



*Commonwealth of Virginia*

***VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY***

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**SUBJECT:** Technical Advisory Committee (TAC) Meeting Summary to Discuss the 2022 Reissuance of 9VAC25-194 Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Vehicle Wash Facilities and Laundry Facilities  
**TO:** TAC Members and DEQ Staff (listed below)  
**FROM:** Elleanore Daub, Office of VPDES Permits  
**DATE:** July 6, 2020

A TAC meeting (virtually via webinar) was held on June 10, 2021 beginning at 10 AM. Typically these meetings are held in person, but due to the Governor's declaration of a state of emergency in response to the Covid-19 pandemic, the meeting was held virtually. The ability to hold virtual meetings as a public body is guided by a new set of rules until the State of Emergency is lifted. This is the written summary of the meeting. A recording of the meeting is posted at <https://townhall.virginia.gov/L/Viewmeeting.cfm?meetingid=32528>

TAC members attending the meeting were:

Mike Ashley	President, Mid-Atlantic Carwash Association Owner - Virginia Carwash Industries Inc. and Shenandoah Valley Coin Laundries, Inc.
Diana Handy	Stormwater Specialist, Arlington County Department of Environmental Services, Office of Sustainability and Environmental Management
Casey Magruder	Environmental Program Administrator, Norfolk Department of Public Works - Storm Water
Karl Mertig	CPWD, Kimley-Horn
Allan Brockenbrough	DEQ – CO VPDES Permits
Elleanore Daub	DEQ – CO VPDES Permits

DEQ additional staff attending the meeting were:

Peter Sherman	DEQ – CO VPDES Permits
Troy Nipper	DEQ – CO Water Compliance
Kevin Harlow	DEQ – BRRO Water Permitting
Amy Dooley	DEQ – NRO Water Compliance
Mark Evans	DEQ – NRO Water Compliance
Rebecca Johnson	DEQ – NRO Water Compliance
Anna Tuthill	DEQ – NRO Water Compliance
Azra Bilalagic	DEQ – PRO Water Permitting

Nicholas Sturgill                      DEQ – SWRO Water Compliance

Others attending the meeting were:

Meghan Mayfield                      VA Department of Corrections

Information provided before the meeting to the TAC and to staff were:

- Approval of TAC Membership from the DEQ Director;
- Role of the TAC;
- Notice of Intended Regulatory Action;
- Webinar Registration;
- Link to VPDES website:
- <https://www.deq.virginia.gov/permits-regulations/permits/water/surface-water-virginia-pollutant-discharge-elimination-system>;
- Agenda; and
- Regulation with draft amendments dated June 3, 2021, VPDES General Permit Regulation for Vehicle Wash Facilities and Laundry Facilities for TAC discussion.

### **Introduction and Background**

DEQ staff acknowledged all present, provided technical details of the webinar, purpose of the meeting and why the meeting is virtual. Staff also provide background on the permit regulation and the schedule of the regulatory action. The Notice of Intended Regulatory Action (NOIRA) was published on August 3, 2020. Following the NOIRA, the TAC was approved and this meeting was scheduled. After this meeting a summary and a recording of the meeting will be published. Staff intends to ask for State Water Control Board approval of draft amendments for public notice and hearing at their September 2021 quarterly meeting. A public comment period is expected in the October through December 2021 time frame. Final Board approval of the regulation is expected in March 2022 and the permit will be effective by October 16, 2022. Between adoption and effective date, staff will write and publish guidance which describes the implementation of the permit and regulation.

### **Compliance**

Staff reviewed compliance data from 2017 to present. Out of a total of 93 active permits, 53 had one or more compliance issues (Warning Letters or NOV's). 43% of those had missing or incomplete DMRs and 49% exceeded effluent limits. Most of the permittees are less than 5,000 gallons per day and most of those effluent limit exceedances were for TSS, followed by oil and grease. Smaller levels on non-compliance were seen for BOD, chlorine and bacteria but these parameters only apply to laundry facilities and there are only 2 of those in Virginia.

