



*Commonwealth of Virginia*

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY**

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**SUBJECT:** Technical Advisory Committee (TAC) Meeting to Discuss the 2021 Reissuance of 9VAC25-110 Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day

**TO:** TAC Members and DEQ Staff (listed below)

**FROM:** Peter Sherman, Office of VPDES Permits

**DATE:** September 26, 2019 (DRAFT)

A TAC meeting was held on August 29, 2019 at the Department of Forestry Headquarters, 900 Natural Resources Drive, Charlottesville, VA, 22903. The meeting began at 10:00 AM. Participants attending the meeting were:

<u>Name</u>	<u>Organization</u>
Jason Weakley	Virginia Department of Health
Marcia Degen	Virginia Department of Health
Mark Inboden	Inboden Environmental
John Burleson	Burleson Engineering
Joe Wood	Chesapeake Bay Foundation
Dave Cando	ESS
Allan Brockenbrough	DEQ - CO
Elleanore Daub	DEQ - CO
Peter Sherman	DEQ - CO
Troy Nipper	DEQ - CO
Clairise Shaheen	DEQ - SWRO
Willard Keene	DEQ - SWRO
David Kinder	DEQ - SWRO
Richard Shortridge	DEQ - SWRO
Cathy Nicely	DEQ - NRO
Brandon Kiracofe	DEQ - VRO
Lynn Wise	DEQ - BRRO
Amy Dooley	DEQ - NRO
Rebecca Johnson	DEQ - NRO

Information provided before the meeting included:

- Regulation with draft amendments and staff comments, VPDES General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day 9VAC25-110;
- Role of the TAC
- Agenda

### Discussion

Department of Environmental Quality (DEQ) staff reviewed the agenda and presented background information (slides) regarding the general permit regulation and the rulemaking timeline. The Notice of Intended Regulatory Action was published April 1, 2019 (POST NOTE: no substantive comments were received, only requests to be on the TAC, and all requests were accepted). Staff plans to ask the Board for approval to go to public hearing on the draft amendments at the Spring 2020 State Water Control Board quarterly meeting. A 60-day public comment period will follow. Staff anticipate seeking final approval near the end of 2020.

DEQ reviewed the exempt rule process (slides), tentative schedule, and the advisory role of the TAC. DEQ staff have previously reached out to a number of permittees to participate on the TAC, but received no response. Select background information presented includes:

- Current general permit expires August 1, 2021;
- This general permit is available to cover below threshold discharges of domestic sewage from homes and small buildings not connected to POTWs or amenable to the use of septic systems;
- The current general permit covers approximately 2800 permittees (2264 single family homes [VDH] and 532 non-single family homes [DEQ]);
- Approximately 70 percent of permittees are located in two DEQ regions (VRO and SWRO), which pose particular implementation challenges;
- This general permit covers non-traditional permittees (i.e., less knowledge of VPDES permitting; some regions encounter permittees with limited resources [e.g., Median household income for Southwest region is approximately \$35,503];
- This general permit is implemented in coordination with the Virginia Department of Health;
- Discharges under this permit are intermittent, of limited volume (300-400 GPD), and often to ephemeral streams;
  - Ninety-three percent of permittees covered discharge to receiving water with a flow of < 0.2 MGD.

DEQ noted that the draft general permit language that was sent out to the TAC members prior to the meeting included minimal edits (e.g., permit term dates, addition of latitude and longitude and SCC number to the registration statement, and certain generic language). The discussion at the TAC meeting addressed the permit language and focused in considerable part on implementation challenges. The general scope of and comments from the meeting are summarized below.

**Purpose; delegation of authority; effective date of permit (Section 20)** – Draft edits would change the term of the permit to August 2, 2021 until September 30, 2026. To make the term no more than five years, as required by the CWA, the new expiration date should be July 31, 2026. DEQ discussed adjusting these dates to start at the beginning of a month, as well as making the permit effective on September 1, 2026 versus August 1, 2026. Making the permit effective on September 1, 2026 would require that the current general permit be administratively extended for 29 days.

**Authorization to Discharge (Section 60)** – DEQ reviewed draft edits that would make the continuation of permit coverage language more generic (removing specific dates for submittal of a complete registration statement or combined application and requiring submittal 60 days prior to permit expiration), and a new sentence that seeks to clarify continuation for coverages based on automatic renewal. TAC members questioned the clarity of the new sentence and DEQ agreed to reexamine the language.

