



*Commonwealth of Virginia*

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY**

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Stefanie K. Taillon  
Acting Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus  
Director

**STATE WATER CONTROL BOARD MEETING**

General Assembly Building, House South Subcommittee Room, Second Floor  
201 North 9th Street, Richmond, VA 23219

**WEDNESDAY DECEMBER 4, 2024**

**Board Members Present:**

Lou Ann Jessee-Wallace, Chair  
Scott Cameron, Vice-chair  
Tommy Branin  
Robert Dunn  
Jerry Kilgore  
Steve Yob

**Board Members Absent:**

Michelle Johnson

**Department of Environmental Quality:**

Michael Rolband, Director  
Melissa Porterfield  
Jill Hrynciw

**Office of the Attorney General:**

Ross Phillips, Assistant Attorney General/Chief

1. The attached minutes summarize activities that took place at this Board Meeting.
2. The meeting convened at 10:04 a.m. and adjourned at 11:04 a.m.



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON DECEMBER 4, 2024**

**Minute No. 1- Approval of Minutes**

The Board approved the minutes of the meeting held September 16, 2024, by a vote of (6-0).

A handwritten signature in blue ink, appearing to read "M. Porterfield", written over a horizontal blue line.

Melissa S. Porterfield



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EXCERPT FROM THE PROCEEDINGS OF THE STATE  
WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 4, 2024

**MINUTE NO. 2 – 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)**

Prior to the meeting the Board was provided materials including a briefing memo which included a list of the technical advisory committee membership, the regulation showing proposed amendments, and the town hall agency background document. Peter Sherman from the Office of VPDES Permits presented a summary of the significant proposed changes to the regulation.

**Board Decision**

Based on the briefing material and the staff presentation, the Board voted unanimously (6-0, Branin, Cameron, Dunn, Kilgore, Wallace, and Yob) to approve the staff recommendation to authorize a public comment period and public hearing for amendment and reissuance of the VPDES General Permit Regulation for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day (9VAC25-110), and to authorize the staff to serve as hearing officer for the public hearing.

A handwritten signature in blue ink, appearing to read "Scott Morris".

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**Scott Morris,  
Director, Water Division**



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EXCERPT FROM THE PROCEEDINGS OF THE STATE  
WATER CONTROL BOARD AT ITS MEETING ON December 4, 2024

**MINUTE NO. 3 – Reissuance of Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Seafood Processing Facilities 9VAC25-115**

Prior to the meeting the Board was provided materials including a briefing memo which included a list of the technical advisory committee membership, the regulation showing proposed amendments, and the town hall agency background document. Azra Bilalagic from the Office of VPDES Permits, Central Office, presented a summary of the significant proposed changes to the regulation.

**Board Decision**

Based on the briefing material and the staff presentation, the Board voted unanimously (6-0, Branin, Cameron, Dunn, Kilgore, Wallace, and Yob) to approve the staff recommendation to authorize a public comment period and public hearing for amendment and reissuance of the Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Seafood Processing Facilities (9VAC25-115), and to authorize the staff to serve as hearing officer for the public hearing.

A handwritten signature in blue ink, appearing to read "Scott Morris".

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**Scott Morris**  
**Director, Water Division**



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER  
CONTROL BOARD AT ITS MEETING ON DECEMBER 4, 2024**

**MINUTE NO. 4 – Petition for Rulemaking – New Regulatory Rulemaking on Ocean-class  
Passenger Cruise Ships**

Joseph Bryan, VPDES Permits Supervisor, Office of VPDES Permits, presented a Petition for a New Regulatory Rulemaking on Ocean-class Passenger Cruise Ships

Prior to the meeting the Board was provided materials including a briefing memo which contained a copy of the petition and a summary of comments received during the petition comment period. The Board was presented an overview of the petition, a summary of comments received, and a discussion of the applicability of federal and state laws and regulations.

**Board Decision:**

Based on the briefing material and the staff presentation, the Board voted unanimously (6-0, Branin, Cameron, Dunn, Kilgore, Wallace, and Yob) to not initiate a rulemaking in response to the petition.

A handwritten signature in blue ink, appearing to read "Scott Morris".

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**Scott Morris**  
**Director, Water Division**



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EXCERPT FROM THE PROCEEDINGS OF THE STATE  
WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 4, 2024

**MINUTE NO. 5 – FY 2025 VCWRLF Loan Authorizations**

Ms. Kelly Ward, Deputy Director of the Department's Clean Water Financing and Assistance Program (the Program) made a presentation to the Board based on a memorandum dated October 31, 2024. The memorandum identified the loan amounts, terms, and interest rates for 17 projects being recommended by staff for FY 2025 Virginia Clean Water Revolving Loan Fund (the Fund) assistance.

Ms. Ward began her presentation by summarizing the FY 2025 application process for 17 projects targeted for a total of \$180,608,890 in assistance from the Fund. She explained that staff had completed its user charge impact analyses for the targeted recipients in order to establish the interest rates in accordance with Board guidelines. She stated that a public meeting on the proposed funding list was not held but the list was posted to Town Hall and no comments were received.

