to the SWCB on September 20, 2018 to request approval for a 60 day public comment period. DEQ will then propose a final rule to the SWCB in

March 2019, with the final Permit effective April 2019.

Outside of industrial facilities, this is important to many wastewater treatment plants as they are currently covered under Sector T (Treatment Works). This covers industrial stormwater from treatment works used in the storage, treatment, recycling, and reclamation of sewage that are located within the confines of the fa-

cility with a design flow of 1.0 MGD or more or with a mandated pretreatment program under 9VAC25-3-730.

POTWs covered by this new Permit will likely not need to comply with Bay TMDL monitoring during this permit cycle, if they submit certain documentation.