**Registration Statement (Section 70)** – A TAC member observed that the Virginia Department of Health (VDH) *must* receive the combined permit application and, therefore, the permit language addressing the use of combined application for individual single family dwellings in 9VAC25-110-60 A 1 needs to be mandatory (change “may submit” to “shall” or “must”).

DEQ asked if an applicant or permittee turns in a registration statement, can the VDH deny coverage. VDH indicated yes, sometimes people will have an alternative available to the use of a discharging system. DEQ needs to know that VDH will allow a discharging system. VDH noted that 9VAC25-110-70 B 8 c requires with the registration statement (for new permittees) a copy of the notice from VDH that no onsite system is available.

VDH noted that under 12VAC5-640 (Alternative Discharging Sewage Treatment Regulations for Individual Single Family Homes) there is not a requirement for a “no onsite solution” letter. There is almost always an onsite solution, but such a solution can be unreasonably expensive.

One TAC member stated that in the central Shenandoah area, he analyzes the soil and, where it is not amendable to an onsite system, he sends the results to VDH. VDH observed that discharging system requirements are more stringent than requirements for onsite systems. VDH offered to provide some permit language. DEQ asked what are we looking for to show that no onsite options are available. The response was to achieve 10-10 with no disinfection, before a combined application for a discharging system is needed, you generally need at least six inches of soil. One DEQ participant suggested that non-single family home (NSFH) criteria should be as stringent as single-family home (SFH) criteria. VDH responded that DEQ could reference the VDH regulations if that would be helpful.

DEQ explained that adding latitude and longitude information to the registration statement is necessary to meet electronic reporting requirements imposed on the VPDES program by U.S. EPA. A question was asked regarding whether DEQ has a format or standard for latitude and longitude data. DEQ does not have a specific standard. VDH staff stated that if we want to use

latitude/ longitude for anything formal we should have standards. VDH has such standards. DEQ observed that the local health department identifies location for the permittees. DEQ commented that permit writers drop a 'pin' in our GIS system (within CEDS) to set the latitude and longitude, and added that we still need latitude and longitude information as a check.

DEQ stated that draft edits ask for the State Corporation Commission entity identification number if a facility is required by law to obtain such a number. This information is being requested for all VPDES general permits to accurately identify the legally responsible party in case of enforcement. This information would only be required of NSFHS since it pertains to business entities. A DEQ participant commented that they were not clear on what value the SCC number adds, since for permits such as the industrial stormwater general permit, permit writers check the information on the SCC website anyway. He acknowledged that it does help with looking up the number.

A DEQ participant indicated that BRRO requires registration statements for all NSFHS rather than automatic reissuance, and some other regions may as well. This can be a challenge for DEQ permit writers (send the statement out, it gets lost, resend it).

VDH asked when do DEQ permit writers share the list of SFHS with local VDH districts to confirm information (addresses, need to require a registration statement versus automatic reissuance, compliance, etc.). DEQ-SWRO shares the list about one year before permit reissuance. When a permittee does not qualify for automatic renewal, a registration statement is due 60 days prior to expiration. Other regions did not know for sure. Maybe 6 months. That is okay too.

**General Permit (Section 80 Part I)** – The draft regulation circulated for this meeting did not include changes to the effluent limits or monitoring requirements. VDH asked whether permit owners get a copy of a single page of limits/ monitoring requirements that apply to them. One DEQ region responded that we give them the entire permit, but also give them a summary of the permit requirements (POST NOTE: The region has a summary page for 7Q10 less than 0.2 mgd, and one for 7Q10 equal or greater than 0.2 mgd. SFH permittees still have to choose monitoring and limits based on whether they use chlorine or UV, and whether the discharge is to an ephemeral stream. For NSFHS the region has knowledge of these specifics and can specify requirements accordingly). For VDH permits, permittees get the permit and summary and are instructed to contact VDH for further help. (POST NOTE: The transmittal letter identifies several VDH regulatory requirements). VDH asked why the different approach and DEQ responded it is because there are a very large number of such permits in the region. VDH asked whether there is a way to notify SFH permittees which limits page is applicable to them. DEQ responded that we provide the limits associated with the applicable 7Q10 to the NSFH permittees. One TAC member added that he does operation and maintenance (O&M) for permittees and provides the permit letter, the entire permit in a manual, and breaks it out for them to specify applicable requirements. Ultimately, the VDH district must confirm/ determine the applicable requirements.

