

**APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE  
OR REUSE RECLAIMED WATER**

**\*\*\*IMPORTANT\*\*\***

**Before completing this application, read the application instructions to determine the eligibility of the project for an emergency authorization to produce, distribute or reuse reclaimed water. Applications for projects that are not eligible will not be processed.**

**A Cumulative Impact Analysis (CIA) Results Summary or confirmation that a CIA is not required for the project must be submitted with this application. Processing of the application will be suspended if the applicant does not submit either item in the application to DEQ.**

**A. Applicant Information**

1. Name of Project: \_\_\_\_\_
2. Name of Applicant: \_\_\_\_\_
3. Applicant Mailing Address
  - a. Street or P.O. Box \_\_\_\_\_
  - b. City or Town \_\_\_\_\_ c. State \_\_\_\_ d. Zip Code \_\_\_\_\_
  - e. Phone Number \_\_\_\_\_ f. Fax Number \_\_\_\_\_
  - g. E-mail address \_\_\_\_\_
4. Project Location: \_\_\_\_\_

Street No., Route No., or Other Identifier

\_\_\_\_\_

City / County

\_\_\_\_\_

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

**B. Permitting Information**

1. This application is for an emergency authorization to (check all that apply):
  - Produce reclaimed water from municipal wastewater for emergency reuse.
  - Distribute reclaimed water to end users, including the producer of the reclaimed water, for emergency reuse.
  - Emergency reuse of reclaimed water.
2. If a municipal treatment works will be part of the project applying for the emergency authorization, provide the name of the treatment works.  
\_\_\_\_\_

**APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE  
OR REUSE RECLAIMED WATER**

3. Indicate the type of water permit currently issued by the Department of Environmental Quality (DEQ) to the municipal treatment works named in item B.2 and provide the permit number.

Virginia Pollutant Discharge Elimination System (VPDES) permit; VPDES Permit No.:

\_\_\_\_\_.

Virginia Pollution Abatement (VPA) permit; VPA Permit No.: \_\_\_\_\_.

4. Does the permit identified in item B.3 currently authorize the municipal treatment works to produce, distribute, or reuse reclaimed water under either emergency or non-emergency conditions?

Yes. (See the application instructions to verify that the project is eligible for an emergency authorization before completing the remainder of the application.)

No.

5. Has a [Water Reclamation and Reuse Addendum to an Application for Virginia Pollutant Discharge Elimination System Permit or a Virginia Pollution Abatement Permit](#) (Application Addendum) been submitted with this application for the same project? (See the application instructions for more information.)

Yes.

No. The Application Addendum is not required to complete the application for an emergency authorization, but must be submitted to DEQ within 180 days after the issuance of the emergency authorization. Proceed to item B.7.

6. Does this application for an emergency authorization reference any information contained in the Application Addendum?

Yes. Indicated the sections (e.g., A, B, C, etc.) of the Application Addendum that are referenced.

\_\_\_\_\_

No.

7. Will the municipal treatment works named in item B.2 distribute reclaimed water that it produces for emergency reuse to end users other than itself?

Yes.

No. (See the application instructions to verify that the project requires an emergency authorization before completing the remainder of the application.)

8. Will the system to be used by the municipal treatment works to distribute reclaimed water to end users for emergency reuse, including but is not limited to tank trucks, be under common ownership or management with the municipal treatment works named in item B.2? (See the application instructions for more information.)

Yes. Proceed to Section C.

No.

9. Provide the following information about the person or party that owns or manages the system that will distribute reclaimed water (reclaimed water agent) from the municipal treatment works to emergency reuse.

Name of reclaimed water agent: \_\_\_\_\_

Name of reclaimed water distribution system: \_\_\_\_\_

Mailing address of reclaimed water agent:

**APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE OR REUSE RECLAIMED WATER**

Street or P.O. Box \_\_\_\_\_

City or Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

E-mail address: \_\_\_\_\_

10. Is the distribution system named in item B.9 currently authorized by DEQ to deliver reclaimed water to reuse?

Yes. Provide the VPDES or VPA Permit number authorizing the distribution of reclaimed water to reuse by this system and proceed to Section C: \_\_\_\_\_

No.