Ms. Ward explained that all the interest rate analyses have been finalized in accordance with the Board approved guidelines and the resulting recommendations were included in the memorandum to the Board. As approved by the Board in previous years, staff recommended revisions to the program rates and term options offered to borrowers whose project type and impact to user rates resulted in a program rate based on the Board's Guidelines. Based on consultation with the Virginia Resources Authority (VRA), she stated that the staff was recommending that the program rate calculation vary depending on the term of the loan for wastewater projects.

**Staff Recommendation**

Authorize the execution of loan agreements for the projects, loan amounts, interest rates and terms listed below, and that 20-year term program rates are set at 1.5% (150 basis points) below market, 25-year term program rates are 1.25% (125 basis points) below market, and 30-year term program rates are 1.00% (100 basis points) below market, based on VRA's evaluation of the market conditions that exist about a month prior to each loan closing. The interest rate for Southwest Virginia Pilot Program construction projects would be 0%, the hardship interest rate will be 0.5%, and the minimum interest rate would be 1% for all other loans. Loan closings would be subject to receipt of a favorable financial capability analysis report and supporting recommendation from VRA for each loan recipient.

<b>FY 2025 Proposed Interest Rates and Loan Term Authorizations</b>		
<i>Applicant</i>	<i>Loan Amount</i>	<i>Rates and Loan</i>
BVU Authority	\$5,000,000	PR up to 30 years
City of Lynchburg	\$54,100,000	0.5% up to 25 years
Russell County Public Service	\$5,691,177	PR up to 25 years
City of Chesapeake	\$17,928,123	PR up to 30 years
City of Danville	\$15,300,000	PR up to 25 years
Town of Pennington Gap	\$1,854,200	0% up to 30 years
Town of Honaker	\$2,729,900	0% up to 30 years
Lee County Public Service Authority	\$739,200	0.5% up to 30 years
Town of Narrows	\$1,540,400	PR up to 30 years
Town of Abingdon	\$3,125,000	PR up to 25 years
Maury Service Authority	\$4,830,000	PR up to 25 years
Prince William County Service	\$50,000,000	PR up to 25 years
Town of Blacksburg	\$12,000,000	PR up to 30 years
Town of Gate City - Sanitation	\$720,300	0% up to 30 years
Tazewell County Public Service	\$505,400	0.5% up to 20 years
Town of Blacksburg	\$1,500,000	PR up to 30 years
Washington County Service Authority	\$3,045,190	PR up to 25 years
<b>TOTAL \$180,608,890</b>		
<b>PR = Program Rate *minimum 1%</b>		

**Conflict of Interest Act Disclosure**

Board member Lou Wallace submitted to DEQ staff a signed transactional disclosure statement pursuant to the Virginia State and Local Government Conflict of Interests Act before participating in/voting on this agenda item. She indicated she has a personal interest affected by the transactions being considered because of her employment on the Russell County Board of Supervisors.

Russell County, like other Virginia localities, is served by a Public Service Authority being considered for a loan from DEQ’s Clean Water Revolving Loan Fund. Pursuant to Va. Code § 2.2-3112(b)(1), I am a member of a business, profession, or occupation, or group of three or more persons which are affected by this transaction.

She indicated she was able to participate in this agenda item fairly, objectively, and in the public interest.

**Board Decision**

Based on the briefing material and the staff presentation, the Board voted unanimously (6-0, Branin, Cameron, Dunn, Kilgore, Wallace, and Yob) to approve the staff recommendation.

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**Scott Morris,  
Director, Water Division**



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT  
ITS MEETING ON DECEMBER 4, 2024**

**Minute No. 6-** Report to the Board Regarding Controversial Permits - AdvanSix Resins and Chemicals LLC - Hopewell Virginia; Virginia Pollutant Discharge Elimination System Permit - VA0005291 and Surface Water Withdrawal Permit issuance, Caroline County VWP No. 20-0514

In accordance with § 10.1-1184.1.B of the Code of Virginia, Dr. Scott Morris provided the Controversial Permit Report to the Board. The report included that the VA0005291 permit had been issued on December 1, 2024 and that action for VWP No. 20-0514 had been suspended until additional information was received from the applicant. The Board was provided the opportunity to respond to the Department's presentation and provide commentary regarding the permits.

A handwritten signature in blue ink, appearing to read "Scott Morris".

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**Scott Morris**  
**Director, Water Division**



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**Minute No. 7: Mountain Valley Pipeline – Update**

Ms. Davenport presented an update on the status of the project. She reported that ongoing activity for this quarter involves regrading/restoring the right-of-way, installation of permanent stormwater controls and demobilization of equipment storage yards and temporary work areas. She also provided an overview of the compliance activities and stipulated penalties for the period of September 16, 2024 through December 1, 2024.

A handwritten signature in blue ink that reads "Melanie D. Davenport".

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Melanie D. Davenport



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**Minute No. 8- Future Meeting Date**

No future meeting dates for the Board were confirmed at this meeting.

A handwritten signature in blue ink, appearing to read "M. Porterfield".

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Melissa S. Porterfield



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT  
ITS MEETING ON SEPTEMBER 16, 2024**

**Minute No. 9- Public Forum**

Jessica Simms, Appalachian Voices, spoke to Board during the public forum concerning the Southgate extension pipeline project and revisions that are planned for that project.

A handwritten signature in blue ink, appearing to read "M. Porterfield".

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Melissa S. Porterfield