VDH asked how to determine if the receiving water has a 7Q10 of <.2 or >.2 mgd. One response was that a solid blue line on a USGS topo map generally indicates a perennial stream, whereas a

dotted line indicates an intermittent stream. A DEQ participant indicated that the transmittal letter provided to the permittee indicates whether the receiving water flow is <.2 or >.2 mgd. Another DEQ participant said that the summary sheet provided is specific to the receiving water flow. One DEQ staff said that at times it is confusing as to whom at VDH we should we send this information to. One DEQ region provides a specific permit, with summary, and spreadsheet to VDH of who gets which limits page.

In DEQ's Valley region, of the 886 SFHs, 96 percent are <.2 mgd. Is there enough of a reason to maintain the two flow thresholds? If we do not, everyone would need post-aeration and dechlorination. Last permit issuance we removed post-aeration and dechlorination for ephemeral streams. VDH suggested leaving these requirements as they are.

### Discharge Monitoring

The existing VPDES general permit requires annual monitoring (Potomac River Embayment monitoring is quarterly). VDH regulations also provide for start-up and informal testing requirements.

DEQ asked VDH why informal monitoring requirements are different than DEQ's monitoring requirements. VDH explained that informal testing first is basic pH, odor, and DO, required twice a year, and, during one of the monitoring sessions, permittees have to sample for the applicable limits in the DEQ permit. DEQ asked if informal testing should be applied to NSFHs. Has there been any discussion of making DEQ requirements (for NSFHs) the same as VDH's? No. A DEQ participant suggested that DEQ and VDH should do things the same. VDH observed that, in general, monitoring twice a year helps with compliance (e.g., disinfection, etc.). One DEQ staff person observed that there is potential benefit from informal testing (making testing two times a year) including changing permittee expectations, which may prompt better maintenance permittees.

A participant stated that where a permittee hires a maintenance contractor, these maintenance items are addressed. Homeowner/ permittees often do not know how to maintain these treatment systems and they do not consistently check for proper operation. One participant said he sends out email blasts to all of his clients to make sure they check the system monthly. He suggested that if DEQ changes to match VDH, make monitoring more like a process control test.

DEQ asked how often does sampling result in a report of no discharge. The response was that it is very common. One example is a church with no discharge during normal business hours (when the service provider would normally monitor) and discharges only on Sunday (when monitoring is not conducted).

A participant asked whether there is value in conducting monitoring for this general permit. Another noted that it is important to see the data. How well does monitoring represent what is going on the rest of the year? Forcing a discharge is better than nothing. Most of these places have a tank prior to discharge that could be sampled. If we were able to force a discharge that would be better than not having any data.

One participant suggested that we keep monitoring and impose a monthly system check requirement. One DEQ staff noted that DEQ only can inspect NSFHs once every five years. VDH inspects SFHs once per year. In cases where a maintenance contract is in place, system maintenance is usually better. Substituting monitoring for a contract requirement is not a good solution. Another DEQ participant favored beefing up requirements to check system operation/maintenance.

A DEQ participant observed that sometimes the maintenance contractor is not paid so analytical results are not submitted. VDH asked if we were to drop monitoring how would we build an enforcement case? A DEQ staff person stated that if monitoring data indicate an exceedance, the permittee will receive a warning letter. DEQ would expect a letter of explanation from the permittee, but no resampling is required. So ensuring maintenance seems more important.

Two DEQ participants stated that they use warning letters to determine inspections. Requiring DMRs results in better accountability, although requiring a maintenance contract could possibly solve that problem. At times, permittees do not rehire the contractor and they proceed without a contract.

A DEQ participant observed that because it is hard to capture a discharge, we do not have confidence in the data. If they report “no discharge” that is acceptable to us. Our issues are public health issues concerning discharges to dry ditches (e.g., kids playing near an outfall). VDH added that dry ditches have 250 – 500 feet restricted access (12VAC5-640-450).

One VDH participant stated that she has not heard complaints about the cost of monitoring and that she is not in favor of removing monitoring since we have not yet established a record of everything working really well. A DEQ participant pointed out that it appears that our record is better for permittees with maintenance contracts.

### Ephemeral Streams

DEQ asked about obtaining better data regarding how many facilities discharge to ephemeral streams. This question, which is on the registration statement, has just been added to CEDS for NSFHs. VDH has additional construction requirements for SFHs that do not discharge to a free flowing stream: 24-hour storage, access to channel restrictions, back-up power requirements, 10-10 high quality effluent, plus a \$75 fee. These additional requirements have been in place since 1992 with some changes recently.

