



COMMONWEALTH of VIRGINIA

L. Preston Bryant, Jr.
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY
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David K. Paylor
Director

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September 12, 2006

City of Newport News
2400 Washington Avenue
Newport News, Virginia 23601
ATT: Randy W. Hildebrandt, City Manager

RE: Virginia Water Protection (VWP) Permit #93-0902
Application for Permit Extension

Dear Mr. Hildebrandt:

On September 6, 2006, the State Water Control Board considered the draft permit extension for the King William Reservoir project, prepared by Department of Environmental Quality (DEQ) staff following public input received during a July 20, 2006 public hearing and associated public comment period. In its presentation to the Board, DEQ staff recommended that the proposed draft permit extension be issued with an additional condition that the permittee submit an application for permit reissuance concurrent with the submittal of the final mitigation plan. This letter is to provide notification that the State Water Control Board decided at this meeting not to approve the DEQ staff recommendation.

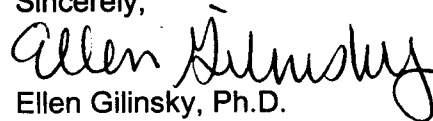
As provided by Rule 2A:2 of the Supreme Court of Virginia, you have **30 calendar days** from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia 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. Refer to Part 2A of the Rules of the Supreme Court of Virginia for additional requirements governing appeals from administrative agencies.

Alternatively, any owner may request a formal hearing for the formal taking of evidence upon relevant fact issues under Section 2.2-4020 of the Administrative Process Act. A petition for a formal hearing must meet the requirements set forth in 9 VAC 25-230-130.B of the Virginia Administrative Code. In cases involving actions of the board, such petition must be filed within 30 calendar days after notice of such action is sent to such owner by certified mail.

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Notification of State Water Control Board Decision
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If you have any questions, please contact me at 804-698-4375 or [egilinsky @deq.virginia.gov](mailto:egilinsky@deq.virginia.gov).

Sincerely,

A handwritten signature in black ink that reads "Ellen Gilinsky". The signature is written in a cursive style with a large, looped "G" and "y".

Ellen Gilinsky, Ph.D.
Director, Division of Water Quality

cc: James Ryan, Esq., Troutman Sanders
David Morris, Newport News Waterworks
VWP permit file