



*Commonwealth of Virginia*

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY**

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Director  
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May 25, 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  
**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 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 General Use Level Designation (GULD) Certificate from Washington State's Technology Assessment Protocol – Ecology (TAPE) Program 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 **64%** effective April 20, 2022. 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