

SECTION L

LETTERS AND FORMS

Table of Contents

A. APPLICATION CORRESPONDENCE	3
REISSUANCE REMINDER LETTER	3
APPLICATION TRANSMITTAL LETTER TO VDH - ODW.....	5
APPLICATION TRANSMITTAL LETTER TO VDH - DIVISION OF SHELLFISH SANITATION.....	6
COMMISSIONER OF THE REVENUE LETTER	7
APPLICATION RECEIPT LETTER TO LOCALITIES AND RIPARIAN LANDOWNERS	8
APPLICATION COMMENT LETTER TO OWNER	9
APPLICATION COMPLETE LETTER.....	10
NOTICE OF INTENT TO DENY APPLICATION.....	11
REVOKE AND REISSUANCE IN LIEU OF MODIFICATION.....	12
LOCAL GOVERNMENT ORDINANCE FORM	13
PERMIT REVOCATION AGREEMENT FORM FOR REVOCATION AND REISSUANCE	13
THREATENED AND ENDANGERED SPECIES VPDES COORDINATION FORM.....	13
B. DRAFT PERMIT CORRESPONDENCE	14
DRAFT PERMIT TRANSMITTAL TO EPA (<i>THIS LETTER IS OPTIONAL WHEN DRAFT PERMIT PACKAGE IS SUBMITTED TO EPA VIA PRMITS PORTAL</i>).....	14
DRAFT PERMIT/PN TRANSMITTAL LETTER TO OWNER WHEN THE PN BILLING AUTHORIZATION FORM IS SUBMITTED WITH THE APPLICATION	16
DRAFT PERMIT/PN TRANSMITTAL LETTER TO OWNER WHEN THE PN BILLING AUTHORIZATION FORM IS NOT SUBMITTED WITH THE APPLICATION	17
PUBLIC NOTICE TRANSMITTAL EMAIL TO NEWSPAPER.....	18
WATER QUALITY STANDARDS VARIANCE FORM	18
PUBLIC NOTICE TRANSMITTAL EMAIL TO NEWSPAPER.....	19
DRAFT PERMIT/OPTIONAL PN TRANSMITTAL LETTER TO OWNER WHEN THE PN AUTHORIZATION FORM IS NOT REQUIRED (OWNER CONTACTS THE NEWSPAPER).....	20
DRAFT PERMIT TRANSMITTAL LETTER TO DWR, F&WS, NMFS, VIMS, VMRC & ADJACENT STATES.....	21
PUBLIC NOTICE TRANSMITTAL LETTER TO LOCAL GOVERNMENT	22
C. FINAL PERMIT CORRESPONDENCE.....	23
FINAL PERMIT TRANSMITTAL LETTER FORMAT	23
D. MODIFICATION CORRESPONDENCE	23
CHANGE OF OWNERSHIP FORM TRANSMITTAL LETTER	23
THE FOLLOWING FORMS ARE AVAILABLE ON DEQNET.	24
CHANGE OF OWNERSHIP FORM	24
CHANGE OF FACILITY NAME AGREEMENT FORM	24
PERMIT MODIFICATION REQUEST FORM.....	24
CHANGE OF OWNERSHIP APPROVAL TRANSMITTAL LETTER	25
E. ADMINISTRATIVE CONTINUANCE CORRESPONDENCE	26
ADMINISTRATIVE CONTINUANCE APPROVAL LETTER	26
F. TERMINATION CORRESPONDENCE.....	27
INTENT TO TERMINATE LETTER	27
TERMINATION AGREEMENT FORM	27

UNCONTESTED TERMINATION NOTIFICATION LETTER28
NOTICE OF PLANNED CHANGE LETTER.....31

A. Application Correspondence

Reissuance Reminder Letter (*Send Two Years Prior to Expiration for Majors. One Year for Minors*)

Regional DEQ Letterhead
Date

[Owner Contact]
[Title]
[Address]

[INSERT if appropriate] Submitted via email to:

Re: VPDES Permit No. VA0000000 Reissuance, [Facility Name]

Dear :

This letter is to remind you that your VPDES permit will expire on **[date]**. If you wish to continue discharging, you must reapply for the permit. The VPDES Permit Regulation requires that we receive a complete application at least 180 days before the existing permit expires. We recommend you submit your application by **[INSERT date – 240 days prior to expiration]**, to facilitate a complete application by the deadline **[INSERT date - 180 days prior to expiration.]**

You may submit your application electronically through myDEQ Portal. **Submittal through myDEQ Portal is highly encouraged.** The steps to submit through myDEQ Portal are provided below:

1. Register with myDEQ Portal (if you are not currently registered to submit electronic Discharge Monitoring Report (eDMR).
2. Request and receive DEQ approval to access VPDES permits you own or operate.
 - a. During this step, you will select from one of three permission levels. Please note the permission level of "Sign/Submit" is reserved for those persons who have signatory authority in accordance with 9VAC25-31-110.
 - b. Check approval status by visiting your account in myDEQ Portal.
 - c. Once access to your permit has been granted, you may go to the form and start entering the permit number for the permit you are applying for reissuance. Only those permits you are associated with will populate.
3. Complete the appropriate permit application forms and submit to DEQ for review.
 - a. Click "Begin Form" and the system will populate from DEQ's database the current information that we have for your permit(s).
 - b. Complete the remaining fields in the form. Do not leave any fields blank.
 - c. Submittal of a permit application is required to be completed by those persons authorized to sign permit applications and reports for the permittee as stipulated in 9VAC25-31-110.

