



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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David L. Bulova
Secretary of Natural and Historic Resources

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

STATE WATER CONTROL BOARD MEETING

Bank of America Building 3rd floor Conference Room,
1111 E. Main Street, Richmond, VA 23219

TUESDAY APRIL 7, 2026

Board Members Present:

Lou Ann Jessee-Wallace, Chair
Scott Cameron, Vice-chair
Tommy Branin
Michelle Johnson
Jerry Kilgore
James Patteson
Steve Yob

Board Members Absent:

none

Department of Environmental Quality:

Michael Rolband, Director
Melissa Porterfield
Jill Hrynciw

Office of the Attorney General:

Emily Little, Assistant Attorney General

1. The attached minutes summarize activities that took place at this Board Meeting.
2. The meeting convened at 10:03 a.m. and adjourned at 11:47 a.m.



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD
AT ITS MEETING ON APRIL 7, 2026**

Minute No. 1- Approval of meeting minutes

The Board voted 6-0 (Branin, Cameron, Johnson, Kilgore, Wallace and Yob) to approve the minutes of the meeting held November 18, 2025. Mr. Patterson abstained from the vote.


Melissa S. Porterfield



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE
WATER CONTROL BOARD AT ITS MEETING ON April 7, 2026**

MINUTE NO. 2 – Reissuance of General Virginia Pollutant Discharge Elimination System (VPDES) Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia - 9VAC25-820

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 final amendments, and the Town Hall Agency background document. Laura Galli from the Office of VPDES Permit, Central Office, presented a summary of the public comments received and significant proposed changes to the regulation. Mr. Chris Pomeroy, representing the Virginia Association of Municipal Wastewater Agencies (VAMWA), addressed the Board and indicated VAMWA supported reissuance of the final general permit regulation presented to the Board.

Board member Steven Yob 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. He indicated he has a personal interest affected by the transaction being considered because of his employment as Deputy County Manager for Community Operations by Henrico County. He indicated he 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 (7-0, Branin, Cameron, Johnson, Kilgore, Patterson, Wallace, and Yob) to approve the final regulation and to receive, consider, and respond to any petitions by any person at any time with respect to reconsideration or revision of this regulation, as provided by the Administrative Process Act.

Jaime B. Robb

Jaime Robb
Water Operations Division Director



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT
ITS MEETING ON APRIL 7, 2026**

Minute No. 3 - Final Amendments to the Virginia Pollution Abatement (VPA) Permit Regulation: Implementation of Chapter 209 of the 2024 Acts of Assembly (HB 870) – Procedures for Emergency Management of Biosolids to Protect Against the Release of Biosolids into State Waters, and to Account for Increased Intensity, Frequency, and Duration of Storm Events

Prior to the meeting, the Board was provided with materials including a briefing memo which included a list of the regulatory advisory panel membership, the regulations showing the amendments, and the Town Hall agency background documents. Neil Zahradka, Manager of the Office of Land Application Programs in the Water Division, presented a summary of all public comments and changes to the regulation, including changes made since the proposed stage in August 2025. The changes were based on 1) comments the Department received during the public comment period related to emergency action plan updates, and 2) non-substantive changes to improve clarity, consistency, precision of terminology, and improve readability.

Board Decision

Based on the Board Book briefing material and the staff presentation, the Board voted unanimously (7-0, Branin, Cameron, Johnson, Kilgore, Patteson, Wallace and Yob) to approve the staff recommendations to approve the final amendments to the VPA Permit Regulation and authorize publication.

A handwritten signature in blue ink that reads "Jaime B. Robb".

Jaime B. Robb
Water Operations Director



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER
CONTROL BOARD AT ITS MEETING ON APRIL 7, 2026

**MINUTE No. 4 – VIRGINIA WATER PROTECTION PERMIT REGULATION
(9VAC25-210) - FAST-TRACK AMENDMENT IN RESPONSE TO CHANGES TO THE
LOCAL AND REGIONAL WATER SUPPLY PLANNING REGULATION (9VAC25-780)**

Prior to the meeting the Board was provided materials showing the proposed amendments to the regulation. Eric Seavey, Office of Water Withdrawal Permitting Manager, presented a summary of the proposed changes to the regulations.

