



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482 FAX (804) 698-4178

www.deq.virginia.gov

Travis A. Voyles
Acting Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

April 20, 2022

Mr. Jay Holtz
Oldcastle Infrastructure
7000 Central Parkway, Suite 800
Atlanta, GA 30328

Transmitted electronically jay.holtz@oldcastle.com

Re: Assignment of Percent Removal Efficiencies for Total Phosphorus
BioPod™ Biofilter

Dear Mr. Holtz:

The Department of Environmental Quality (Department or DEQ) received the Proprietary Best Management Practice (BMP) Registration Statement and supporting documentation for the **BioPod™ Biofilter** on January 13, 2022. The Department has reviewed the application and supporting documentation in accordance with § 62.1-44.15:28 of the Code of Virginia, 9VAC25-870-65 D of the Virginia Stormwater Management Program (VSMP) Regulation, and DEQ Guidance Memo No. 21-2006.

Section 65 D 2 of the VSMP Regulation states, "Any proprietary BMP approved for use after July 1, 2020, must meet the requirements of § 62.1-44.15:28 A 9 of the Code of Virginia." The Department received the current general use level designation (GULD) certificate from Washington State's Technology Assessment Protocol – Ecology (TAPE) program or the current certification from the New Jersey Department of Environmental Protection (NJDEP) for the **BioPod™ Biofilter**. The previously approved device, BioPod™ Biofilter System with StormMix™ Media, has been included on the prior-approved list of proprietary best management practices (BMPs) on the Virginia Stormwater BMP Clearinghouse website.

The **BioPod™ Biofilter** is approved for use in Virginia to meet the VSMP water quality design criteria requirements and has been assigned a total phosphorus pollutant removal efficiency of **50%**. This information will be posted on the Virginia Stormwater BMP Clearinghouse website. This device and the assigned removal efficiency can be manually added into the Virginia Runoff Reduction Method spreadsheet to demonstrate compliance with VSMP water quality design criteria requirements.

If you have any questions regarding this letter, please contact Robert E. Cooper, P.E. at (804) 965-4875 or e-mail at Robert.Cooper@deq.virginia.gov.

Sincerely

A handwritten signature in blue ink that reads "Erin Ervin Belt".

Erin Ervin Belt
Office of Stormwater Management