

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #9-H: INDUSTRIAL STORMWATER GENERAL PERMIT COMMENTS

SUBJECT:

Submit comments to The Virginia Department of Environmental Quality (DEQ) on the proposed amendment and reissuance of the Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm Water Discharges Associated with Industrial Activity (9 VAC 25 - 151).

BACKGROUND:

Pursuant to the federal Clean Water Act as amended and Virginia's administration of the Virginia Pollutant Discharge Elimination System (VPDES) program, the State Water Control Board has proposed the amendment and reissuance of the VPDES General Permit for Stormwater Discharges Associated with Industrial Activity. The general permit establishes permit conditions and monitoring requirements for point source discharges of storm water associated with industrial activity to surface waters. The public comment period is from July 15, 2013 through September 13, 2013.

The regulation amendment is being proposed with significant changes from the existing (2009) general permit, which expires on June 30, 2013. The Hampton Roads Chesapeake Bay Committee and the Regional Stormwater Management Committee have developed recommendations to provide for consistency between the proposed regulation and Virginia's Phase I Watershed Implementation Plan for the Chesapeake Bay TMDL. The recommendations are detailed in the attached comment letter.

Attachment 9-H

RECOMMENDED ACTION:

Authorize the Chair to sign the attached letter and submit to DEQ the HRPDC's comments on the proposed VPDES General Permit Regulations for Stormwater Discharges Associated with Industrial Activity (9VAC25-151).

MEMBER JURISDICTIONS

July 19, 2013

CHESAPEAKE

Mr. Burton R. Tuxford
Environmental Specialist II
Department of Environmental Quality
629 East Main Street
PO Box 1105
Richmond, VA 23218

FRANKLIN

GLOUCESTER

Re: Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm Water Discharges Associated with Industrial Activity [9 VAC 25 - 151]

HAMPTON

Dear Mr. Tuxford,

ISLE OF WIGHT

The Hampton Roads Planning District Commission (HRPDC) appreciates DEQ's efforts to reissue a Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm Water Discharges Associated with Industrial Activity [9 VAC 25 - 151] that is consistent with Virginia's Phase I Watershed Implementation Plan for the Chesapeake Bay TMDL. However, the following recommendations are submitted on behalf of the HRPDC's member localities.

JAMES CITY

NEWPORT NEWS

NORFOLK

1. **Section 60 Registration Statement and Storm Water Pollution Prevention Plan (SWPP):** C5 requires the facility to identify whether or not it discharges, or will discharge, to an MS4. If so, the permittee must provide the name of the MS4 owner. This provision is important because permit special condition #12 requires the permittee to notify the MS4 owner in writing of the existence of the discharge within 30 days of coverage under this permit. In order to facilitate timely identification and notification of the MS4, the HRPDC encourages DEQ to include a table of MS4 localities and program administrator contact information with the Registration Statements that are made available to potential permittees.

POQUOSON

PORTSMOUTH

SOUTHAMPTON

SUFFOLK

2. **Part IB - Special Conditions:** The HRPDC recommends that facilities be required to collect monitoring data for total nitrogen, total phosphorus, and total suspended solids for the entire permit cycle rather than just the first two years. While the data collected in the first two years will serve to characterize the discharge, the subsequent monitoring can be used to determine continued compliance with the TMDL.

SURRY

VIRGINIA BEACH

WILLIAMSBURG

YORK

Sincerely,

Thomas G. Shepperd
Chairman