





# Office of Water Permitting

## VEEP Workshop 2023

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Meghan Mayfield

Director; Office of Water Permitting

Virginia Department of Environmental Quality

May 2023

Do you remember this guy?



# Staff Update

Scott Kudlas,  
Manager, Office of Water Supply  
Water Planning Division



Retiring June 1, 2023

Weedon Cloe,  
Manager, Office of Water Supply  
Water Planning Division



Started May 10, 2023

Jutta Schneider,  
Director, Water Planning Division



Retiring Summer, 2023  
(Will be filled June 2023)

Joe Grist,  
Program Manager, Water Withdrawal



Last Day May 24, 2023  
(position advertised – closes Friday)

# BIG Initiatives

## Progress

1. OneDEQ (cultural and procedural)

In Place

2. Permitting Enhancement & Evaluation Platform (PEEP)

In Progress – Tricia!! YAY!

3. One Stormwater Management (SWM), Best Management Practice (BMP), and Erosion & Sediment Control (ESC) Handbook

In Progress

4. Commodity Trading Platform for Mitigation (water-related commodities)

CY 2024 Start



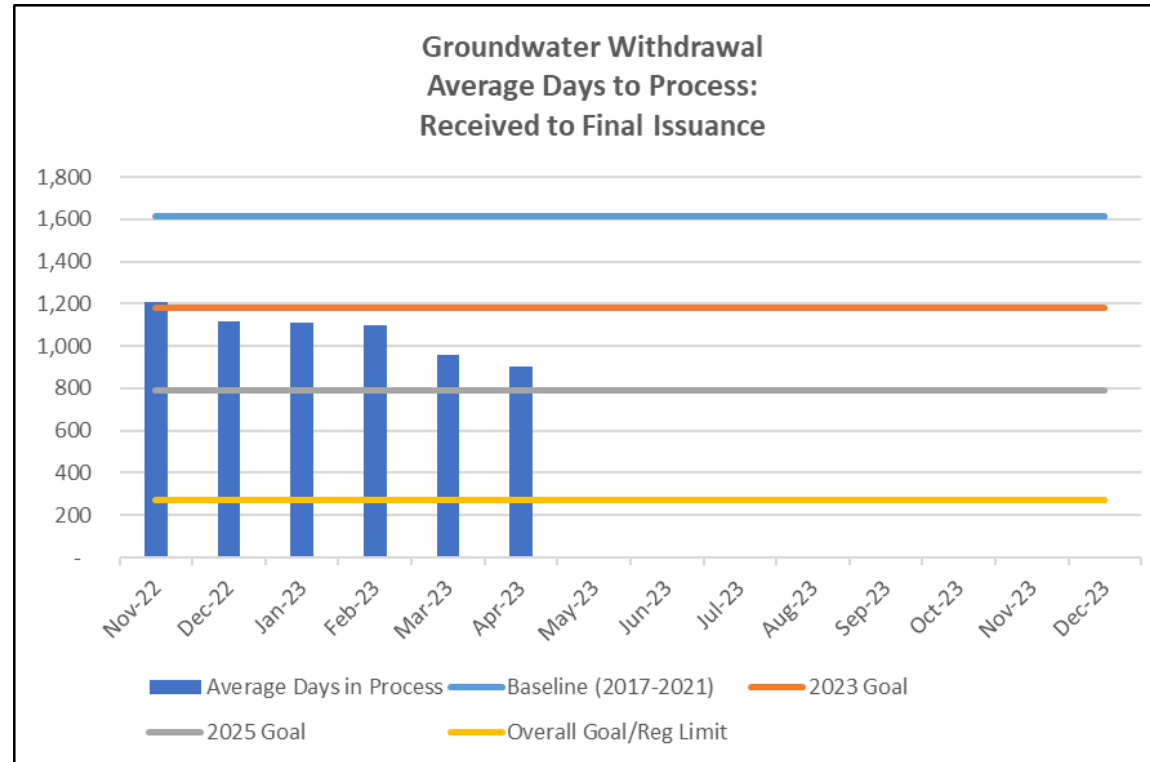
# Beyond the Four Big Initiatives – Blocking & Tackling