11. Does the distribution systems named in item B.9 that is *not* currently authorized by DEQ to deliver reclaimed water to reuse, meet all of the following criteria? (See addendum instructions)

a. The distribution system is considered part of the project named in item A.1 to be covered by the emergency authorization,

b. The distribution system will not distribute reclaimed water for emergency reuse to any end users other than the owner or management of the distribution system, and

c. A service agreement or contract is established between the municipal treatment works named in item B.2 and the distribution system.

Yes. Attach a copy of the service agreement or contract and proceed to Section C.

No. The project named in item A.1 may not be authorized to use this system for the distribution of reclaimed water to emergency reuse. (See addendum instructions)

**C. Emergency Authorization Information**

1. Indicate the highest level of reclaimed water treatment that can currently be achieved by the municipal treatment works identified in item B.2. (See the application instructions to determine the levels of reclaimed water treatment.)

Level 1

Level 2

2. List all unit treatment processes of the municipal treatment works that will produce reclaimed water achieving the treatment and standards of the level indicated in item C.1.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Attach or reference the most recent three consecutive years of monthly effluent monitoring data for the municipal treatment works that will produce reclaimed water achieving the treatment and standards of the level indicated in item C.1. (See the application instructions for more information.)

\_\_\_\_\_

**APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE OR REUSE RECLAIMED WATER**

4. List all proposed emergency reuses of reclaimed water to be produced by the municipal treatment works identified in item B.2 and explain for each how the reuse will protect public health and safety under emergency public water supply conditions. Attach additional information if needed. (See the application instructions for more information.)

| <b>Proposed Emergency Reuses</b> | <b>Explanation for Reuse Under Emergency Public Water Supply Conditions</b> |
|----------------------------------|---|
|                                  |   |
|                                  |   |
|                                  |   |
|                                  |   |
|                                  |   |
|                                  |   |
|                                  |   |
|                                  |   |
|                                  |   |
|                                  |   |

5. Where the municipal treatment works identified in item B.2 will also be a reclaimed water agent that provides reclaimed water to one or more end users other than itself for emergency reuse, attach a copy of an example service agreement or contract between the reclaimed water agent and the end users. (See the application instructions for more information.)
6. If item B.3 indicates that the municipal treatment works is currently authorized by a VPDES permit, does the treatment works have significant industrial users (SIUs) as defined in [9VAC25-31-10](#)?
- Yes.
- No. Proceed to item C.8.
7. Does the VPDES permitted municipal treatment works with SIUs have a pretreatment program developed, approved and maintained in accordance with Part VII ([9VAC25-31-730](#) et seq.) of the VPDES Permit Regulation?
- Yes.
- No. (See the application instructions to verify that the project is eligible for an emergency authorization. If so, proceed to item C.8.)
8. Is a Cumulative Impact Analysis (CIA) Results Summary or documentation from DEQ confirming that a CIA is not required for the project, included in this application?
- Yes. For receipt of a CIA Results Summary, proceed to item C.9. For receipt of written confirmation that a CIA is not necessary, proceed to item C.10.
- No. **IMPORTANT: A CIA Results Summary or confirmation that a CIA is not required for the project must be submitted with this application. Processing of this application will be suspended if the applicant does not submit either item in the application.** (See the application instructions for more information.)

**APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE OR REUSE RECLAIMED WATER**

9. If a CIA Results Summary for the project is included in this application, does the Results Summary indicate that the project has the potential to cause significant adverse impacts to beneficial uses of a receiving state water?

- Yes. (See the application instructions to verify that the project is eligible for an emergency authorization. If so, proceed to item C.10.)
- No.

10. Provide a physical description of the system that will be used to distribute reclaimed water produced by the municipal treatment works named in item B.2 to end users for proposed emergency reuses listed in item C.4. (See the application instructions for more information.)

---

---

---

---

11. Provide the name of the community or locality to receive reclaimed water for emergency reuse from the municipal treatment works named in item B.2.