An instructional training video and how-to guides for registering for myDEQ Portal, requesting access to permits and how to submit Registration Statements can be found at:
<https://www.deq.virginia.gov/permits/water/surface-waters-vpdes/e-dmr-submissions> .

Please complete the following forms that are applicable to your outfall(s): **[INSERT applicable forms]**

- EPA Form [X]

- EPA Form [X]
- VPDES Permit Application Addendum
- VPDES Public Notice Billing Information Form
- Water Quality Criteria Monitoring Form (*as needed*)

(For industrial facilities (as applicable) and all municipal facilities): Given that the Water Quality Standards for ammonia are dependent on the pH and temperature of both the receiving stream and the effluent, pH and temperature data play a crucial role in establishing ammonia limitations. To facilitate this process, please provide a minimum of *one year's worth* of daily effluent temperature and pH data (in a spreadsheet) with your permit application. In the absence of such specific data, the DEQ will utilize five years of monthly effluent pH DMR data and a default temperature value of 28 °C to derive conservative approximations.

Please note that any sections of the application that are not applicable to your activity should be marked "N/A." Blanks in the application may result in the application being deemed incomplete.

Upon completing the application, return the original and an electronic copy (use PDF if signatures or handwriting is present) to the [XXXX] Regional Office at the above address.

There is no application fee for a regularly scheduled reissuance of an individual permit; that fee has been replaced by an annual permit maintenance fee which is to be paid by October 1 of each year. No permit will be reissued unless all maintenance fee payments are up to date.

[INSERT when financial assurance applies for privately owned sewerage system to treat sewage generated by private permanent residences discharging more than 1,000 gallons per day and less than 40,000 gallons per day.]

Upon reissuance of this permit, it is required to review the facility's closure plan and cost estimate concurrently with the application (with any needed updates based on inflation). This update must be sent to the DEQ Financial Assurance Office at Department of Environmental Quality Office of Financial Responsibility and Waste Programs, P.O. Box 1105 Richmond, VA 23218,

Please contact me at [phone number] or [email] if you have any questions.

Sincerely,

[Permit Writer]

Enclosures

[Include all applicable application forms, the VPDES Permit Application Addendum, Public Notice Billing Authorization Form, the Paperwork Reduction Act notice, the List of Common Application Errors, and the Pollution Prevention Flyer.]

(Note to permit writers: Permit application forms are available on [DEQnet](#)).

Application Transmittal Letter to VDH - ODW

Regional Letterhead

Date

VDH Regional Director
Virginia Department of Health
Office of Drinking Water
Regional Field Address

Transmitted electronically to [email address; see Section VII]

RE: VPDES Permit No. VA0000000, Facility Name, County;
[choose one: Issuance/Reissuance/Modification]

Dear :

Attached is a copy of the referenced VPDES permit application for your review and concurrence. Please submit a response to this office **within 14 days** with your comments or objections or a statement verifying that the Virginia Department of Health has no comments on the application.

Sincerely,

[Permit Writer]

Enclosure: Permit Application

Application Transmittal Letter to VDH - Division of Shellfish Sanitation

Regional Letterhead

Date

Division of Shellfish Sanitation
109 Governor Street, Rm. 614B
Richmond, VA 23219

Transmitted electronically to [email address; see Section VII]

RE: VPDES Permit No. VA0000000, Facility Name, County;
[choose one: Issuance/Reissuance/Modification]

Dear :

Attached is a copy of the referenced VPDES permit application for your review. Please submit a response to this office **within 14 days** with your comments or objections with regard to shellfish impacts and indicate if you would like to receive a copy of the final permit.

Sincerely,

[Permit Writer]

Enclosure: Permit Application

Commissioner of the Revenue Letter

Regional DEQ Letterhead

DATE

Commissioner of the Revenue
[Address] *(Or use email)*

[INSERT if appropriate] Submitted via email to:

Dear Commissioner:

Section 62.1-44.15:4.D. of the Code of Virginia requires DEQ to: a) notify landowners in the vicinity of this discharge point; and b) to request their names and addresses from the Commissioner of the Revenue or tax assessor from the local tax rolls. We are in receipt of the following permit application:

VPDES Permit No. VA00
Facility:

Applicant:
Tax Map Parcel:

Please provide me with a list of the names and addresses of all property owners and holders of deeded easements on both sides of **[name of the stream]** to a distance one-half mile downstream of the discharge point identified on the enclosed map. **[For tidal waters:** Please provide me with a list of the names and addresses of all property owners one quarter mile upstream and downstream from the discharge point.] Also, in accordance with the recent change in requirements of the U.S. Postal Service, only the "911" street address (house number and street name) format is acceptable.