A summary of draft regulation amendments and discussion was as follows:

### **Definitions (Section 10)**

New definitions were added for NAICS (North American Industry Classification System) and SIC (Standard Industrial Classification). NAICS codes are more current but EPA still uses SIC in their regulations. The definition of vehicle wash is revised to reflect the description of NAICS 811192 and SIC 7542 (Car Washes). Other vehicle washing is included (golf course equipment, lawn maintenance equipment, maintenance and construction equipment and towable boats). There is also a long definition of vehicles not allowed for coverage under this general permit. Later in the meeting several comments

were brought up about the definition that DEQ should consider including golf course equipment, lawn maintenance and chemical spreading equipment. See open discussion section below for more definitions discussion.

#### **Effective Date of Regulation (Section 40)**

New reissuance dates are added in several locations in the regulation. The new dates are October 16, 2022 – September 30, 2027. September 30 was chosen instead of October 15, 2022 to end the next permit term at the end of a calendar month. This is typical of most permits now as monitoring must begin on the first of the month in the DMR creation system. DMR creation also operates on full monitoring periods (monthly, quarterly, semi-annually or annually). All reporting requirements are populated based on full months, quarters, etc... Later in the meeting staff brought up a concern about annual requirements. If the permit begins October 15, an annual monitoring period is typically set in our database to begin on the following January 1. This could result in more than a year before a DMR is due in the CEDS system. Typically, with paper DMRs, the permittee doesn't see the nuances of the DMR creation system but just knows that a DMR is due annually. It is seamless to the permittee but with e-DMR on the horizon, with a Jan – Dec based creation system, there may not be a DMR in the system for the permittee to fill out for an incomplete calendar year (e.g., when a permit begins on Oct 16). Staff suggested CO consider making the annual DMR record creation to be based closer to the permit dates (e.g., November 1 – October 31) so there are no missing DMRs. This has been done with the VPDES General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons per Day.

#### **Authorization to Discharge (Section 50)**

This section allows for permit coverage if the registration statement is filed, the fee is paid, the effluent limits and other requirements have been met, there are no prohibitions in the receiving stream, the antidegradation policy is met and the discharge is consistent with the assumptions and requirements of an approved TMDL. The permits are written so that TMDL requirements are met so that is usually not a problem in using general permits. Another item to be considered is whether there are central wastewater treatment facilities reasonably available, as determined by the board. The central wastewater treatment requirement is difficult to implement because the board must determine what is “reasonably available.” It is also a question in the registration statement.

During this discussion, staff demonstrated the documents (2017 regulation, fact sheet, registration and operations and maintenance template) on the DEQ website.

This section contains continuation of permit allowances for when coverage cannot be granted in time. If a registration statement is submitted on time, then an administrative continuance of permit coverage can be granted until DEQ does make a decision about permit coverage. The language changes presented simply make it consistent with other general permits and more generic in that specific (month/day/year) dates have been removed.

#### **Registration Statement (Section 60)**

DEQ is trying to make due dates of all general permit registrations consistent as well. Typically that is a 60 day prior or post due date; therefore, the new registration due date is 60 days prior to expiration instead of 30 days. The regulation allows submittal of registration statements until the expiration dates. Any submittals after the expiration date are also accepted but coverage is not retroactive and any discharge before DEQ is able to provide coverage is not allowed.

The outfall information question on the registration statement will include latitude and longitude. This is necessary because of EPA electronic-reporting (e-reporting) requirements. E-reporting is also going to require that permittees start submitting registration statements and Discharge Monitoring Report (DMR) data electronically (e-DMR). The requirement for e-DMR for this industry is expected by October 2022. The requirement for registration statements will likely be after that. Either way, the permittees will be given 3 months' notice to comply with these requirements. Language is added in section 60 about the required e-reporting requirement for the registration statements.

The registration requires that permittees to notify Municipal Separate Storm Sewer (MS4) owners at the time of registration if they discharge to the MS4.