---

12. Has the community or locality named in item C.11, or the public water supply authority or owner serving this community or locality, submitted an application to obtain a Emergency Virginia Water Protection Permit for a new or increased withdrawal? (See the application instructions for more information.)

- Yes.
- No.

13. For the community or locality named in item C.11, describe recent and current water use, including monthly water use in the previous calendar year and weekly water use in the previous six months prior to submittal of this application. Attach additional information if needed. (See the application instructions for more information.)

---

---

---

---

14. Name or identify the source(s) of water for the water use described in item C.13. (See the application instructions for more information.)

---

---

---

15. Among the water source(s) listed in item C.13, identify water suppliers from which the community or locality purchases or purchased water. (See the application instructions for more information.)

---

---

---

**APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE OR REUSE RECLAIMED WATER**

16. For the community or locality named in item C.11, describe the severity of the public water supply emergency, including for reservoirs, an estimate of days of remaining supply at the current rates of use and replenishment; for public water supply wells, current production; and for public water supply intakes, current stream flow. Attach additional information if needed. (See the application instructions for more information.)

---

---

---

---

17. For the community or locality named in item C.11:

- a. Describe mandatory water conservation measures taken or imposed by the community or locality and the dates when the measures were implemented, and
- b. Provide an estimate of water savings realized by implementing these mandatory water conservation measures.

Attach additional information if needed. (See the application instructions for more information.)

---

---

---

---

18. Attach documentation demonstrating that the community or locality named in item C.11 has exhausted all public water supply management actions that would minimize the threat to public welfare, safety, and health, and would avoid the need to obtain an emergency authorization for the production, distribution or reuse of reclaimed water. (See the application instructions for more information.)

19. Provide any other information demonstrating that public water supply conditions in the community or locality named in item C.11 are a substantial threat to public health or safety. Attach additional information if needed. (See the application instructions for more information.)

---

---

---

---

**APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE  
OR REUSE RECLAIMED WATER**

**D. Consent to Receive and Certify Receipt of Electronic Mail**

The Department of Environmental Quality (DEQ) may deliver permits, certifications and plan approvals to recipients, including applicants or permittees, by electronically certified mail where the recipients notify DEQ of their consent to receive mail electronically (§ [10.1-1183](#)). Check only one of the following to consent to or decline receipt of electronic mail from DEQ as follows:

- Applicant or permittee agrees to receive by electronic mail the permit and any plan approvals associated with the permit that may be issued for the proposed pollutant management activity, and to certify receipt of such electronic mail when requested by the DEQ.
- Applicant or permittee declines to receive by electronic mail the permit and any plan approvals associated with the permit that may be issued for the proposed pollutant management activity.

**E. Signature and Certification Statement**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of person signing above (printed or typed):

\_\_\_\_\_

Title of person signing above:

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of person signing above (printed or typed):

\_\_\_\_\_

Title of person signing above:

\_\_\_\_\_

# APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE OR REUSE RECLAIMED WATER

## INSTRUCTIONS

The Department of Environmental Quality (DEQ) has the authority to issue an emergency authorization for the production, distribution or reuse of reclaimed water when it finds that due to drought there is an insufficient public water supply that may result in a substantial threat to public safety. Any person or entity applying for an emergency authorization must demonstrate that conservation measures mandated by local or state authorities have failed to protect public safety.

An emergency authorization may be issued for only reuses of reclaimed water deemed necessary by DEQ, but in no case shall an emergency authorization be issued in lieu of a Virginia Pollutant Discharge Elimination System (VPDES) permit for a reuse that involves a discharge of reclaimed water to surface waters. An emergency authorization may also be issued in addition to an Emergency Virginia Water Protection Permit ([9VAC25-210](#)) for a new or increased public water supply withdrawal.