If you have any questions regarding this request, please contact me at **[phone]** or **[email]**.

Sincerely,

[Permit Writer]

Enclosure

(Note to permit writers: If the receiving stream is the boundary between two localities, contact the Commissioners for both localities.)

Application Receipt Letter to Localities and Riparian Landowners

Regional DEQ Letterhead

Date

[Name]
[Address]

Dear :

Your name was provided to DEQ by [the Commissioner of Revenue]. Section 62.1-44.15:4 of the Code of Virginia requires DEQ to notify localities and adjoining landowners when a permit application is received. This is to inform you that the Department of Environmental Quality has received an application for a Virginia Pollutant Discharge Elimination System (VPDES) permit from **[applicant's name]**. The applicant proposes to discharge treated wastewater from a **[type of facility]** located at **[facility address]**.

The Department will review the application and may draft a permit for this discharge. If the Department drafts a permit a notice will appear in **[local newspaper]** announcing our intention to issue the permit and inviting public comment on its content. This public comment period will run for 30 days from the date the notice first appears in the newspaper. In the meantime, you are welcome to review the permit application at our office during normal business hours.

(If a LGOF was not received add the following note to the letter to localities) Please note that a Local Government Ordinance Form has not been received as required for new issuances.

Please contact me at **[phone]** or **[email]** if you have any questions about this notification.

Sincerely,

[Permit Writer]

Application Comment Letter to Owner

Regional DEQ Letterhead

[Owner Contact]
[Title]
[Address]

[INSERT if appropriate] Submitted via email to:

RE: Permit Application for VA00, [Facility Name]

Dear :

This is to advise you that your application for a VPDES Permit is considered incomplete. We cannot process your permit application until you provide the following information:

- a.
- b.

(For Reissuances) A complete application for reissuance is due at least 180 days before a permit expires. **In the event a VPDES permit expires as a result of failure to reapply in a timely manner, a facility may be considered as discharging without a valid VPDES permit.**

This letter is intended to provide context on what information the DEQ believes is needed to fully evaluate your permit application and is not a final determination or case decision under the [Administrative Process Act](#). If you would like to discuss the information contained in this letter, please contact me at [staff phone number].

In the event that discussions with staff do not lead to a satisfactory resolution of the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution (Agency Policy Statement No. 8-2005).

If you have any questions about this letter, please contact me at **[phone]** or **[email]**.

Sincerely,

[Permit Writer]

cc: Compliance Auditor

(Note: Permit writers may also use this letter to grant or deny any testing waivers requested by the applicant.)

Application Complete Letter

Regional Office Letterhead

Date

[Owner Contact]
[Title]
[Address]

[INSERT if appropriate] Submitted via email to:

RE: VPDES No. *(if applicable)*, [Facility Name],

Dear _____ :

Your application has been reviewed and appears to be complete. **(Insert language regarding granting testing waivers if applicable.)** Other reviews of the application will be required by state and federal agencies to ensure that public health and the environment will be protected. These reviews may require that you submit additional information.

The next steps involve assembling the information necessary to develop the permit limitations and then drafting the permit. I expect to have the draft permit prepared in the next two to three months. Once the draft permit is prepared and the appropriate reviews are performed, I will transmit the draft permit and supporting documentation to you for review.

If you have any questions about our procedures or the status of your draft permit, please contact me at **[phone]** or **[email]**.

Sincerely,

[Permit Writer]

Notice of Intent to Deny Application

Regional Letterhead

Date

[Owner Contact]
[Title]
[Address]

[INSERT if appropriate] Submitted via email to:

RE: Application for VPDES permit, [Facility Name]

Dear :

The Virginia Department of Environmental Quality intends to recommend denial of your request for a VPDES permit based on the information contained in your application. You may modify the application to comply with the conditions as stated below, or you may withdraw the application.

Requirements needed to obtain approval:

If you intend to modify the application, please notify this office. Processing will stop until we receive the requested modifications. If you agree to withdraw the application, please sign and date the attached form and return it to this office. If you take no action, the staff will process the application with the recommendation for denial.

Please contact me at **[phone]** or **[email]** if you have any comments or questions.