VDH asked about the concept that a discharge has to be hydrologically connected to a surface water. We all struggle when the receiving stream is a long way from the discharge point. Would DEQ issue a permit? DEQ-SWRO said that, generally, there is always a hydrological connection. If there is no point source discharge, then a permit is not required.

### Maintenance Contract/ O&M Plan/ Licensed Operator

Under the general permit, NSFHs must have either a maintenance contract or an approved O&M plan, whereas SFHs do not require a contract or plan but must use a licensed operator.

VDH noted that the maintenance contract requirement was dropped in the VDH regulations for onsite systems. There were many public comments about cost, etc. VDH agrees with requiring monitoring.

One DEQ region noted that they are replacing straight pipes with package plants. If permittees are not refilling chlorine tablets (except at inspection time), these systems become glorified straight pipes. The region tries to make them get maintenance contracts.

A DEQ participant stated that everyone should have an O&M manual. Others did not think it would make that much difference in terms of better compliance. One participant said he has seen permittees filling in the entire annual log just prior to submittal. One participant said he sends a log to clients and sees benefits of doing so, even though there is some potential for falsification by the client.

One DEQ participant said he believes that maintenance and logs are most important. It was pointed out that nearly 100 percent of violations for not submitting a DMR are from permittees with no maintenance contract.

VDH stated that they require that SFH permittees use a licensed operator. If we require the use of a licensed operator, this seems to be the equivalent of requiring a contract.

VDH indicated that they require a Class IV or higher operator for SFHs (or an alternative onsite sewage system [AOSS] operator). Some districts with a high number of permittees may have a dedicated staff to work with the SFHs (there are 35 health districts statewide).

One participant suggested that it would make sense for DEQ to mirror VDH operator requirements. Another commented that if we require licensed operators then we could we remove the DMR requirement. A DEQ participant noted that if we require a licensed operator for NSFHs, we need to change the e-DMR system to add the operator certification back in (we took it out of e-DMR requirements).

DEQ noted that for NSFHs the maintenance contract alternative is relatively new. Another DEQ staff person stated that a maintenance contract costs about \$400 per year. VDH observed that SFHs require maintenance and an annual report, but that funding is constantly an issue. A DEQ inspector offered an example where an engineer installs and maintains a system (initial maintenance is “free”/ covered as part of installation cost) for two years, but after two years the permittee gets the \$400 maintenance contract bill and drops the contract due to the cost. VDH asked what we could change in the permit to address these challenges.

VDH stated that they can issue civil penalties. It is a public health issue if children are playing near these discharges and compliance with regulations or the general permit are poor. One DEQ region noted that most permittees have maintenance contracts. A DEQ inspector noted that most permittees are unfamiliar with treatment system operation. Another added that she sees the same concern for industries too. DEQ has issued many warning letters to NSFHs for failure to submit a DMR. A DEQ participant asked if we should delete the operation and maintenance plan option

for NSFHs from the permit, since implementation seems lacking, and require maintenance contracts.

VDH conducts annual inspections at SFHs. VDH noted that licensed operator requirements/ use of an AOSS operator will help. We are starting to get more operators now. They do annual inspections (sometimes inspections are reduced to once every three years).

VDH said it may make sense for the permit to require a licensed operator. DEQ added that the permit should continue to require that a log be submitted. A DEQ participant said that one key is boots on the ground, such that if monitoring data are not submitted the permitted facility is put on a list for inspection. SWRO works to inspect these systems. Require DMRs, maintenance logs, all submitted by a Class IV operator or AOSS operator. A DEQ participant asked if homeowners submit DMRs. There was some discussion of whether the operator was the one signing the DMR or just taking the sample. The owner would have to give the operator certification authority for the operator to submit DMRs. In DEQ's Valley region, if we just get the contract operator signature, we do not accept it.

A DEQ participant said that NSFHs with a maintenance contract must keep a log, so the permittee does have to do something. One DEQ region supported requiring a maintenance contract or that O&M must be conducted by a licensed operator. Is an alternative to allow the operator do the monitoring? One participant questioned whether it would work to let permittees do the O&M themselves, and noted that a log should still be required. They offered that if a licensed operator must conduct O&M, this would achieve better compliance.