## WHO MAY APPLY FOR AN EMERGENCY AUTHORIZATION

Any person or entity owning an existing municipal treatment works authorized by a VPDES permit or a Virginia Pollution Abatement (VPA) permit that wishes to produce, distribute or reuse reclaimed water under emergency conditions described in [9VAC25-740-45](#) of the Water Reclamation and Reuse Regulation, may apply for an emergency authorization, provided the treatment works:

1. Is not currently authorized to produce, distribute, or reuse reclaimed water in accordance with [9VAC25-740-40](#);
2. Is currently capable of producing reclaimed water meeting minimum standard requirements of [9VAC25-740-90](#) for proposed reuses listed in the emergency authorization application; and
3. Do not have significant industrial users (SIUs), or do have SIUs and a pretreatment program developed, approved, and maintained in accordance with Part VII ([9VAC25-31-730 et seq.](#)) of the VPDES Permit Regulation.

Applicants are encouraged to contact the DEQ Regional Office covering the area where the project will be located for assistance determining the eligibility of the project for an emergency authorization. Regional Office contact information is available at <http://www.deq.virginia.gov/Locations.aspx>. Applications for projects that are not eligible for an emergency authorization will not be processed.

**\*\*\*IMPORTANT\*\*\* For all municipal wastewater treatment works that will be part of an emergency project, a Cumulative Impact Analysis (CIA) Results Summary or written confirmation that the project does not require a CIA, must be submitted with this application (see “Instructions to Complete an Emergency Authorization Application” below).**

## WHERE TO FILE AN EMERGENCY AUTHORIZATION APPLICATION

The completed emergency authorization application must be submitted to the DEQ Regional Office covering the area where the project will be located. Regional Office information is available at <http://www.deq.virginia.gov/Locations.aspx> or can be obtained by calling the DEQ Central Office in Richmond, Virginia at (804) 698-4000.



# APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE OR REUSE RECLAIMED WATER

## INSTRUCTIONS

### GENERAL INSTRUCTIONS

Complete all items or enter “NA” for “not applicable”. Enter requested information on the lines or spaces and in the boxes provided in the application. Complete items in the sequence that they appear unless instructed to “Proceed to” another item in the application. When using attachments to provide requested information for specific items of the application, note on the application the title of the attachment and, if applicable, the location within the attachment (e.g., page number, appendix, etc.) where this information can be found.

Definitions for terms used in the application are available in [9VAC25-740-10](#) of the Water Reclamation and Reuse Regulation unless noted otherwise.

The application is divided into five sections (i.e., A through E). For specific items in each section, applicants will be referred to the instructions by the notation “(See the application instructions...)” for additional information to complete these items. Applicants may also contact DEQ with questions regarding the application.

DEQ may need information in addition to that initially submitted with the application to issue the emergency authorization. Applicants for an emergency authorization are responsible for providing additional information requested by DEQ. When an applicant does not provide the requested information or provides insufficient information, processing of the application and issuance of the emergency authorization may be suspended.

An emergency authorization provides only temporary coverage for specific emergency situations and must be replaced by coverage under or associated with a VPDES or VPA permit as described in [9VAC25-740-40](#). No later than 180 days after the issuance of an emergency authorization, the holder of the authorization must apply for coverage under a VPDES or VPA permit with the [Water Reclamation and Reuse Addendum to an Application for Virginia Pollutant Discharge Elimination System Permit or a Virginia Pollution Abatement Permit](#) (Application Addendum). Determined by the time at which an emergency authorization is issued relative to the term of a VPA or VPDES permit, the holder of the emergency authorization may also be required to submit an application to reissue the VPA or VPDES permit. To expedite long-term permit coverage for an emergency project, an applicant may submit the Application Addendum with the application for an emergency authorization. However, processing of the emergency authorization application will be the greater immediate priority. Information contained in the Application Addendum, if complete and applicable, may be used to complete an emergency authorization application.

### INSTRUCTIONS SPECIFIC TO SECTIONS OF THE APPLICATION

The following are instructions specific to Sections A, B, C, D and E of the application.

#### A. Applicant Information

Section A must be completed to provide information about the applicant and the project for which the emergency authorization application is being submitted. The applicant will, in most cases, be the owner of the project, and the same person or party holding a valid VPDES or VPA permit for the municipal treatment works that will be part of the project. Project information must include the name, and physical address and location of the project.