Sincerely,

[Permit Writer]

Revoke and Reissuance in Lieu of Modification

Regional Letterhead

Date

[Owner Contact]
[Title]
[Address]

[INSERT if appropriate] Submitted via email to:

RE: Request for Modification of VPDES Permit No. VA0000000, [Facility Name]

Dear :

The Virginia Department of Environmental Quality has received your request for permit modification. Rather than modifying and subsequently reissuing the permit, we request that you consider revocation and reissuance of your permit. By pursuing this course, you and the staff can avoid the time-consuming duplication of paperwork and the expense of a permit fee for an additional permit action and a second public notice. This permit action can incorporate the changes you proposed in your modification request and others which may be required by the Clean Water Act and State Water Control Law. In addition, the life of the permit will be extended for five more years.

In order to reissue your permit, it is first necessary to revoke the current permit. If you agree with the proposed revocation and reissuance and wish the prescribed hearing to be dispensed with, please sign and date the attached agreement form in the spaces provided and return it to this office.

Attached are VPDES Permit application forms and instructions. The fee for this permit action is []. Please follow the instructions on the permit fee form concerning fee payment. Permit application processing cannot begin without payment of this fee. *(Note to permit writers: 9VAC25-20-40.B states "An applicant for a permit, permit authorization or certificate involving a permit that is to be revoked and reissued shall be considered an applicant for a new permit. The fee due shall be as specified under 9VAC25-20-110.")*

If you have any questions, please contact me at **[phone]** or **[email]**.

Sincerely,

[Permit Writer]

Enclosure

(Note to permit writers: Send all enclosures that would be part of a permit reissuance package.)

The following forms are available on [DEQnet](#).

- **Local Government Ordinance Form**
- **Permit Revocation Agreement Form for Revocation and Reissuance**
- **Threatened and Endangered Species VPDES Coordination Form**

B. Draft Permit Correspondence

Draft Permit Transmittal to EPA *(This letter is optional when draft permit package is submitted to EPA via PRMTS Portal)*

Dear [EPA Contact]:

In accordance with the Memorandum of Understanding regarding permit and enforcement programs between the State Water Control Board and the Regional Administrator, Region III, U.S. Environmental Protection Agency, documentation supporting **[issuance/reissuance/modification]** of the VPDES permit for the **[facility name]**, VPDES Permit **[VPDES permit no.]** is posted at **[FileShare link or is attached]**. The following documents **[are posted or attached]** for your review: application, draft permit, Fact Sheet, and Fact Sheet attachments.

(Insert explanatory language below where applicable)

This proposed permit **[issuance/reissuance/modification]** is for a **[major/minor]**, **[municipal/industrial]** facility in the **[name of river]** Basin located in **[name of county]**, Virginia. *[For TMDL facilities, explain the situation e.g. "A Total Maximum Daily Load (TMDL) for copper was approved for a downstream segment in the [named] River Watershed by the U.S. EPA on [date]. The facility is identified in the copper TMDL for the [named river] Watershed and the permit includes a WLA and permit limit for [parameter]."*

(and/or) "The facility was not given a waste load allocation in the TMDL as it was not permitted at the time the TMDL was drafted. However, the TMDL does allow an allocation for future growth. This allocation is large enough to satisfy a permitted **[parameter]** load for the proposed facility.

(and/or) A Total Maximum Daily Load (TMDL) for Aquatic Life-Total Nitrogen/Total Phosphorus/Total Suspended Solids (Chesapeake Bay TMDL) was approved for the Chesapeake Bay Watershed by the U.S. EPA on December 29, 2010. The facility is identified in the TMDL and has been assigned WLAs for Total Nitrogen, Total Phosphorus, and Total Suspended Solids in the TMDL.

(and/or) The facility contains a discharge belonging to one of the 21 industrial categories listed in Appendix A to part 122.

(and/or) The facility contains [a Best Technology Available (BTA) 316(b) determination/a Professional Judgement (PJ) determination/is subject to the full provisions of the existing 316(b) facility rule].

If EPA does not comment or object within 30 days of receipt of this notification, processing of the referenced permit will be deemed acceptable to the Regional Administrator.

Please let us know if you need additional information to complete your review.

Respectfully,

Permit Writer or WPM

(Note to permit writers: Minor permits submitted for TMDL review should have the TMDL related parts of the permit and fact sheet clearly labeled, marked, or highlighted to facilitate EPA review.

Minor permits with bacteria TMDLs do not need to go to EPA for review.)

Example: This proposed permit reissuance is for a major, municipal facility in the Potomac River Basin located in Fairfax County, Virginia. There are three approved TMDLs downstream of this discharge.

A Total Maximum Daily Load (TMDL) for Benthic Macroinvertebrates was approved for the Bull Run Watershed by the U.S. EPA on September 26, 2006. The facility is identified in the benthic TMDL for the Bull Run Watershed and the permit includes a permit limit for Total Suspended Solids. The WLA for TSS (97.42 tons/year) for this facility is based on a design flow of 64 MGD with a monthly average concentration of 1.0 mg/L.