# SWM Improvements – Multi-Prong Solution

| Improvement  | Status  |
|--|---|
| 1. All current documents on website  | Completed/ongoing   |
| 2. New SWM Handbook (with VRRM)  | To Be Completed - End of 2023 (one more TAC mtg)  |
| 3. SWM Guidance – “Cliff Notes”  | Effective 2/20/2023   |
| 4. Streamlined SWM Plan Review Guidance  | Effective 2/20/2023 (please submit!!)   |
| 5. Virginia Runoff Reduction Method (VRRM) Update  | Presented to the TAC 05/23/23   |
| 6. SWM/ESC Reg Consolidation <ul style="list-style-type: none"><li>• HB2390 &amp; SB1168</li></ul> | Will be Presented to the SWC Board June 2023 <ul style="list-style-type: none"><li>• Effective 7/1/2024</li></ul> |
| 7. Agribusiness  | HB1848/SB1376 finalized – Guidance Documents to come  |
| 8. Recruiting Staff  | In Process!   |

# Water Withdrawal Permitting Improvements



PEEP Module is coming!

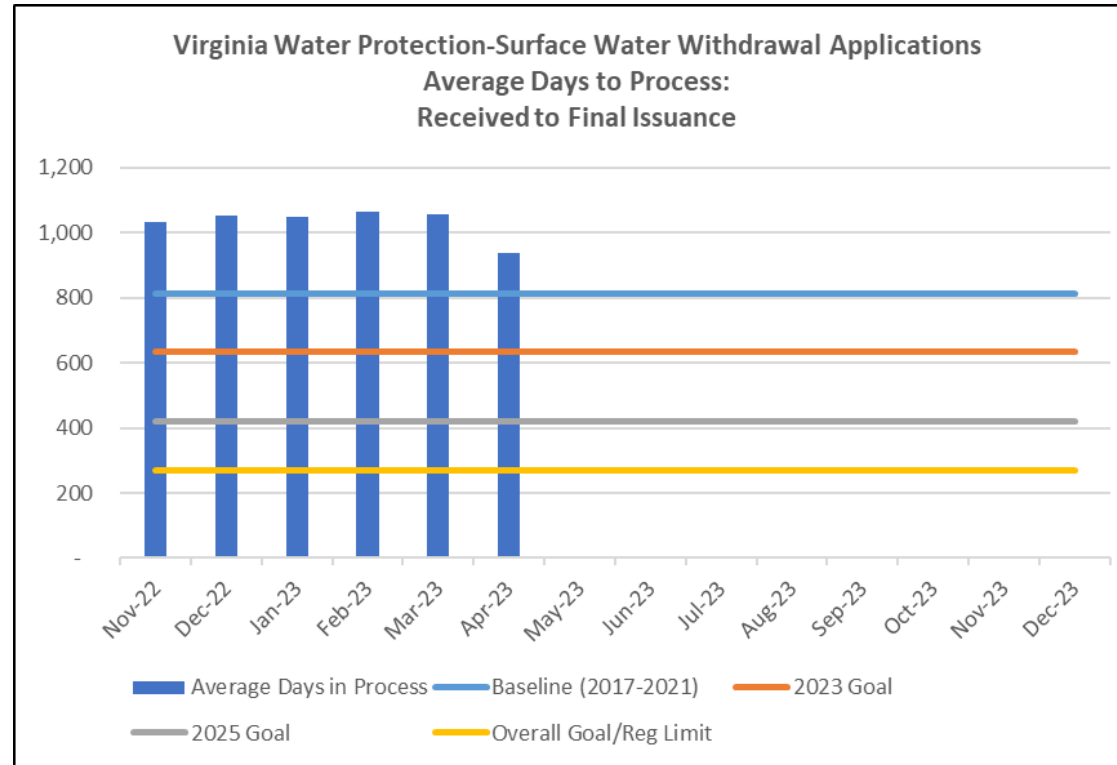


|  |           |
|--|-----------|
| Total Applications in Process                                | 94        |
| Technical Evaluations Completed                              | 44        |
| Applications In Process Designated as Backlogged (>270 Days) | 73        |
| Projection Date: No Backlogged Applications                  | 31-Dec-23 |
| Total Final Permits Issued in 2023                           | 41        |

| Backlog     |       |
|-------------|-------|
| Original    | 105   |
| Current     | 73    |
| % Reduction | 30.5% |



# Water Withdrawal Permitting Improvements



PEEP Module is coming!



|  |           |
|--|-----------|
| Total Applications in Process                                | 28        |
| Technical Evaluations Completed                              | 9         |
| Applications In Process Designated as Backlogged (>270 Days) | 21        |
| Projection Date: No Backlogged Applications                  | 31-Dec-23 |
| Total Final Permits Issued in 2023                           | 5         |

| Backlog     |       |
|-------------|-------|
| Original    | 24    |
| Current     | 21    |
| % Reduction | 12.5% |