#### B. Permitting Information

# APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE OR REUSE RECLAIMED WATER

## INSTRUCTIONS

Section B must be completed to provide information that will be used to determine the eligibility of the project for an emergency authorization, components of the project to be covered by the emergency authorization, and existing VPDES or VPA permit coverage for the municipal treatment works that will be part of the project. Section B also identifies sections of an Application Addendum (see “**General**” instructions above) that are referenced to complete the application for an emergency authorization when the two forms are submitted concurrently for the same project.

**B.4** In accordance with [9VAC25-740-45.C](#) of the Water Reclamation and Reuse Regulation, an emergency authorization may be issued to only existing VPDES or VPA permitted municipal treatment works that are *not* currently authorized to produce, distribute or reuse reclaimed water in accordance with 9VAC25-740-40. If the municipal treatment works that will be part of the project is currently authorized to produce, distribute or reuse reclaimed water under or associated with an existing VPDES or VPA permit, the project is *not* eligible for an emergency authorization. Instead, it may be possible to modify the existing permit or the Reclaimed Water Management Plan of the permit to expand current production, distribution or reuse of reclaimed water through a non-emergency permit modification or independent of a permit action. Please contact the DEQ Regional Office covering the area where the project will be located for further assistance. Refer to “**WHO MAY APPLY FOR AN EMERGENCY AUTHORIZATION**” above for DEQ Regional Office contact information.

**B.5** An emergency authorization provides only temporary coverage for specific emergency situations and must be replaced by coverage under a VPDES or VPA permit as described in [9VAC25-740-40](#). No later than 180 days after the issuance of an emergency authorization, the holder of the authorization must apply for coverage under a VPDES or VPA permit with the [Water Reclamation and Reuse Addendum to an Application for Virginia Pollutant Discharge Elimination System Permit or a Virginia Pollution Abatement Permit](#) (Application Addendum). To expedite long-term permit coverage for an emergency project, an applicant may submit the Application Addendum with the application for an emergency authorization. Information contained in the Application Addendum, if complete and applicable, may be used to complete an emergency authorization application.

**B.7** In accordance with [9VAC25-740-50.A](#), specific activities or facilities are excluded from the requirements of the Water Reclamation and Reuse Regulation and will not require an emergency authorization. This includes the use of non-potable water produced by a VPDES or VPA permitted treatment works on the same site as the treatment works. The treatment works site includes property that is contiguous to or in the immediate vicinity of the parcel of land on which the treatment works is located, and must be under common ownership or management with the treatment works. This exclusion does not apply to non-potable water produced by treatment works authorized by the VPDES General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day ([9VAC25-110](#)). If the municipal treatment works of the project applying for the emergency authorization will be the exclusive end user of non-potable water produced by the treatment works and such use will occur on the same site as the treatment works, the project is not required to obtain an emergency authorization for the production and use of that water. However, other federal and state occupational safety and health standards and requirements to protect employees or workers may apply, determined, in part, by the degree of worker contact with the non-potable water for a particular use and the level of treatment the non-potable water has received.

**B.8 through B.11** Owners of reclamation systems and reclaimed water distribution systems, and reclaimed water agents are required to obtain a VPDES or VPA permit to produce and distribute reclaimed water. Where the owner of these systems or a reclaimed water agent is not permitted by DEQ to produce and/or distribute reclaimed water for reuse, other systems with permit coverage cannot distribute reclaimed water to or receive reclaimed water from the unpermitted systems.

# APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE OR REUSE RECLAIMED WATER

## INSTRUCTIONS

Where a reclamation system and reclaimed water distribution system are under common ownership or management, one permit may be issued to cover both. Where a reclamation system will provide reclaimed water to a distribution system that is under separate ownership or management, each system will, in most cases, require separate permit coverage. Alternatively, the distribution system in this scenario may be authorized by the permit of the reclamation system where:

1. The distribution system is considered part of the project that includes the municipal treatment works to be covered by the emergency authorization,
2. The distribution system will not distribute reclaimed water for emergency reuse to any end user other than the owner or management of that distribution system, and
3. A service agreement or contract is established between the reclamation system and the reclaimed water distribution system. For the purposes of this application, the municipal treatment works is considered the reclamation system.