A Total Maximum Daily Load (TMDL) for Aquatic Life-Total Nitrogen/Total Phosphorus/Total Suspended Solids (Chesapeake Bay TMDL) was approved for the Chesapeake Bay Watershed by the U.S. EPA on December 29, 2010. The facility is identified in the TMDL and has been assigned WLAs for Total Nitrogen, Total Phosphorus, and Total Suspended Solids in the TMDL.

There is also a Total Maximum Daily Load (TMDL) approved for Recreation - Bacteria for the Bull Run Watershed in the Potomac River Watershed. The TMDL was approved by EPA on November 15, 2006. The permit includes a permit limit for E. coli to demonstrate compliance with the Water Quality Standards for Bacteria. This TMDL was submitted for delisting in 2008.

If EPA does not comment or object within 30 days of receipt of this notification, processing of the referenced permit will be deemed acceptable to the Regional Administrator.

Draft Permit/PN Transmittal Letter to Owner when the PN Billing Authorization Form is Submitted with the Application

Regional Letterhead
Date

[Owner Contact]
[Title]
[Address]

[INSERT if appropriate] Submitted via email to:

RE: VPDES Permit No. VA00000, [Facility Name]

Dear _____ :

The State Water Control Board is considering issuing/reissuing/modifying the referenced permit. Please review the enclosed public notice and draft permit package carefully. You have 14 days from receipt of this letter to comment and/or object to the draft permit provisions. During this period, you may also request a meeting to discuss the proposed permit conditions or may elect to withdraw the application and thereby discontinue permit processing.

Certain public notice procedures must be complied with before the actual permit can be approved. They are as follows:

1. The attached public notice must be published once a week for two consecutive weeks in a newspaper of general local circulation. We have your signed Public Notice Billing Authorization Form, which will allow the newspaper to bill you for the public notice.
2. A minimum of 30 days will be allowed for public response following the date of the first public notice. You may also submit comments during the 30-day public comment period. If no public response is received, or the public response can be satisfactorily answered, then the permit will be processed. However, if there is significant public response, then we may hold a public hearing. You will be advised if this occurs.

I plan to contact the newspaper the week of Month, Day, Year, to publish the public notice. **[For reissuance:** In order for you to continue to discharge under state and federal laws, a new permit must be issued by the expiration date of the current permit. The term of the current permit cannot be extended beyond its expiration date if the owner is the cause of the delay in permit reissuance.]

[For proposed facilities: If development of a proposed site will disturb a total of X **[insert 0.1 for Bay watershed or 1 for all other watersheds]** or more acres and will also result in a point source discharge of storm water from the site, applicants or permittees are also required to obtain coverage under the storm water general permit for construction activities prior to site development. If you believe that you will need this permit, contact the Department's Central Office Storm Water Management Program Director.

If you have any questions or comments on the draft permit or public notice requirements, please contact me at **[phone]** or **[email]**.

Sincerely,

[Permit Writer]

Enclosure:

Draft Permit, Draft Fact Sheet and Fact Sheet Attachments

Public Notice and Public Notice Billing Authorization Form

Draft Permit/PN Transmittal Letter to Owner when the PN Billing Authorization Form is not Submitted with the Application

Regional Letterhead

Date

[Owner Contact]

[Title]

[Address]

[INSERT if appropriate] Submitted via email to:

RE: VPDES Permit No. VA00000, [Facility Name]

Dear :

The Department is considering issuing/reissuing/modifying the referenced permit. Please review the enclosed public notice and draft permit package carefully. You have 14 days from receipt of this letter to comment and/or object to the draft permit provisions. During this period, you may also request a meeting to discuss the proposed permit conditions or may elect to withdraw the application and thereby discontinue permit processing.

While we have drafted a permit for this 14-day review, your application was incomplete since it did not include the Public Notice Billing Authorization Form. Certain public notice procedures must be complied with before the actual permit can be approved. They are as follows:

1. The attached public notice must be published once a week for two consecutive weeks in a newspaper of general local circulation. Please complete, sign, and return the attached Public Notice Billing Authorization Form which will allow us to mail the notice to the newspaper and allow the newspaper to bill you for the public notice.
2. A minimum of 30 days will be allowed for public response following the date of the first public notice. You may also submit comments during the 30-day public comment period. If no public response is received, or the public response can be satisfactorily answered, then the permit will be processed. However, if there is significant public response, then we may hold a public hearing. You will be advised if this occurs. Therefore, please return the Public Notice Billing Authorization Form as soon as possible so that we can continue processing your permit. If you have not submitted the form within 14 days, permit processing will cease.

[For reissuance: In order for you to continue to discharge under state and federal laws, a new permit must be issued by the expiration date of the current permit. The term of the current permit cannot be extended beyond its expiration date if the owner is the cause of the delay in permit reissuance. If you do not return the Billing Authorization Form, your application shall be deemed as

incomplete and will be returned to you and the matter referred to the regional compliance and enforcement staff for further action.]

