Message

**From:** Atkinson, Cheryl [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=187C60BA04274FB28F652AE8582ABC56-CATKINSO]
**Sent:** 7/11/2019 5:40:20 PM
**To:** Whitehurst, David [david.whitehurst@deq.virginia.gov]
**CC:** Voigt, Gregory [Voigt.Gregory@epa.gov]; Denise Hakowski (Hakowski.Denise@epa.gov) [Hakowski.Denise@epa.gov]
**Subject:** RE: Status of Carryover WQS

Ok thanks. And another question. . .on you next Triennial

Grant Mid years says: Two public hearings were held in September 2018 (9/11 in Roanoke; 9/13 in Richmond), for the dual purpose of soliciting comment on: (1) a proposed Phased Implementation Program for amendments to the freshwater ammonia criteria; and **(2) general input on all other aspects of VA's Water Quality Standards Regulation as part of the next Triennial Review**. Staff will consider comments received on suggested revisions to the WQ Standards Regulation (9VAC25-260), along with any new EPA national recommendations for criteria updates. If deemed appropriate and necessary, a rulemaking will be initiated for potential amendments to the Regulation.

I had made a comment: VADEQ should provide a target date as to when it plans to submit the results of its triennial review. But I did not see any target dates. I know you are working hard on finishing up the carry over items from the last triennial but maybe we should have a quick call to talk about the next triennial schedule?

**From:** Whitehurst, David <david.whitehurst@deq.virginia.gov>
**Sent:** Thursday, July 11, 2019 11:22 AM
**To:** Atkinson, Cheryl <Atkinson.Cheryl@epa.gov>
**Subject:** Re: Status of Carryover WQS

Cheryl,
Ammonia will also have to go through the 30-day "post-adoption" comment period prior to us sending the approval package. For tracking purposes, the Virginia Regulatory Town Hall web site tracks each step of the regulatory process and provides access to associated documents such as the agency background documentation, DPB economic impact analysis, etc. Use the "Filter options" drop-down list to select "State Water Control Board" and click "Submit". Then inspect the resulting list for Water Quality Standards rulemakings (9 VAC 25-260). The ammonia rulemaking is, admittedly, NOT easily tracked due to the gnarly, disjointed path it has been on. Here's a link to the current stage for the ammonia amendments adopted back in December. --
> http://townhall.virginia.gov/L/viewaction.cfm?actionid=5238
Or you can just bug me! :)

http://townhall.virginia.gov/L/NowInProgress.cfm

On Thu, Jul 11, 2019 at 10:30 AM Atkinson, Cheryl <Atkinson.Cheryl@epa.gov> wrote:

> David, I was just reviewing the Midyear report for the 106 Grant and it says:
>
> The public comment period ended 12/8/17 on the final proposed amendments to the bacteria, ammonia, cadmium and 94 human health criteria. Staff presented final recommendations (for all but the ammonia criteria) for approval by the VA State Water Control Board at their 8/21/18 meeting. The amendments are currently in Executive Review (day 162 in Governor's Office on 4/17/19), and then be submitted for EPA review and approval to become effective. For ammonia, the 2018 VA General Assembly passed legislation that required development of a Phased Implementation Program (PIP) to accompany the criteria revisions. The draft PIP was noticed for public review/comment from 8/6/18 – 10/5/18; staff then presented the final recommended

amendments to the SWCB at their 12/13/18 meeting, which were approved. The ammonia criteria amendments are now in Executive Review and following approval will be submitted to EPA for approval and an effective date.

Do you think it should have the post-adoption 30-day notice step before it is sent to EPA?

For our planning purpose, short of just keep bugging you, is there a better way to track your amendments package after the public comment period?

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**From:** Atkinson, Cheryl
**Sent:** Tuesday, July 9, 2019 3:37 PM
**To:** Whitehurst, David <david.whitehurst@deq.virginia.gov>
**Subject:** RE: Status of Carryover WQS

So confused I thought for Bacteria/cadmium/human health the Board gave approval last year and was in the Gov's office? What is the post adoption comment period? Does it then go to the Gov's office again?

**From:** Whitehurst, David <david.whitehurst@deq.virginia.gov>
**Sent:** Tuesday, July 9, 2019 3:27 PM
**To:** Atkinson, Cheryl <Atkinson.Cheryl@epa.gov>
**Subject:** Re: Status of Carryover WQS

Bacteria/cadmium/human health is in a post-adoption comment period that is over July 24th. Y'all should see that shortly afterwards. Ammonia is still at the Gov's Office under review. Once it's released a post-adoption 30-day notice will be published as for the above items.

On Tue, Jul 9, 2019 at 3:08 PM Atkinson, Cheryl <Atkinson.Cheryl@epa.gov> wrote:

> Just checking in again, what is the status of the carry over packages?

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