



THE ADMINISTRATOR
WASHINGTON, D.C. 20460

April 30, 2026

Mr. Michael S. Rolband
Director
Virginia Department of Environmental Quality
1111 East Main Street, Suite 1400
Richmond, Virginia 23219

Dear Mr. Rolband:

Through this letter, the U.S. Environmental Protection Agency is notifying you that we consider the Virginia Coal Combustion Residuals Permit Program Application submitted on June 6, 2025, and revised on March 4, 2026, pursuant to 42 U.S.C. § 6945(d)(1), to be complete. The application contains the necessary elements of 40 CFR Part 257, Subpart D, and the elements of a permitting program that will allow EPA to make a preliminary determination on the adequacy of Virginia's CCR permit program. For the specific reasons stated in Virginia's application, the Commonwealth is seeking partial program approval.

The Virginia Department of Environmental Quality adopted CCR regulations at 9VAC20-81-810. The VADEQ largely adopted by reference the requirements of 40 CFR Part 257, Subpart D as amended through December 14, 2020, except for certain provisions. Additionally, Virginia adopted certain provisions that are more protective than the federal CCR regulations, such as the mandatory closure by removal of existing CCR surface impoundments, regardless of their liner system. With these exceptions, the technical requirements of Virginia's CCR permit program are identical to the federal CCR regulations. The Commonwealth's amended rules pertaining to the regulation of CCR became effective on January 15, 2025.

EPA is proposing to approve Virginia's partial program. The agency will begin the formal process of soliciting public comment and making a final determination on whether to approve Virginia's partial CCR permit program. In accordance with 42 U.S.C. § 6945(d)(1)(B), EPA will finalize this determination within 180 days of this letter. The agency will soon publish a notice in the *Federal Register* announcing and soliciting public comment on its proposed determination. We look forward to continuing to work with Virginia during the program review process.

If you have questions or concerns on the completeness determination of the Virginia's CCR permit program application or next steps in the process, please contact me or Andrew Baca, director of EPA's Office of Resource Conservation and Recovery, at baca.andrew@epa.gov or (202) 564-6012.

Sincerely,

A handwritten signature in black ink that reads "Lee Zeldin". The signature is written in a cursive style with a large, prominent "Z" and "L".

Lee M. Zeldin