[For proposed facilities: If development of a proposed site will disturb a total of X **[insert 0.1 for Bay watershed or 1 for all other]** or more acres and will also result in a point source discharge of storm water from the site, applicants or permittees are also required to obtain coverage under the storm water general permit for construction activities prior to site development. If you believe that you will need this permit, contact the Department's Central Office Storm Water Management Program Director.

If you have any questions or comments on the draft permit or public notice requirements, please contact me at **[phone]** or **[email]**.

Sincerely,

[Permit Writer]

Enclosure:

- Draft Permit
- Draft Fact Sheet and Fact Sheet Attachments
- Public Notice
- Public Notice Billing Authorization Form
- Public Notice Transmittal Email to Newspaper

Water Quality Standards Variance Form

The form is available on [DEQnet](#).

Public Notice Transmittal Email to Newspaper

Subject: Public Notice VPDES Permit No. VA0000000

Greetings,

Please publish the attached public notice in the earliest possible edition of your paper once a week for two consecutive weeks as follows:

- 1) Publish it in the legal section in the smallest print possible; and
- 2) Forward the bill for your services to:
[Facility Contact Name, Address, Email Address, and Phone Number]
- 3) Complete and return the attached sheet to DEQ certifying that the public notice has been published as requested.

If you have any questions, please contact me at **[phone]** or **[email]**.

Sincerely,
[Permit Writer]

Enclosure:
Public Notice Verification Sheet
Public Notice

Draft Permit/Optional PN Transmittal Letter to Owner when the PN Authorization Form is not Required (Owner Contacts the Newspaper)

Regional Letterhead
Date

[Owner Contact]
[Title]
[Address]

[INSERT if appropriate] Submitted via email to:

RE: VPDES Permit No. VA0000000, VPDES Permit [**Issuance/Reissuance/Modification**]

Dear _____ :

This is to advise you that the State Water Control Board is considering the above referenced VPDES Permit action. In order for us to continue processing your permit, there are three things that you should do:

1. Review the attached public notice and draft permit package carefully. If you have any questions, comments, or objections concerning the draft permit or public notice, please contact this office within the next 14 days. If you agree to accept the draft permit conditions, proceed to the next paragraph.
2. Publish a notice in the [**Newspaper Name**] as soon as possible. This notice must be published once a week for two consecutive weeks. Following the first public notice appearance in the newspaper, a minimum of 30 days will be allowed for the public to comment. If no public response is received, or if the public response received can be satisfactorily answered, then the permit will be issued. However, if there is significant public interest, then it may be necessary to initiate public hearing procedures. If a public hearing is necessary, you will be notified.
3. Provide us with proof that the notice has been published in the newspaper. Proof of publication shall consist of one of the following:
 - The attached public notice verification sheet completed and signed by the newspaper, or
 - The actual copies of pages from the newspaper showing the notice and the date of the newspaper.

We are required by the State Water Control Law to process this permit within a certain time, therefore, we must limit you to 35 days to complete the above steps. If you have not completed all the above steps by _____ , permit processing will cease.

[For proposed facilities: If development of a proposed site will disturb a total of 5 or more acres and will also result in a point source discharge of storm water from the site, applicants or permittees are also required to obtain coverage under the storm water general permit for construction activities prior to site development. If you believe that you will need this additional permit coverage, please let me know and we will send you the appropriate permit application forms.]

If you have any questions about the draft permit or the public notice procedures, please contact me at [**phone**] or [**email**].

Sincerely,

[Permit Writer]

Enclosure:

Draft Permit, Draft Fact Sheet, Fact Sheet Attachments
Public Notice, Public Notice Verification Form

Draft Permit Transmittal Letter to DWR, F&WS, NMFS, VIMS, VMRC & Adjacent States

Regional Letterhead

Date

[Agency Name]

[Address of Agency] *(or use email)*

RE: VPDES Permit No. VA0000000, [Facility Name]

Dear [Name]:

This letter **[or email]** transmits a copy of the VPDES draft permit and supporting documentation for your review. **[OR]** Documentation supporting the referenced VPDES permit is posted at <http://www.deq.virginia.gov/fileshare/wps/>]

The State Water Control Board intends to **[issue/reissue/modify]** this permit. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a 30-day public comment period for this proposal. If no response is received within the 30-day public notice period, it will be assumed that your agency has no objections to the proposed action.