#### Forced Discharge

VDH asked why the general permit says a sample should not be forced. The concern appears to be ensuring representative data. A DEQ participant said we could consider conditionally allowing forced discharges. We would need to develop criteria, such as limiting the time following the generation of discharge flow.

A DEQ participant asked, if a forced discharge is allowed, would it result in data that presents an accurate picture of the discharge. If we allow a forced discharge, one DEQ participant noted that it will require significant resources to process the additional information.

DEQ asked if there is general agreement to conditionally allow a forced discharge, and to require a licensed operator for all permittees. One response asked if there are enough licensed operators in the state. VDH responded yes, but this is one reason why VDH allowed the use of AOSS operators. DEQ asked if laboratories can get certified, or how would this work. One DEQ participant indicated that SWRO has trouble getting enough onsite operators.

A DEQ participant asked how monitoring data would be used. Another stated that the TAC has indicated that permittees with operators turn in monitoring data or at least check the system for maintenance more consistently.

One participant asked what criteria would be specified to allow for the use of a forced discharge. VDH has some provisions in policy.

### Compliance/ Enforcement

A DEQ participant stated that our enforcement tools are not well suited to address these DSD permittees. For example, permittees will never accumulate enough points to warrant enforcement. In addition, DEQ enforcement uses an “ability to pay” assessment, which for these permittees often results in dropping enforcement actions.

VDH asked if DEQ specifies how enforcement points are applied in guidance. DEQ answered yes. VDH may have some enforcement policies that DEQ could use. Another DEQ staff observed that the number of enforcement staff is also limited (e.g., one enforcement inspector in SWRO).

A DEQ inspector said that often residences share a treatment system to reduce costs. Another DEQ participant noted that on the registration the department includes the names of both parties so both are responsible for compliance. Then one moves, which creates problems. A DEQ inspector said that his region requires easements in perpetuity for the additional home. Another reiterated that DEQ’s enforcement toolbox does not fully address this situation either.

A DEQ participant pointed out that significant noncompliance is a potential issue as e-reporting to EPA becomes more fully implemented, although others pointed out that showing maximum compliance in EPA’s ECHO system is not such a big concern.

One participant suggested that there is a compliance MOU between VDH and DEQ. Some VDH districts do not have enforcement staff and, while the agency can bring a civil suit, such an action is very time consuming. VDH stated that if it is a SFH, then VDH has compliance/ enforcement options. It was noted that SCAT regulations specify that sewage on the ground is a violation.

VDH asked if a facility is out of compliance with their permit, would DEQ still reissue the permit. A DEQ participant said, generally, we would reissue the permit. With a permit, DEQ can use administrative enforcement tools, including an administrative hearing, but enforcement in court must proceed through the Attorney General’s office. VDH asked if the certificate to operate (CTO) would be invalid if a permittee was not in compliance. Would a building official condemn the operation? VDH indicated that if they object to a permit, they thought it was so DEQ would not renew permits that are out of compliance and subsequently the permittee would be discharging without a permit. A DEQ participant said we still issue the permit and VDH normally works to fix problems with the SFHs. The permit sets the specific compliance requirements, VDH or DEQ works to ensure compliance, which is the broader goal. VDH expressed some frustration in that VDH does as much as they can with regard to enforcement, but feels they do not get a lot of enforcement support from DEQ. VDH asked why obtain VDH input, why not just make them all automatic renewal. A DEQ participant said that DEQ cannot deny coverage without a basis. If a facility does not register or meet the automatic renewal requirements, they are discharging without a permit. Requiring VDH input on SFHs at least makes permittees aware of their situation. They were advised to take certain steps to come into

compliance and provide DEQ with a response, which makes permittees more aware of their requirements.

### DEQ/VDH Roles/ Coordination

Potential areas of coordination include permitting responsibility (SFH vs NSFH), application review and issuance (registration statement, combined application, automatic renewal), monitoring, inspections, and enforcement.

A DEQ participant pointed out that how we interact with the owner of a residence versus the owner or operator of a business is different. It is easier to pursue or even close a business than to tell someone their home is not in compliance. Given the focus and tools of each agency, can NSFHs that are residential be addressed by VDH? One DEQ staff person stated that in the past state law was interpreted such that “home” included “homes,” but also noted that a number of SFHs are designed with a second connection (to accept another home) to avoid VDH requirements and the \$75 annual fee. There are also situations with two residences discharging into one system. VDH stated that we could waive the fee if they are in compliance. VDH stated that the agency can look into taking responsibility for NSFHs that are residential, although certain changes may warrant a change in state law. How many are we talking about? DEQ indicated there are approximately 25 multiple residences in Valley, and we are probably talking about 200 more homes. VDH noted that their sewage handling regulations require a single owner.