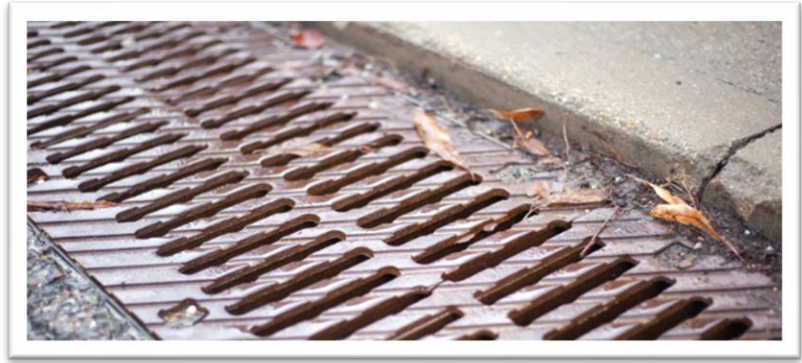
# VPDES & Plan Review Permitting Improvements

- Auto-issuance in PEEP @ internal testing: coming in July
- CGP Plan Review in PEEP @ internal testing: coming June
- Streamlined & Expedited SWM Plan Review

PEEP Modules are  
coming!



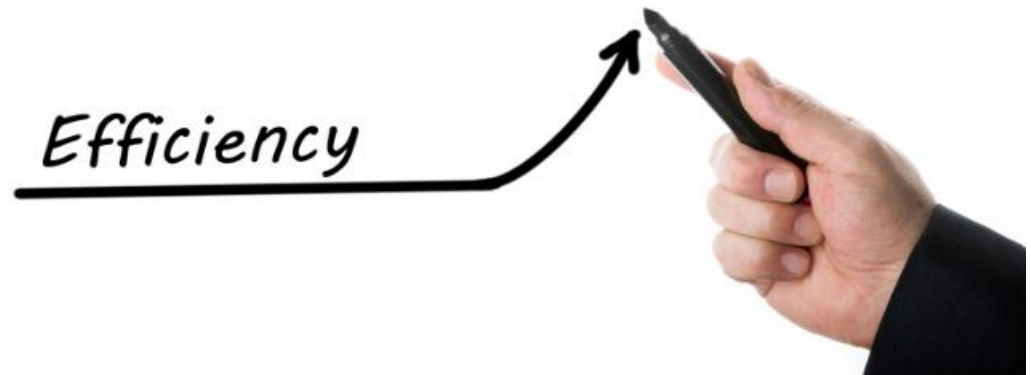
# Regulatory Update - Stormwater



- HB 1848 / SB 1376
  - Allows use of an agreement in lieu of a plan for certain farm buildings and structures when there is a low risk of runoff impacting water quality
  - Brings provisions about submitting registration statements into conformity with federal law
  - In development: procedure for SWM CGP exclusion for single family homes
- HB 2390 / SB 1168
  - Establishes a specific effective date, July 1, 2024, for the Virginia Erosion and Stormwater Management Act and regulations
  - Syncs the effective date with the new Virginia Stormwater Management Handbook and 2024 Stormwater Construction General Permit

# Regulatory Update - Permitting Efficiency

- HB 2181 / SB 1074
  - Eliminates duplicative statutory requirements to obtain permits from two state agencies (DEQ and Virginia Marine Resources Commission (VMRC)) for the same thing
  - Specifies that a permit from VMRC for activities in nontidal waters is not needed if the project obtains and complies with the requirements in a Virginia Water Protection permit (where DEQ was already issuing a permit)
  - Coordination ongoing w/VMRC

