

Minutes from Nutrient Trading TAC meeting of July 18, 2006

The meeting was held at the DEQ's Piedmont Regional Office, located at 4949-A Cox Road in Glen Allen, Virginia, in the Innsbrook business park. The morning session ran from 9:30-12:30; Kyle Winter provided an update on the regulation development process (including comments received during the public comment period of May 1st-June 30th) and led a discussion of changes to the regulation that DEQ proposed in response to the public comments. The afternoon session ran from 1:30-4:30; Russ Baxter and Jack Frye of DCR presented a framework for the creation of nutrient reductions from non-point sources, intended to offset the discharges from new and expanding facilities.

A list of the attendees follows.

Glenn Harvey	Prince William County SA
Bill Street	James River Association
Rick Parrish	Southern Environmental Law Center
Mark Smith	EPA
Cy Jones	Ch2M-Hill
Tony Nobinger	Philip Morris USA
Chris Pomeroy	VAMWA
Joe Tannery	Chesapeake Bay Foundation
Mike Gerel	Chesapeake Bay Foundation
Chris Hively	Culpeper County
Jud White	Dominion
Jeff Corbin	Secretary of Natural Resources
Kurt Stephenson	VPI-SU
Katie Frazier	Virginia Agribusiness Council
Ricky Rash	VA SWCD
Tom Roberts	Smurfit-Stone
Paul Bukaveckas	VCU
Russ Baxter	DCR
Jack Frye	DCR
Allan Brockenbrough	DEQ
Tom Faha	DEQ
Rick Linker	DEQ
Alan Pollock	DEQ
Ellen Gilinsky	DEQ
Kyle Winter	DEQ
Ed Overton	VA SWCD
Brian Noyes	Colonial SWCD
Jim Wallace	Colonial SWCD
Lisa Ochsenhirt	Richmond City Attorney's Office
Jennifer Lachance	Bear Island Paper Co.
Bob Slusser	DCR
Scott Reed	Earthsource Solutions
Suzan Bulbulkaya	Chesapeake Bay Commission
Joe Battiata	Contech
Dave Slack	Department of Forestry
Chris Tabor	Stantec

The TAC generally concurred with the changes proposed in response to the comments received, but was unable to reach consensus on the tributary-wide schedule of compliance. Proposals raised by TAC members ranged from retention of the (draft permit regulation) firm compliance date of January 1, 2011 for both nitrogen and phosphorus, for all basins to a deadline of January 1, 2011 while allowing individual facilities to demonstrate the need for additional time (depending on evaluation of their respective compliance plans), but not later than December 31, 2015. It was recognized that the enabling legislation contemplated a revision of the tributary-wide schedules after the compliance plans for the individual facilities had been received and reviewed by DEQ staff (in the summer-fall of 2007).

The afternoon session addressed non-point nutrient reductions that would offset additional waste loads discharged from new and expanding facilities. The TAC has had a non-point workgroup; this workgroup will continue to function over the next several months and will resolve the issues of the baseline reductions required before a land owner may participate in the program, how best management practices used to achieve non-point reductions will be identified, authenticated and tracked, how the land owner will interact with the VPDES permittee who is required to offset a new or expanding discharge, and what agencies and private parties will be involved in the process.

Additional documentation pertaining to this meeting will be posted on the DEQ and Town Hall web pages.