The registration statement requires that the permittee identify whether central wastewater treatment facilities are available to serve the site and if yes, the option of discharging to the central wastewater facility must be evaluated and reported on the registration statement.

The registration requires a description of wastewater treatment and stormwater inlet protection measures.

New to the registration statement is the State Corporation Commission entity identification number if the facility is required to obtain an entity identification number by law. This is so DEQ is allowing coverage to the proper business entity and entity name.

Also added to this section is the requirement for electronic submittal of registration statements upon notification by the Department.

See open discussion section below for more registration statement discussion.

### **General Permit (Section 70 Part I A) - Limits**

There are four effluent limits pages (vehicle wash  $\leq 5,000$  GPD,  $> 5,000$  GPD, laundry facilities and combined vehicle wash and laundry facilities). Most facilities fall into  $\leq 5,000$  GPD. Monitoring is annual for these smaller flow facilities and includes monitoring for flow, limits for pH, TSS, oil and grease. Facilities  $> 5,000$  GPD have the same limits but with semi-annual reporting requirements. The footnotes to the table describe when alternate limits may apply due to alternate water quality standards.

The final two effluent limits pages (Part I A 3 and 4) are for laundries and laundry and vehicle wash combination facilities. They include additional effluent limits such as BOD, DO, temperature, chlorine and bacteria. The monitoring frequency is more frequent (semi-annually and quarterly).

There was discussion later in the meeting of adding new parameters similarly to what Arlington MS4 monitors for (detergents, chlorine, ammonia and metals). They see elevated levels of these parameters associated with car washes. Other permit limit discussion was whether a flow limit of  $\leq 5,000$  GPD should be added to the Part I A page and if DEQ would consider increasing the annual monitoring to semi-annual (like the larger flow facilities) or even quarterly (like some of the laundry parameters). See open discussion section below for more limits discussion.

### **General Permit (Section 70 Part I B) – Special Conditions**

Several suggested changes to special conditions were discussed throughout the meeting.

Special condition #1 is a requirement to perform visual examination of the effluent for sheens, floating solids, visible foam, maintenance of the wastewater treatment facilities and inlet protection measures, if applicable, at least one per week and this should be documented in a log. A log is provided in an O&M template that is on the website.

Special condition #2 is a special condition common to all permits and requires that the effluent be free of sheens and that there shall be no discharge of floating solids or visible foam in other than trace amounts. “Trace amounts” can be subjective, but we know when trace amounts are exceeded if sheens, floating solids or foam are visible in the stream.

Special condition #3 is a prohibition to sewage discharge under this permit.

Special condition #4 is a requirement to notify DEQ of any chemicals (soap, etc...) used at the facility.

Special condition #5 is a statement that wastewater should be reused or recycled whenever feasible. See open discussion section below for more discussion on reuse and recycle.

Special condition #6 is a solids management plan requirements and includes requirements to clean settling basins frequently and handle, store and dispose of solids so as to prevent a discharge of such solids. See open discussion section below for more discussion of special condition #6 and possible O&M clarifications of special condition #13.

Special condition #7 is a prohibition against washing of vehicles or containers bearing residue of animal manure or toxic chemicals (fertilizers, organic chemicals, etc.). If the facility is a self-service operation, the permittee shall post this prohibition on a sign prominently located and of sufficient size to be easily read by all patrons.

Special condition #8 is a requirement to notify DEQ if a facility with a discharge of less than 5,000 gallons per day increases to greater than 5,000 gallons per day. DEQ must be notified so that monitoring requirements can be increased to twice per year.

Special condition #9 is a reminder that they must submit a notification to the owner of the MS4 of the existence of the discharge at the time of registration. This is repeated from the registration requirements in the permit itself so the permittee is aware of the requirement before the registration reminder is sent out.

Special condition #10 is a reminder that just because they have permit coverage under this general permit does not relieve any owner of the responsibility to comply with any other federal, state, or local statute, ordinance, or regulation.

