



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

May 17, 2022

Mr. Mark Miller
AquaShield, Inc.
2733 Kanasita Drive, Suite 111
Chattanooga, TN 37343

Transmitted electronically mmiller@aquashieldinc.com

Re: Assignment of Percent Removal Efficiencies for Total Phosphorus
Aqua-Ponic™ Stormwater Biofiltration System

Dear Mr. Miller:

The Department of Environmental Quality (Department or DEQ) received the Proprietary Best Management Practice (BMP) Registration Statement and supporting documentation for the **Aqua-Ponic™ Stormwater Biofiltration System** on March 28, 2022. The Department has reviewed the application and supporting documentation in accordance with § 62.1-44.15:28 of the Code of Virginia and 9VAC25-870-65 D of the Virginia Stormwater Management Program (VSMP) Regulation.

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 based its decision on the New Jersey Department of Environmental Protection Certification for the **Aqua-Ponic™ Stormwater Biofiltration System**.

The **Aqua-Ponic™ Stormwater Biofiltration System** 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 **40%**. 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