It would be helpful to establish timetables of when to notify VDH of what DEQ needs. Probably a new MOU is needed to address a range of coordination issues (responsibility, what information VDH provides to DEQ in the registration process, how the agencies will address with noncompliance, etc.).

### NSFH DMR Data/ Environmental Impact

DEQ presented preliminary NSFH DMR limit exceedance rates for TSS (5.6% exceedance rate), BOD5 (2.5%) and pH (1%), and noted that approximately 17% of the DMR records for these parameters indicated no discharge, and an additional 17% were blank or marked X (did not complete sample). One participant offered that most of these DMRs were probably from permittees with maintenance contracts. DEQ added that the number of DMRs submitted for 2018 was 448. Others noted that of 532 NSFHs, this is not bad, but many were late. (POST NOTE: A report shortly following the TAC meeting indicated that there are 535 NSFH permittees, 510 DMRs were submitted for 2018, 417 discharged, and 93 indicated no discharge). DEQ indicated that the flow data for these facilities is variable, from 2 – 500 GPD.

DEQ asked whether VDH achieves a good response rate for monitoring required under the general permit for SFHs. VDH responded that traditionally local districts track their own data. Some goes into VDH’s Virginia Environmental Information System (VENIS). Onsite operators do submit information and some also submit discharge data. Some wetland systems and other systems with high retention times do not discharge. VDH is reorganizing its data system (the new system is the Environmental Health Database or EHD).

One participant stated that the effect of these discharges on aquatic life or from a nutrient perspective is not well known. DEQ responded that we have conducted some nutrient monitoring and total nitrogen levels were around 50 mg/l and total phosphorus levels were around 5 mg/l, but flow volume is low and in many instances, discharges are to dry ditches. The participant asked if DEQ would share its nutrient data and DEQ said yes. DEQ noted that in many cases these discharges are more like an onsite system.

VDH asked about eligibility for coverage under this permit where there is a TMDL (bacteria) in place. There is a failing onsite system and water is everywhere. The best solution is a discharging system. Can the SFH get coverage for a discharge? DEQ indicated yes and noted that meeting the water quality standard itself normally meets the assumption of the TMDL.

VDH mentioned the NSF 245 certification program, which addresses nitrogen reduction. (POST NOTE: This program provides certification of residential wastewater treatment systems with capacities between 400-1500 GPD; the nitrogen minimum reduction criteria is 50%).

### Compliance Costs

VHD observed that these permits address the most expensive type of residential treatment system being implemented by the people least able to pay. VDH asked if some localities have funding available to help. DEQ responded yes, but that such funding is rare.

DEQ asked about the cost of a discharging system. A participant responded a new system is approximately \$20,000 – \$25,000. DEQ-SWRO said that sand filter recirculating systems could be \$12,500 – \$14,000. Without a sand filter, costs could be \$9,000. VDH asked whether these meet the 30-30 or 10-10 treatment standards.

A DEQ participant asked how much does discharge monitoring cost for this permit. This depends on the location, the number of visits, the parameters. Costs range \$250 – 500 per year. Just to run the sample, lab analysis for BOD \$30, TSS \$17. DEQ observed that on the high end this is about \$100 more per year than a maintenance contract. We need to weigh the costs and benefits of different management requirements. Some permittees monitor themselves. Some buy chlorine tablets and pay a service provider to take samples once a year.

One challenge is developing a better understanding the cost of certain actions versus improved compliance. To what extent can we modify behavior without imposing unreasonable costs? Fees could be helpful for NSFHs. This may require a legislative change.

### **General Permit (Section 80, Part II) –**

DEQ reviewed Part II C and asked if the language that says, “monitoring results under this permit are not required to be submitted to the department” is an artifact and should be removed. There appeared to be agreement (other parts of the permit require submittal of the data). A participant also suggested changing C 1 language about submitting the results on the 10<sup>th</sup> day of the following month since the due date for monitoring data is specified elsewhere in the permit.

Next steps: Circulate a meeting summary for review/ comment. DEQ will schedule additional meetings. Please provide specific input regarding the general permit to Peter Sherman at [peter.sherman@deq.virginia.gov](mailto:peter.sherman@deq.virginia.gov).