Special condition #11 is a condition added during the 2017 reissuance of the permit and requires the owner of a facility discharging vehicle wash water directly to a stormwater drain to provide inlet protection measures in addition to meeting all other requirements of the permit. This was added because

there were instances where rental car agencies had permit coverage but had no treatment facility (e.g., no oil water separator or sand filter). Typically the rental cars are rinsed or washed in the parking lot where the business is located and the water flows directly to the storm drain. The purpose of this condition is to require storm drain inlet protection measures to maintain water quality. DEQ maintains a guidance document that demonstrates ways to do this. For example, using storm drain covers or seals, booms, catch basin filters or drop basin filters to block or deflect the wash water, sweeping to keep the area clean and using biodegradable soaps.

A question was asked about community fundraiser car washes. Staff showed the DEQ web site where fundraising car wash guidelines are posted. The guidelines describe the potential water quality problems the fundraisers can have on the environment and methods to abate those problems. We realize that the fundraising organizations don't always have the same equipment that a business may have to maintain water quality so best management practices are also outlined in the guidance (partner with a car wash business (many car wash businesses are open to this option), washing on sunny days, biodegradable soap, wash on permeable surfaces, use a nozzle on the hose, etc...). They are also warned to check with the locality to see if the fundraiser is allowed, if there are specific locations designated to do the fundraiser or if the locality has car wash fundraising kits that contains the necessary equipment to help the organization meet the guidelines.

A question was raised if the BMPs mentioned on the website for fundraising car washes are required? DEQ responded that these BMPs are only recommendations. A concern was then raised that the MS4 permits will soon contain language derived from the Code of Virginia that discharges from noncommercial fundraising carwashes are only authorized to discharge to the MS4 if biodegradable, phosphate free, water-based cleaners are used. If the BMPs on the website are only recommendations, then the language about the use of biodegradable soaps is inconsistent with the statute. Staff agreed to make a clarification on the website.

Staff showed the current (2017) Vehicle Wash Implementation Guidance which is published on the LIS website. Attachment 6 of the guidance contains an example of how to eliminate discharge from a vehicle wash operation. Since permit coverage to a mobile operator would require them to get a permit for every location, DEQ advises the mobile operators to eliminate discharge (there are various technologies available to do that – including the guidance example) so they do not need permit coverage.

Attachment 7 of the guidance includes stormwater inlet protection measure examples to maintain water quality for permitted owners discharging vehicle wash water directly to a stormwater drain. The facilities utilizing these measures have general permit coverage and must also meet all the terms of the permit. The registration statement requires them to tell DEQ what BMPs are in use and they are required to examine the BMPs weekly to ensure proper operation.

Special condition #12 contains reporting requirements for certain toxic pollutants. This condition is common to all permits. It is not measured in general permits; however, if the permittee suspects they might discharge these pollutants, then they must be reported.

Special condition #13 is a requirement for an operation and maintenance manual for the wastewater treatment and inlet protection measures and the practices and procedures that must be detailed therein. The manual must be reviewed and updated at least annually and shall be signed and certified by a

responsible individual (usually the owner). The O&M manual template that is available on the DEQ website was shown to the group earlier in the discussion. The template contains all the requirements in the permit as well as some additional items. It also contains example maintenance logs and visual monitoring logs. See open discussion section below for possible O&M clarifications.

Special condition #14 contains laboratory quantification levels for BOD<sub>5</sub>, TSS, oil, grease, and chlorine.

Special condition #15 is a narrative statement that is required in all permits that the discharges authorized by the permit shall be controlled as necessary to meet water quality standards.

Special condition #16 is a requirement that discharges to waters with an approved total maximum daily load (TMDL) where the facility is a source of the specified pollutant of concern to those waters shall implement measures and controls that are consistent with the assumptions and requirements of the TMDL. See open discussion section below for more TMDL discussion.