Please send any comments and/or objections regarding this package to:

[Permit Writer]
Virginia DEQ
[Regional Office]
[Address]

Sincerely,

[Permit Writer]

Enclosures:

Draft Permit
Draft Fact Sheet and Fact Sheet Attachments

Public Notice Transmittal Letter to Local Government (Note to permit writers: Contents of this letter can be sent via email instead of on DEQ letterhead on a PDF)

Regional Letterhead

Date

[Name]
[Address]

RE: VPDES Permit No. VA0000000 [Issuance/Reissuance/Modification/Denial]
[Facility Name]

Section 62.1-44.15:01 of the Code of Virginia requires DEQ to notify localities particularly affected when a permit action is pending. This letter transmits a copy of the public notice for a proposed permit action for your review. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a 30-day public comment period for this proposal. If you wish to comment on this proposed action, please respond to:

[Permit Writer]
Virginia DEQ
[Regional Office]
[Address]

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at **[phone]** or **[email]**.

Sincerely,

[Permit Writer]

Enclosures: Permit Public Notice

C. Final Permit Correspondence

Final Permit Transmittal Letter Format (see [OneDEQ templates](#))

D. Modification Correspondence

Change of Ownership Form Transmittal Letter

Regional DEQ Letterhead

Date

[Owner Contact]
[Title]
[Facility Name]
[Address]

[INSERT if appropriate] Submitted via email to:

RE: Transfer of Ownership Modification of VPDES Permit No. VA0000000

Dear :

Enclosed is a form which may be used to request an ownership transfer for a VPDES permit. If you wish to have the permit ownership transferred, please complete the form and return it to this office.

If you have any questions, please contact me at **[phone]** or **[email]**.

Sincerely,

[Permit Writer]

Enclosure

The following forms are available on [DEQnet](#).

Change of Ownership Form

Change of Facility Name Agreement Form

Permit Modification Request Form

Change of Ownership Approval Transmittal Letter (Note to permit writers: Note that Change of Ownership cannot be approved if financial assurance mechanism is not in place for certain facilities 9VAC25-650)

Regional DEQ Letterhead
Date

New Owner Contact
Facility Name **[New Name if applicable]**
Address

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Re: Minor Modification: VPDES Permit No. VA 0000000; [Name of Facility]
Change in Ownership From [Name of Old Owner] to [Name of New Owner]

Dear:

The staff has reviewed the Transfer of Ownership request form for VPDES Permit No. VA0000000. The new owners, as listed above have been added to the permit cover page, added to DEQ records, and provided to the new owner.

[INSERT only if permittee does not have e-DMR] DEQ requires electronic submittal of Discharge Monitoring Reports (e-DMR). If you have not already done so, please register for e-DMR participation now in order for the e-DMR application to be processed prior to the first DMR due date for this reissuance. The following website provides details, and our regional e-DMR administrator **[name, phone number, email]** can also assist you: <https://www.deq.virginia.gov/permits-regulations/permits/water/surface-waters-vpdes/e-dmr-submissions>

Should you have any questions, please contact **[Permit Writer]** of my staff at **[Phone Number]** or **[Email]**.

Sincerely,

[Water Permit Manager]

Attached: Permit No. VA0000000 and Fact Sheet

Cc: EPA Region III *[For Majors Only, via PRMTS portal]*
Office of Financial Management DEQ *[Nancy Perry]*
Permit File - ECM

E. Administrative Continuance Correspondence

Administrative Continuance Approval Letter

Regional Letterhead
Date

[Owner Contact]
[Title]
[Address]

[INSERT if appropriate] Submitted via email to:

RE: [Facility Name] – Virginia Pollutant Discharge Elimination System (VPDES Permit No. VA00XXXX)

Dear:

We have received your permit application for reissuance of the **[Name of Facility, permit number VA00XXXX]** dated **[DATE]**. The purpose of this letter is to inform you that you have satisfied the requirements of 9VAC25-31-70 for continuation of expiring permits. This continuation of the permit means that all requirements included in your current, active permit shall remain in place until the Department notifies you of the development of an updated VPDES permit.

In accordance with 9VAC25-31-70, the existing permit remains in effect and is fully enforceable. Please continue to adhere to all conditions in the permit, including monitoring, reporting, special conditions, and fee payments.

Feel free to contact **[insert contact information]** if you have questions.

Sincerely,

[Water Permit Manager]

cc: **[include compliance auditor and ICIS coordinator at CO]**

F. Termination Correspondence

Intent to Terminate Letter

Regional Letterhead

Date

[Owner Contact]
[Title]
[Address]

[INSERT if appropriate] Submitted via email to:

RE: Termination of Permit No. VA0000, [Facility Name]

Dear _____ :

The Department of Environmental Quality intends to terminate the referenced permit for the following reason(s):

[provide an explanation]

If you agree with the proposed termination and wish to dispense with the prescribed hearing, please sign and date the attached agreement form in the spaces provided and return it to this office within 14 days.

If you do not agree with to the termination of this permit and wish a hearing under §62.1-44.15(5) of the Code of Virginia, please contact me as soon as possible.

If you have any comments or questions, please contact me at **[phone]** or **[email]**.

Sincerely,

[Permit Writer]

Enclosures:
Termination Agreement Form

Termination Agreement Form

The form is available on [DEQnet](#).