Under this permitting arrangement, the holder of the emergency authorization is responsible for ensuring that the distribution system complies with applicable requirements of the regulation and the emergency authorization through the terms and conditions of the service agreement or contract between the two parties. In the event that DEQ finds the terms and conditions of the service agreement or contract to be inadequate for the protection of public health and the environment, or the holder of the emergency authorization is unable to enforce the terms and conditions of the service agreement or contract, DEQ maintains the option to issue a permit to the reclaimed water distribution system.

This alternative to permitting reclaimed water distribution systems may also apply to tank trucks that distribute reclaimed water for only reuse by the owner or management of the tank truck. In this case, the tank truck and the municipal treatment works providing reclaimed water to the tank truck must be under separate ownership or management, and the tank truck must establish a service agreement or contract with the holder of the emergency authorization.

As applicable, complete items B.8 through B.11 and attach a copy the service agreement or contract.

### C. Emergency Authorization Information

Section C must be completed to provide information that will be used to determine the eligibility of the project for an emergency authorization based on its ability to produce reclaimed water suitable for the proposed emergency reuses, manage pollutants of concern from significant industrial users, if present, and avoid significant adverse impacts to beneficial uses of a receiving state water. Information provided in Section C is also used to determine the need to issue an emergency authorization in lieu of a non-emergency authorization where it can be demonstrated that due to drought, there is insufficient public water supply that may result in a substantial threat to public safety. Attachments may be required to complete applicable items of Section C. See “**General**” above for more instructions regarding application attachments.

**C.1 and C.3** The Water Reclamation and Reuse Regulation specifies the minimum treatment and numerical standards for two levels of reclaimed water, Level 1 and Level 2 ([9VAC25-740-70.A](#)). Reclaimed municipal wastewater that can consistently achieve a minimum of either Level 1 or Level 2 may be authorized for only reuses listed in the regulation under [9VAC25-740-90.A](#) that match the minimum reclaimed water level. Information regarding unit treatment processes and current effluent monitoring data of the municipal treatment works that will produce reclaimed water for the project, must be provided in the application to demonstrate that

# APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE OR REUSE RECLAIMED WATER

## INSTRUCTIONS

the treatment works is currently capable of achieving the treatment and standards of the reclaimed water level indicated by the applicant. Where the applicant is unable to provide sufficient information or data for this demonstration, the project may not be eligible for an emergency authorization.

**C.4** An emergency authorization may be issued for only reuses of reclaimed water deemed necessary by DEQ, but in no case shall an emergency authorization be issued in lieu of a VPDES permit for a reuse that involves a discharge of reclaimed water to surface waters. Reuses proposed for emergency authorization are further limited to those listed in the Water Reclamation and Reuse Regulation under [9VAC25-740-90.A](#) that correspond with the highest level of reclaimed water treatment, Level 1 or Level 2, currently achievable by the municipal treatment works of the project. Only reuses meeting these criteria are to be listed in the application with a statement for each and additional information, if needed, explaining how the reuse will protect public health and safety under emergency public water supply conditions.

**C.5** A reclaimed water agent that provides reclaimed water to one or more end users other than itself for emergency reuse, must provide in this application a copy of an example service agreement or contract between the reclaimed water agent and the end users. At a minimum, the service agreement must contain the following items:

- a. Conditions and requirements applicable to the planned emergency reuses and storage of reclaimed water by the end users, that are protective of the environment and public health;
- b. A statement indicating that the reclaimed water agent reserves the right to perform routine or periodic inspections of an end user's reclaimed water reuses and storage facilities, and to terminate the agreement or contract and withdraw service for any failure by the end user to comply with the terms and conditions of the agreement or contract if corrective action for such failure is not taken by the end user; and
- c. A statement indicating that the terms and conditions of the service agreement or contract between the reclaimed water agent and the end users may be subject to change upon replacement of the emergency authorization with coverage under or associated with a VPDES or VPA permit.