Special condition #17 are the termination procedures if a facility no longer needs coverage under the permit. Usually DEQ provides a form to the permittee that provides the necessary information to terminate coverage.

### **Conditions Applicable to All VPDES Permits (Section 70 Part II)**

This part is referred to as the “boilerplate” because it is placed in all VPDES permits. It contains items such as monitoring requirements, duty to provide information, unauthorized discharge reporting, signatory requirements, solids disposal, duty to reapply, etc...). Part II requirements have been adjusted somewhat to align to general permit terminology. There are also a few changes that EPA has required in general permits that are in the permit regulation. DEQ has been adding this language to the general permits as they get reissued. These are not currently in the draft shown at the meeting.

Part II A and B contain monitoring requirements.

Part II C contains the e-DMR submission requirements. A question was raised if the monitoring and registration data are electronic, can this information automatically be provided to the MS4s? Currently the MS4 must ask for the DMR information from DEQ. Staff explained this was not part of the contract to update the electronic registrations or e-DMR; however, the permittee may allow the MS4 the ability to view this information. The registration statement requires any permittee that discharges to the MS4 include a notification to the MS4 owner about the discharge. This must be an attached email or letter indicating the notification is complete.

E-DMR is currently in place for the individual permits and 2 general permits. All other general permits are expected to be in place by October 22. Maryland Department of the Environment (MDE) has an agreement with Virginia permittees discharging to the Potomac to have read ability on their e-DMRs. The permittees must allow the read ability, this is not something DEQ can do for the MS4. The regional office in northern Virginia worked with the Potomac discharges to give MDE this access.

Part II D contains the requirement to provide information to DEQ, upon request, any pertinent information as may be necessary to determine the effect of the wastes from his the permittee’s discharge on the quality of state waters.

Part II E contains due dates for compliance schedule reports which doesn't generally apply to general permits.

Part II F and G contains requirements for unauthorized discharges, including reporting. Unauthorized discharges related to colored soaps have been reported.

Part II H and I contains requirements for unusual or extraordinary discharges including bypasses or upsets. It includes immediate (24-hour) and 5-day written reporting. A new web address is inserted for online (24-hour) reporting. Later in the discussion staff pointed out that a sentence would be added to paragraph I (per EPA requirements) as follows "Where the permittee becomes aware that it failed to submit any relevant facts in a permit registration statement or submitted incorrect information in a permit registration statement or in any report to the department, it shall promptly submit such facts or information."

Part II J contains requirements for notifications to the DEQ about physical alterations or additions to the facility.

Part II K contains requirements regarding who can officially sign DMRs, reports, O&M manuals etc...

Part II L and M contain the duty to comply with the permit and the duty to reapply for the permit which is 60 days prior to expiration. Later in the discussion staff pointed out that a sentence would be included (per EPA requirements) as follows "The permittee shall comply with effluent standards or prohibitions established under § 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards, even if this permit has not yet been modified to incorporate the requirement." NOTE: Upon further examination, this statement is already in the vehicle wash permit, but needs to be amended to remove references to sewage sludge.

Parts II N – V (effect of a permit, state law, oil and hazardous substance liability, proper operation and maintenance, disposal of solids or sludges, duty to mitigate, need to halt or reduce activity not a defense, bypass and upset).

Part II W contains an allowance for the director, or an authorized representative, to enter the property and have access to records. This is one requirement where EPA ask asked DEQ to add additional language to allow an authorized contractor acting as a representative of the administrator to be allowed this access. A question was asked if the MS4 is an authorized representative especially if the facility is discharging to the MS4. The MS4s also do inspections of these facilities. Staff responded that this provision is intended to apply to authorized DEQ contractors and hopefully the MS4 has other authorization to inspect the sites that are discharging to the MS4s. They have no legal standing to administer the vehicle wash general permit.

Part X – Z contains statements about permit coverage termination, the filing of a request by the permittee for a permit coverage termination or a notification of planned changes or anticipated noncompliance does not stay any permit condition, transfer of coverage requirements and a severability clause.

