

Virginia WIP: Wastewater

- WIP uses adjusted current nutrient allocations for significant wastewater facilities under the State Water Control Board issued Chesapeake Bay Watershed General Permit that establishes nutrient caps for all significant discharges and ability to trade through the Nutrient Credit Exchange.
- WIP proposals:
 - New facilities under 1,000 gpd must offset entire nutrient load (component of Nutrient Credit Exchange expansion).
 - Requirements for offsets for nutrient loads from small dischargers expanding to less than 40,000 gallons per day

EPA “Backstops”: Wastewater

- Met or exceeded in the Shenandoah, Potomac, Rappahannock, and Eastern Shore basins.
- James River allocations:
 - Tied to chlorophyll standard; WIP proposes for review
 - Working with EPA on “time-bridge” to allow standard review prior to any additional upgrades
 - Some near term upgrades in the James likely
 - Longer term allocations will be established and met during the term of the TMDL following standard review.
- York River backstops more stringent than WIP due to EPA’s concerns over lack of “reasonable assurance.”

TMDL Issues: Wastewater

- EPA's total suspended solids ["TSS"] allocations are not feasible for manufacturing facilities and could disrupt our successful nutrient credit exchange program
- EPA's "across the board" backstops do not reflect real wastewater treatment issues at certain facilities:
 - UOSA – Allocation set by SWCB to protect drinking water supply [Occoquan Reservoir].
 - Hopewell – 85% of flow is from industrial sources, yet allocation set as if plant treats conventional sewage
 - CSO Communities – EPA TMDL nutrient allocations will serve as a disincentive to capture and treat combined sewage overflows.

Virginia WIP: Onsite/Septic

- Onsite/Septic is small load. WIP seeks to reduce rate of growth and offset additional loads above current levels through expansion of nutrient credit exchange.
- Septic/Onsite regulations are currently overseen by Virginia Department of Health; DEQ staff coordinating with VDH staff on septic/onsite issues.
- Current Septic 5-year pump-out requirements overseen by DCR in Chesapeake Bay Preservation Act designated areas.

Virginia WIP: Onsite/Septic

- WIP presumes implementation of new regulations for alternative systems that require nutrient controls (currently under executive review).
- WIP proposes new or replacement systems in the Chesapeake Bay watershed utilize nitrogen reducing technology.
- WIP proposes establishing a tax credit or other financial incentive for the upgrade or replacement of existing conventional systems with systems that have nitrogen removal technologies.
- WIP proposes requiring septic pump-outs in areas outside those governed by the Chesapeake Bay Preservation Act which currently requires pump-outs every 5 years.

VA WIP: Agriculture/Forestry

- Implementation of conservation plans on agricultural acres which could result in significant implementation of these practices:
 - Nutrient management plans
 - livestock exclusion from streams
 - 35' stream buffers
 - soil conservation; such as no-till and cover crops
- Need 95% coverage of the above practices by 2025
- Vastly improved accounting of voluntary practices (SB346).
- Improved implementation of forestry water quality BMP requirements.

VA WIP: Agriculture/Forestry

- Significant increase in acres of winter cover crops
- Animal waste management systems covering 95% of livestock
- Poultry manure transport
 - 5,000 tons per year shipped outside Bay watershed
 - 75,000 tons per year moved from concentrated production counties to other areas of Bay watershed
- Precision agriculture on 50,000 acres
- Consider future container nursery and greenhouse runoff / leachate collection and reuse requirement

VA WIP: Urban/Suburban Stormwater

- Consider requiring all municipal / county owned lands implement NMPs if nutrients are applied (State lands already required)
- Voluntary reporting of acreage and rates by lawn service companies
- Consider requiring NMPs on all public and private golf courses
- Sales restrictions or controls on do-it-yourself fertilizers
 - Phosphorus ban, time of year restrictions, slow release nitrogen, labeling
 - Scotts Miracle-Gro Company has agreed to eliminate phosphorus from all lawn products by 2012
- Consider prohibiting use of nitrogen based de-icers
- Consider requiring proper storage and disposal of non-ag fertilizers by retailers

VA WIP: Urban/Suburban Stormwater

- The plan proposes a 20% phosphorus reduction standard for areas being redeveloped
- The draft plan proposes stormwater retrofits on existing developed lands to reduce nitrogen, phosphorus and sediment
- Potential greater use of stormwater utilities or service districts to generate funding for BMP retrofits
- For new development, post development loads cannot exceed allowed loads of previous land uses

Commenting on the WIP

Comments or questions can be sent to

- VABAYTMDL@dcr.virginia.gov

Copies of the Virginia WIP and other TMDL related materials can be found at:

- www.deq.virginia.gov/tmdl/chesapeakebay.htm
- www.dcr.virginia.gov/sw/baytmdl.shtml

