



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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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. Shawn Freedberg
DeepRoot Green Infrastructure, LLC
101 Montgomery Street, Suite 2850
San Francisco, CA 94104

Transmitted electronically shawn@deeproot.com

Re: Assignment of Percent Removal Efficiencies for Total Phosphorus
Silva Cell Suspended Pavement System with Bioretention (Silva Cell)

Dear Mr. Freedberg:

Section 9VAC25 870 65 D 2 of the Virginia Stormwater Management Program (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 of Environmental Quality (Department or DEQ) has not received documentation showing that another state, regional, or national certification program has verified and certified the nutrient or sediment removal effectiveness of the **Silva Cell Suspended Pavement System with Bioretention (Silva Cell)** to comply with § 62.1 44.15:28 A 9.

The **Silva Cell Suspended Pavement System with Bioretention (Silva Cell)** is not approved for use in Virginia to meet the VSMP water quality design criteria requirements for stormwater management plans submitted on or after January 1, 2022. This proprietary device is posted on the prior-approved list on the Virginia Stormwater BMP Clearinghouse website. The device may be reinstated for use in Virginia if the Department receives the required documentation.

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