## **Open Discussion**

The MS4 monitoring programs were discussed. Arlington discussed their dry and wet weather monitoring/screening programs. For dry weather screening they look at TMDL pollutants of concern, chlorine, fluoride, pH, ammonia and detergents. For wet weather they add metals, hardness and bacteria. In dry weather elevated levels of detergents, ammonia and chlorine are found and have been associated with a particular DEQ permitted car wash facility that is washing or rinsing cars near the stormwater inlet which leads to Four Mile Run and to the Chesapeake Bay. Wet weather has also shown elevated levels of metals (of particular concern is copper) which has also been identified associated with this car wash facility and urban pollution in general.

Concerns raised with the small volume car washes is the cumulative water quality impact over time, the infrequent monitoring (annually) and the few parameters that DEQ requires. There are usually no treatment system for rental car agencies and the inlet protection measures described in the DEQ guidance have not shown success in protecting water quality, particularly the booms. Typically, these inlet protection measures only block coarse debris but detergents, oil and grease, metals and ammonia can be discharged underneath the booms or gutter buddies.

Nutrient inputs to the Chesapeake Bay are also a concern. DEQ explained that as part of the WIP III, monitoring was conducted at all minor facilities, including car washes. The nutrient concentrations from this industry averaged .8 mg/L total phosphorus and 3.5 mg/L total nitrogen. The monitoring was used to 'right size' the inputs into the WIP III input deck and additional monitoring for this industry is not needed.

Allowing construction equipment washing with the TSS compliance issues described earlier is also a concern.

Because of the concerns raised, Arlington would like DEQ to consider adding parameters, particularly detergents, ammonia and metals and increased monitoring to the permit. Once per year monitoring with the number of discharges that occur doesn't seem enough to characterize the discharge. It's also understood that the facilities of concern to the MS4s typically have no treatment equipment installed but there may be opportunities to connect to the sanitary or take vehicles to a car wash that is connected to the sanitary system. DEQ was asked to consider increasing the monitoring to be consistent with some of the parameters in the laundry permit (quarterly). DEQ responded that they also need to consider the cost of adding new parameters or monitoring frequency and if it will result in improve compliance. Other general permits have annual monitoring. One in particular that typically has compliance problems is the small domestic sewage permit for single family homes. However, the non-compliance was determined to be associated with the O&M of the facility and the requirements associated with that were tightened in that permit. It was determined increased monitoring would not help with compliance in that instance.

Concerns about golf course, lawn maintenance and chemical spreading equipment and the lack of definitions were also discussed. Do chemicals include fertilizers and pesticides? Chemical spreading equipment and the interiors of tanks or trailers carrying bulk or raw material are not covered under the permit but additional definitions should be considered to clarify.

Golf courses have fertilizer, fungicide or pesticide spray equipment that are integral to the golf course vehicle. It is clear the rinsing of the tanks is not allowed but it is not clear if this type of golf course

equipment is allowed coverage under the permit. DEQ may have to consider the relationship with the Pesticide General Permit which contains permitting requirements for pesticides application. DEQ works with VDACS to implement the Pesticide General Permit.

A definition for 'board' should be included since it is used frequently in the regulation.

Mobile operators were discussed. The City of Norfolk requires that when the mobile car wash owners apply for their business license, they must go to the stormwater office first and sign a document saying they understand they cannot discharge to the MS4. When they go back to get the license, they have to show that document. They are also given methods or BMPs to avoid discharge to the MS4.

Other permit limit discussion was whether a flow limit of  $\leq 5,000$  GPD should be added to the Part I A page. DEQ staff thinks this has been discussed before and will look into why it was not included. Individual municipal permits report flow and when 95% capacity is exceeded over time, the permit can be reopened and certain actions taken. The monitoring requirement is a maximum MGD and the permittee reports the highest estimate during the monitoring period. Usually, permittees do this flow estimate, or any monitoring just once during the monitoring period. The method used to make the flow estimate is often checked during inspections.