Board member Steven Yob 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. He indicated he has a personal interest affected by the transaction being considered because of his employment as Deputy County Manager for Community Operations by Henrico County. He indicated he was able to participate in this agenda item fairly, objectively, and in the public interest.

Board Decision:

Based on the Board book briefing material and information provided by staff, the Board unanimously voted (7-0) to accept the staff recommendation to:

1. Promulgate the proposal for public comment using the fast-track process established in § 2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial. The board's authorization also constitutes its approval of the regulation at the end of the public comment period provided that:
 - a. no objection to the use of the fast-track process is received from 10 or more persons, or any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, and
 - b. the department does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal; and
2. Set an effective date 15 days after close of the 30-day public comment period, provided
 - a. the proposal completes the fast-track rulemaking process as provided in § 2.2-4012.1 of the Administrative Process Act; and
 - b. the department does not find it necessary to make any changes to the proposal.

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

Bryant Thomas
Water Resources Division Director



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT
ITS MEETING ON APRIL 7, 2026**

Minute No. 5 – Virginia Erosion and Stormwater Management Regulation (9VAC25-875) – Fast-track amendment the Virginia Erosion and Stormwater Management (VESM) Regulation to improve the efficiency of permit fee collection

Prior to the meeting, the Board was provided with materials including a briefing memo, the regulation showing the amendments, and the Virginia Regulatory Town Hall Agency Background document. Jaime Robb, Water Operations Division Director, presented a summary of and rationale for amendments to the regulation.

Board member Steven Yob 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. He indicated he has a personal interest affected by the transaction being considered because of his employment as Deputy County Manager for Community Operations by Henrico County. He indicated he was able to participate in this agenda item fairly, objectively, and in the public interest.

Board Decision

Based on the Board Book materials and the staff presentation, the Board voted unanimously (7-0, Branin, Cameron, Johnson, Kilgore, Patteson, Wallace and Yob) to:

1) Authorize DEQ to promulgate the proposal for public comment using the fast-track process established in § 2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial. The Board's authorization constitutes its adoption of the regulation at the end of the public comment period provided that (i) no objection to use of the fast track process is received from 10 or more persons, or any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, and (ii) DEQ does not find it necessary, based on public comments or for any other reason, to make any changes to the amendments.

2) Authorize DEQ to set an effective date no earlier than 15 days after close of the 30-day public comment period or July 2, 2026 whichever is later, provided (i) the proposal completes the fast-track rulemaking process as provided in § 2.2-4012.1 of the Administrative Process Act and (ii) DEQ does not find it necessary to make any changes to the amendments.

Jaime B. Robb

Jaime B. Robb
Water Operations Division Director



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD
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Minute No. 6 - Report to the Board Regarding Controversial Permits:

- Synagro Central LLC – Essex County - VPA00831
- Synagro Central LLC – Orange County VPA00075
- Arlington County Water Pollution Control Facility - VPDES permit VA0025143
- Mountain View Nursing Home - VPDES permit VA0063347
- Amazon Data Services Inc. – Lake Anna Tech Campus - VPDES permit VA0093319
- Lexington Golf & Country Club- VWP Individual Permit No. 24-2886

In accordance with § 10.1-1184.1 B of the Code of Virginia, Jaime Robb provided the Controversial Permit Report to the Board. The report included each permit number, location of the activities, a summary of events prior to the Board meeting and the schedule for the remaining actions to be taken by the Department. The Board was provided with the opportunity to respond to the Department's presentation and provide commentary regarding the permits.

A handwritten signature in blue ink that reads "Jaime B. Robb".

Jaime B. Robb
Water Operations Division Director



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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 the project continues in the post-restoration phase and the ongoing activity for this quarter involves achieving permanent vegetation and maintaining erosion and sediment controls until ground cover is uniform and mature enough to survive. Controls are also being removed where they are no longer needed. She provided an overview of compliance activities from December 11, 2025, to March 11, 2026, and noted for that same period DEQ assessed \$1,000 in stipulated penalties.


Melanie D. Davenport



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Minute No. 8- Future Meeting Date

The Board confirmed June 30, 2026, as a future meeting date.



Melissa S. Porterfield



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Minute No. 9- Public Forum

No members of the public addressed the Board during the public forum.


Melissa S. Porterfield