



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

Fax: 804-698-4019 - TDD (804) 698-4021

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4020
1-800-592-5482

January 7, 2011

The Honorable Ann H. Mallek
Member, Board of Supervisors, County of Albemarle
401 McIntire Rd.
Charlottesville, VA 22902-4596

The Honorable David Norris, Mayor
City of Charlottesville
P.O. Box 911
Charlottesville, VA 22902

Tom L. Frederick, Executive Director
Rivanna Water and Sewer Authority (RWSA)
695 Moores Creek Lane
Charlottesville, VA 22902-9016

Clarence Roberts, Chair
Albemarle County Service Authority (ACSA)
168 Spotnap Rd.
Charlottesville, VA 22911

Dear Ms. Mallek and Gentlemen:

Thank you for keeping my staff apprised of work and discussions regarding Rivanna Water and Sewer Authority's (RWSA's) water supply permit.

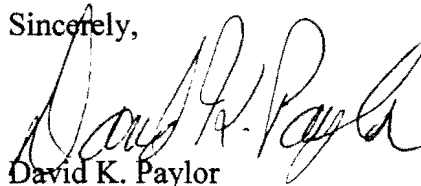
In my last correspondence with you on this subject, I acknowledged that, since at least one of the groups you represent was unwilling to participate in a DEQ-facilitated public meeting, DEQ would stand down on this request until and unless the four of you renewed the request. I also expressed hope that you are working locally to resolve differences concerning the water supply permit.

Probably because of the public nature of DEQ's previous offer of assistance, we are receiving communications from various parties concerning your permit. I am writing today to clarify the procedural posture of the water supply permit.

Currently, the existing permit – which was duly submitted, reviewed, and approved by DEQ and the State Water Control Board in compliance with our statutory and regulatory requirements – continues to be the legally-binding permit. If, however, the RWSA, with your approval, submits a new or modified permit application to DEQ, then DEQ will evaluate the application and advise you the extent to which the application meets DEQ’s statutory and regulatory requirements. The relevant permit regulations may be found at 9VAC25-210 *et seq.*

DEQ welcomes input from the public on this and other subjects. Under current circumstances, however, we are not in a position that would enable us to act on letters we receive from individuals or groups who are expressing opinions about the water supply permit. We wish for the interested public to understand that requests to change the current water supply permit, if any, must come from you pursuant to the regulations referenced above. Thank you for this opportunity to clarify for your community the regulatory processes that govern the water supply permit.

Sincerely,



David K. Paylor

cc: Thomas J. Olivier
Chairman, Piedmont Group of the Sierra Club
P.O. Box 5531
Charlottesville, VA 22905

Rick Henderson, Chief
Enforcement and Compliance, Western Virginia
U.S. Army Corps of Engineers, Norfolk District
Charlottesville Virginia Field Office
920 Gardens Blvd. Suite 200
Charlottesville, Virginia 22901

John C. Martin
5115 Catterton Road
Free Union, Virginia 22940

Citizens for a Sustainable Water Plan
c/o Dede Smith
2652 Jefferson Park Circle
Charlottesville, VA 22903

W. Rod Gentry - Charlottesville Regional Chamber of Commerce
Loren Intolubbe - League of Women Voters of Charlottesville-Albemarle
Michael Lipford - The Nature Conservancy – Virginia
Tony Vanderwarker - Piedmont Environmental Council
Neil Williamson - Free Enterprise Forum
c/o PO Box 1564
Charlottesville, Virginia 22902