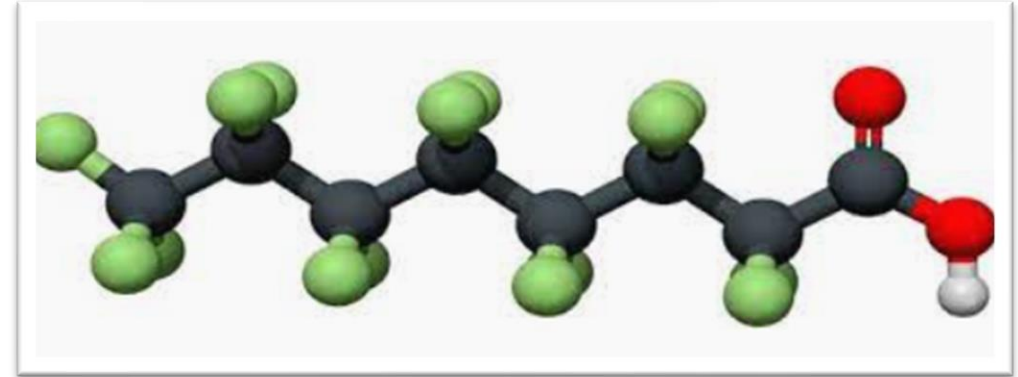


# Regulatory Update - Wetland and Stream Replacement

- HB 1628
  - Provides an opportunity to operationalize the Wetland and Stream Mitigation Fund
  - If approved by the U.S. Army Corps of Engineers this will offer an alternative means of compliance for projects with wetland and stream credits when neither mitigation bank credits nor Virginia Aquatic Resources Trust Fund credits are available



# Regulatory Update - PFAS



- HB 2189

- Requires entities that cleans, repairs, refurbishes, or processes any equipment, parts, or media used to treat any water or wastewater from any off-site manufacturing process that the industrial user knows or reasonably should know uses PFAS chemicals to test their sewer discharges for PFAS
- DEQ surveyed over 2000 dischargers- only 145 POTWs responded, 207 industrial responses (67 indirect users)
- Will be implemented by publicly-owned treatment works
- Letter to POTWs in development



# Regulatory Update - Stormwater and Erosion and Sediment Control for Gravel Access Roads

- HB 2126 / SB 1178
  - Directs DEQ to include specifications for stormwater management and erosion and sediment control for the installation of permanent gravel access roads by electric utilities in the upcoming Virginia Stormwater Management Handbook
  - Establishes requirements for those gravel access roads until the next publication of the SWM handbook – Needs to be incorporated into AS&S docs.



# Regulatory Update - Nonpoint Source Nutrient Credits

- SB 959
  - Provides that in calculating the number of nonpoint source nutrient credits generated by nutrient banks outside of the Chesapeake Bay watershed, DEQ may use either
    - The average of the delivery factors for the watersheds in the Chesapeake Bay Program watershed model
    - A delivery factor that is deemed by the DEQ Director to be based on the best available scientific and technical information
    - Method of approval being developed





# Regulatory Update - Water Withdrawal

- **HB 1941 / SB 1149**

- Localities that include the service areas of water supply utilities that use the Potomac River are to be a single drought evaluation region and a single regional planning area.
- The drought evaluation and response plan and regional water supply plan are to incorporate the Metropolitan Washington Water Supply and Drought Awareness Response Plan: Potomac River System (2000).

- **SB1291 – 86 days in Governor Review**

- Requires all withdrawal applications (SW and GW) to include a water auditing plan and leak detection and repair plan.
- Boilerplate language for permits ready
- As soon as signed in we will begin putting it into Draft permits

## MS4 Individual Permits

- Sediment Load Reductions Requirements Removed
- Accelerated Rate of Nutrient Reductions
- Goal: all MS4 IPs to be issued by the end of 2023

## Completed General Permits

- VPDES, Vehicle Wash and Laundry Facilities – 9VAC25-194
- VPDES, Groundwater Remediation and Dewatering of Contaminated Sites and Hydrostatic Testing – 9VAC25-120
- VPDES, Noncontact Cooling Water Discharges of 50,000 Gallons Per Day or Less – 9VAC25-196
- VPDES, Potable Water Treatment Plants – 9VAC25-860
- VPDES, Pesticide GP – 9VAC25-800

# Upcoming General Permits

- VPDES, Stormwater from Small MS4s – 9VAC25-890
  - Submitted to EPA for official review
  - Will be effective November 1, 2023
- VPDES, Concrete Products – 9VAC25-193
- VPDES, Industrial Stormwater – 9VAC25-151
  - Updated benchmarks
  - Updated CB TMDL requirements for permittees that have not yet achieved compliance



## Upcoming General Permits

- VPDES, Non-Metallic Mineral Mining – 9VAC25-190
- VPDES, Stormwater Construction – 9VAC25-880
- VPA, Animal Feeding Operations 9VAC25-32-192
- Method Update Rule, 9VAC25-31 & 32 (partial)

# Contact

Meghan Mayfield

Water Permitting Division Director

(804) 914-3729

[Meghan.Mayfield@deq.virginia.gov](mailto:Meghan.Mayfield@deq.virginia.gov)

Becky Rochet

Water Permitting Division Deputy Director

(804) 801-2950

[Rebeccah.Rochet@deq.virginia.gov](mailto:Rebeccah.Rochet@deq.virginia.gov)

# QUESTIONS?