



*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](http://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](mailto:jay.holtz@oldcastle.com)

Re: Assignment of Percent Removal Efficiencies for Total Phosphorus  
**Nutrient Separating Baffle Box® (NSBB) with Hydro-Variant Technology Stormwater Treatment Device**

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 **NSBB with Hydro-Variant Technology Stormwater Treatment Device** on January 18, 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 **NSBB with Hydro-Variant Technology Stormwater Treatment Device**. The previously approved device, Nutrient Separating Baffle Box®, has been included on the prior-approved list of proprietary best management practices (BMPs) on the Virginia Stormwater BMP Clearinghouse website.

The **NSBB with Hydro-Variant Technology Stormwater Treatment Device** 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 **20%**. 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](mailto:Robert.Cooper@deq.virginia.gov).

Sincerely

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

Erin Ervin Belt  
Office of Stormwater Management