Uncontested Termination Notification Letter

Regional DEQ Letterhead

Date

[Owner Contact Name]

[Title]

[Address]

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Permit No. VA0000, [Facility Name]

Dear :

The Department of Environmental Quality has approved the termination of the Permit referenced above. Termination of this permit is effective 30 days from the date of this notification unless you provide an objection in accordance with one of the two paragraphs below.

As provided by Rule 2A:2 of the Rules of the Supreme Court of Virginia, you have thirty days from the date of service within which to appeal this decision by filing a notice of appeal, signed by the appealing party or that party's counsel, with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period. The notice of appeal must identify the regulation or case decision appealed from, must state the names and addresses of the appellant and of all other parties and their counsel, if any, must specify the circuit court to which the appeal is taken, and must conclude with a certificate that a copy of the notice of appeal has been mailed to each of the parties. Additional information regarding an appeal is in Part Two A of the Rules of the Supreme Court of Virginia.

Alternatively, any owner under §§ 62.1 - 44.16, 62.1 - 44.17, and 62.1 - 44.19 of the State Water Control Law aggrieved by any action of the Department of Environmental Quality (Department) taken without a formal hearing, or by inaction of the Department, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Department. Said petition must meet the requirements set forth in 9VAC25-230-130 of the State Water Control Board's Procedural Rule No. 1. In cases involving actions of the Department, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

If you have any questions, please contact **[permit writer]** at **[phone]** or **[email]**.

Sincerely,

[Water Permit Manager]

Enclosure

cc: Department of Health (ODW) (municipal facilities)
Department of Health (DSS) (shellfish waters facilities)

Contested Termination Notification Letter

Regional DEQ Letterhead

Date

[Owner Contact Name]

[Title]

[Address]

CERTIFIED MAIL
RETURN RECEIPT

REQUESTED

RE: VPDES Permit VA0000000, [Facility Name]

Dear :

The Department approved the termination of the VPDES Permit referenced above.

As provided by Rule 2A:2 of the Rules of the Supreme Court of Virginia, you have thirty days from the date of service within which to appeal this decision by filing a notice of appeal, signed by the appealing party or that party's counsel, with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period. The notice of appeal must identify the regulation or case decision appealed from, must state the names and addresses of the appellant and of all other parties and their counsel, if any, must specify the circuit court to which the appeal is taken, and must conclude with a certificate that a copy of the notice of appeal has been mailed to each of the parties. Additional information regarding an appeal is in Part Two A of the Rules of the Supreme Court of Virginia.

Alternatively, any owner under §§ 62.1 - 44.16, 62.1 - 44.17, and 62.1 - 44.19 of the State Water Control Law aggrieved by any action of the Department of Environmental Quality (Department) taken without a formal hearing, or by inaction of the Department, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Department. Said petition must meet the requirements set forth in 9VAC25-230-130 of the State Water Control Board's Procedural Rule No. 1. In cases involving actions of the Department, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

If you have any questions, please contact [permit writer] at [phone] or [email].

Sincerely,

[Water Permit Manager]

cc: Department of Health (municipal only)

Notice of Planned Change Letter

Regional DEQ Letterhead

Date

[DATE]

[Facility Contact]

[Title]

[Address]

[INSERT if appropriate] Submitted via email to:

Re: Notice of Planned Change – [Facility Name]
VPDES Permit VA00XXXXX

Dear _____ :

The DEQ received your Notice of Planned Change letter on [DATE] regarding the proposed use of [CHEMICAL(s)] for, including the expected dosage rate(s) and final effluent concentration(s) of [CHEMICAL(s)] at [OUTFALL], which you have indicated will be representative of future wastewater discharges.

We are also in receipt of the associated SDS and the letter(s) you provided from [CHEMICAL MANUFACTURER(S)] [CHOOSE ONE: *“stating that none of the chemical(s) proposed to be used or their constituents are on the EPA priority pollutants list (40 CFR 423 Appendix A);”* **OR**, *“identifying the EPA priority pollutants (40 CFR 423 Appendix A) contained in the chemical(s) proposed to be used and the estimated concentration of each pollutant in the final effluent.”*]

We have no objection to the proposed use of [CHEMICALS] for [PROPOSED USE]. Based on the information that you have provided it appears that the use of [CHEMICALS] will not significantly alter the effluent characteristics at [OUTFALL] and will not present any water quality concerns provided it is used in the manner that you have indicated. Please be advised that effluent limitations and monitoring will continue per the current VPDES permit requirements.

Nothing in this letter relieves the permittee from the responsibility to comply with requirements set forth in VPDES Permit No. VA00XXXXX or from adhering to the Virginia Water Quality Standards (9VAC25-260).

Please contact [Permit Writer] at [Phone] or email at [Email] if you have any questions regarding this correspondence.

Sincerely,

[Water Permit Manager]

cc: Compliance Manager, DEQ