**C.7** If the project includes a VPDES permitted municipal treatment works with significant industrial users (SIUs) as defined in [9VAC25-31-10](#), but does not have a pretreatment program developed, approved and maintained in accordance with Part VII ([9VAC25-31-730](#) et seq.) of the VPDES Permit Regulation, the project is *not* eligible for an emergency authorization. Instead, it may be possible to authorize the production, distribution or reuse of reclaimed water proposed in this application through a non-emergency VPDES permit modification or an administrative authorization associated with the VPDES permit. Please contact the DEQ Regional Office covering the area where the project will be located for further assistance. Refer to “**WHO MAY APPLY FOR AN EMERGENCY AUTHORIZATION**” above for DEQ Regional Office contact information.

**C.8 Before applying for an emergency authorization**, a prospective applicant must request a Cumulative Impact Analysis (CIA) from the DEQ for the project through a link provided on the DEQ [Water Reclamation and Reuse Program webpage](#). Based on information provided by the prospective applicant, the DEQ may perform the CIA or determine that a CIA for the project is not required. The DEQ will subsequently provide the prospective applicant either a CIA Results Summary or written confirmation that a CIA is not required for the project. Processing of an emergency authorization application will be suspended if the applicant does not submit either item in the application to DEQ.

# APPLICATION FOR AN EMERGENCY AUTHORIZATION TO PRODUCE, DISTRIBUTE OR REUSE RECLAIMED WATER

## INSTRUCTIONS

**C.9 \*\*\*IMPORTANT\*\*\*** Where a CIA Results Summary for an emergency project indicates that the project has the potential to cause significant adverse impacts to beneficial uses of a receiving state water, the project is not eligible for an emergency authorization. Contact DEQ for information on other permitting options that may be available for the project. Refer to “WHO MAY APPLY FOR AN EMERGENCY AUTHORIZATION” above for DEQ Regional Office contact information.

**C.10** The physical description of the system that will be used to distribute reclaimed water produced by the municipal treatment works to end users for proposed emergency reuses should include, at minimum, an inventory of system components (e.g., mains, laterals, storage, pump stations, tank trucks, etc.), miles of distribution pipe line, and boundaries of the area to be served by the system. If the distribution system is already authorized by DEQ to deliver reclaimed water to reuse (see item B.13 of the application), the applicant may reference, in part, information contained in the permit application for the system that is on file with the agency. DEQ may request additional information where, for example, the proposed emergency reuses will expand the boundaries of the area currently served by the system.

**C.12 through C.19** Information and attachments requested for items C.12 through C.19 of the application should be obtained from the authority or owner of the public water supply system that (i) serves the community or locality named in C.11 and (ii) proposes to conserve and supplement the existing water resources of the community or locality with reclaimed water under the emergency authorization. Where the community or locality named in C.11, or the public water supply authority or owner serving this community or locality, has also submitted an Emergency Virginia Water Protection (VWP) Permit application for a new or increased withdrawal in accordance with [9VAC25-210](#), information contained in the application for the Emergency VWP Permit may be referenced to complete items C.13 through C.19 of this application.

### **D. Consent to Receive and Certify Receipt of Electronic Mail**

DEQ will deliver the emergency authorization, if issued, to the applicant by certified mail. Certified mail may be delivered electronically only where the applicant agrees to the terms of electronic mail delivery in Section D.

### **E. Signature and Certification Statement**

Section E must be completed by the appropriate signatory authority or authorities. For a water reclamation and reuse project that will be covered by an emergency authorization associated with an existing VPDES permit, the appropriate signatory authorities are as specified in [9VAC25-31-110](#) of the VPDES Permit Regulation. For a similar project that will be covered by an emergency authorization associated with an existing VPA permit, the appropriate signatory authorities are as specified in [9VAC25-32-70](#) of the VPA Permit Regulation.