

COMMONWEALTH OF VIRGINIA

BEFORE THE STATE WATER CONTROL BOARD

IN RE: VIRGINIA ELECTRIC AND POWER COMPANY d/b/a DOMINION
VIRGINIA POWER

MODIFICATION OF VPDES PERMIT NO. VA0002071
POSSUM POINT POWER STATION

NOTICE OF APPEAL

The State of Maryland (“State”), by and through the Maryland Department of the Environment (“MDE”), and the Department of Natural Resources (“DNR”), Appellants, (collectively “State Appellants”) by their attorneys, Brian E. Frosh, Attorney General of Maryland, and Lawrence Thrower, Assistant Attorney General, file this Notice of Appeal pursuant to Rule 2A:2 of the Rules of the Supreme Court of Virginia, with David Paylor, Executive Secretary of the Virginia State Water Control Board, and Director of the Virginia Department of Environmental Quality, for judicial review of the Board’s decision to modify VPDES Permit No. VA0002071, dated January 14, 2016, for the Virginia Electric and Power Company d/b/a Dominion Virginia Power. The modified permit authorizes Dominion to discharge pollutants to state waters from its Possum Point Power Station under the Virginia Pollutant Discharge Elimination System, the Virginia State Water Control Law, and the federal Clean Water Act and its implementing regulations.

The appeal of this decision will be taken to the Circuit Court for the City of Richmond, 13th Judicial Circuit of Virginia, located at 400 North Ninth Street, Richmond Virginia 23219. Pursuant to Rule 2A:3 of the Rules of the Supreme Court of Virginia,

the agency record should be forwarded to the Clerk of the Circuit Court for the City of Richmond as soon as possible.

In accordance with Rule 2A:2(b) of the Rules of the Supreme Court of Virginia, the State Appellants provide the following information:

1. The State Appellants are:

Maryland Department of the Environment
Ben Grumbles, Secretary
1800 Washington Boulevard
Baltimore, Maryland 21230

Maryland Department of Natural Resources
Mark J. Belton Secretary
Tawes State Office Building
580 Taylor Avenue
Annapolis, Maryland 21401

2. Counsel for the Appellants is:

Lawrence Thrower, Assistant Attorney General
On behalf of Brian E. Frosh, Attorney General of Maryland
Office of the Attorney General
Suite 6048
1800 Washington Boulevard
Baltimore, Maryland 21230

3. The Appellees are:

Virginia State Water Control Board
Virginia Department of Environmental Quality

c/o David Paylor,
Executive Secretary of the Virginia State Water Control Board and Director,
Virginia Department Environmental Quality
629 East Main Street
Richmond, Virginia 23219

4. Counsel for the Appellees are:

Mark R. Herring, Assistant Attorney General of Virginia
David Grandis, Assistant Attorney General
Office of the Attorney General of Virginia

900 East Main Street
Richmond, Virginia 23219

5. The permit applicant is:

Virginia Electric and Power Company d/b/a Dominion Virginia Power
c/o Pam Faggert, Chief Environmental Officer & Vice-President
5000 Dominion Boulevard
Glen Allen, Virginia 23060

6. The permit applicant's registered agent is:

CT Corporation System, Registered Agent
Virginia Electric and Power Company d/b/a Dominion Virginia Power
4701 Cox Road
Glen Allen, Virginia 23060

7. Counsel for the permit applicant is:

Brooks Smith
Troutman Sanders, LLP
15th floor
1001 Haxall Point
Richmond, Virginia 23219

Dated: February 15, 2016

Respectfully submitted,

BRIAN E. FROSH
Attorney General of Maryland

Lawrence Thrower / LRA

LAWRENCE THROWER
Virginia Bar #51140
Assistant Attorney General
Suite 6048
1800 Washington Blvd
Baltimore, Maryland 21230
lawrence.thrower@maryland.gov
(410) 537- 3047

Attorneys for State Appellants
State of Maryland
Md. Department of the Environment
Md. Department of Natural Resources

CERTIFICATE OF SERVICE

I hereby certify that on this 15 day of Feb., 2016, a complete copy of the foregoing Notice of Appeal has been sent via United States Postal Service First Class to the following:

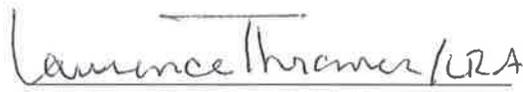
David Paylor,
Executive Secretary of the Virginia State Water Control Board and Director,
Virginia Department Environmental Quality
629 East Main Street
Richmond, Virginia 23219
On behalf of the: Virginia State Water Control Board and the
Virginia Department of Environmental Quality, Appellees;

Mark R. Herring, Assistant Attorney General of Virginia
David Grandis, Assistant Attorney General
Office of the Attorney General of Virginia
900 East Main Street
Richmond, Virginia 23219
Counsel for the Virginia State Water Control Board and the
Virginia Department of Environmental Quality, Appellees;

Virginia Electric and Power Company d/b/a Dominion Virginia Power
c/o Pam Faggert, Chief Environmental Officer & Vice-President
5000 Dominion Boulevard
Glen Allen, Virginia 23060;

CT Corporation System, Registered Agent
Virginia Electric and Power Company d/b/a Dominion Virginia Power
4701 Cox Road
Glen Allen, Virginia 23060

Brooks Smith
Troutman Sanders, LLP
15th floor
1001 Haxall Point
Richmond, Virginia 23219
Counsel to Virginia Power, permit applicant


LAWRENCE THROWER
Counsel to the State Appellants