The temperature limit in the laundry permit was discussed. The maximum temperature of 32° C seems high but it is reflective of the water quality standards. The temperature limit applies to laundries and DEQ has not seen temperature values that high from the laundries.

Coming from the permittee's point of view, how should the 3° rise above background temperature requirement (footnote 4 of the laundry effluent limits) be implemented? DEQ responded that the department has not implemented this requirement regularly in permits. Occasionally, an individual permit will contain a requirement to measure background temperatures when a thermal mixing zone is involved. Unless we think there is a real probability of exceeding the background temperatures to this level, DEQ will not actively implement this requirement.

Staff asked if the registration statement should ask if an O&M manual has been written and if not, then an explanation should be required. The City of Norfolk has an MS4 permit as well as a vehicle wash permit. They have a detailed Storm Water Pollution Prevention Plan (SWPPP) that includes the same O&M requirements as the vehicle wash. They have written approval from the Tidewater Regional Office to use the SWPPP to cover the vehicle wash general permit O&M requirements. DEQ responded that this will continue to be acceptable as long as all the required elements are included in that SWPPP. An instruction in the registration statement to allow this could be added for clarification.

Staff mentioned chrome on vehicles at truck washes, undercarriage vehicle washing and brake pads can cause zinc to be discharged. In Arlington's wet weather monitoring, copper was more often seen at more elevated levels.

Regarding Part II B 5 (special conditions) which states that "wastewater should be reused or recycled whenever feasible" can be confusing. For example, if discharge can be captured and recycled it seems it could also be sent to sanitary. The 'feasibility' of this requirement is subjective and dependent on the flow of the facility.

Regarding Part II B 6 (special conditions) states that the permittee of a vehicle wash facility shall comply with two solids management requirements (frequently cleaning the settling basins and proper handling of solids to prevent a discharge). The use of the word “shall” indicates both requirements must be met but many facilities do not have settling basins. DEQ acknowledged this paragraph may need to be worded differently. Perhaps, “if applicable” can be added. Staff asked if the frequency of settling basin cleaning could refer back to the O&M manual and that this frequency must be addressed in the O&M requirements. Can references to maintenance of the inlet protection equipment be included in this paragraph to ensure proper solids management for facilities that don’t have settling basins? Also, could we refer back to the O&M manual schedules and procedures to maintain this type of equipment?

Regarding Part II B 9 (special conditions) contains a notification requirements to the MS4 if the discharge goes to the MS4. It was requested to add a phone number and email (if available) to the contact information to be consistent with other sections. Also, in this paragraph, the general permit number may not be known for a new facility. The phrase “if applicable” may need to be added regarding the permit number.

Regarding Part II B 13 (special condition) states “the permittee shall develop and maintain an accurate operation and maintenance (O&M) manual for the wastewater treatment works and inlet protection measures, if applicable.” Should “if applicable” be included when the statement is required because of the inclusion of the word “shall?” After treatment works add “any applicable installed inlet protection measures” and strike “if applicable.”

Regarding Part II B 16 (special condition) states that “Owners of facilities that are a source of the specified pollutant of concern to waters where an approved TMDL has been established shall implement measures and controls that are consistent with the assumptions and requirements of the TMDL.” Should these measures and controls be addressed in the O&M manual? Staff explained that the TMDLs are generally written using the limits already in the permit so the permits are meeting the assumptions and requirements of the TMDL. This requirement is also included as a provision in all general permits to address a TMDL that is not addressed by the existing requirements of the permit (e.g., a local nutrient TMDL). Regarding the Bay TMDL, these minor discharges have already been studied for the WIP III and have been characterized as appropriate for the Bay TMDL. No specific reductions are required for this general permit or for any small dischargers to the Bay watershed including municipal facilities.

Staff mentioned small car washes and whether salt (chloride) management was considered in the Accotink Creek TMDL. It is not expected that the TMDL includes these small car washes as a chloride source.

Thanks to all the TAC members for their service.