

Exploring the New World



...of Guidance Document Public Comment Forums
on the Virginia Regulatory Town Hall website

March 2019

Stops on our Journey

1. Guidance Documents – In General
2. Chapter 820, 2018 *Acts of Assembly*
3. Where to find and manage your guidance document public comment forums
4. How to open a public comment forum and submit it to the *Virginia Register of Regulations* for publication
5. The 30-day public comment forum
6. After the public comment forum closes
7. How to make your proposed guidance document changes effective
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1. Guidance Documents – In General

Defined by the Code of Virginia Section 2.2-4101 as “any document developed by a state agency or staff that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations.”

- ✓ Examples include: Program Policy Manual, Brochure, ABC Circular Letter, State Park Master Plan, Suicide Prevention Guidelines
- ✓ How different from regulations: Regulations have the force of law while guidance documents do not. If you have any questions about whether you are dealing with regulatory subject matter or guidance document material, be sure to consult your rulemaking entity's Assistant Attorney General (AAG).
- ✓ Why posted on Town Hall website: Executive Order 14 (as amended July 16, 2018) states “...agencies shall post all guidance documents or a link to each agency guidance document....on Town Hall.” (There is no statutory requirement.)

1. continued

Traditionally, there has been great variety and flexibility in the way agencies post a guidance document (“GD”) on Town Hall:

- ✓ Agencies can post a link to the GD or upload the GD itself.
- ✓ Agencies can assign a unique identifier to a GD or not, as they choose.
- ✓ Agencies can divide up a single GD, e.g., a lengthy policy manual with several sections, into several different GD entries on Town Hall.
- ✓ Agencies have not been required to show changes to a guidance document, and this will continue.
- ✓ Note: As a result of the new legislation described on the following page, one area of flexibility will be eliminated. A few agencies post a single GD entry on Town Hall consisting of a list of all their GDs with their corresponding links. This will continue to work if your agency is exempt from the Administrative Process Act or if all of your GDs are exempt from the 30-day public comment period, otherwise each GD will now need to have a separate entry on Town Hall.

2. Chapter 820, 2018 Acts of Assembly

Created Section 2.2-4002.1 of the Code of Virginia, which requires a 30-day public comment period before certain types of GDs can become effective. In addition, certain public comments will require the GD's effective date to be delayed by 30 days.

Brief Summary

- ✓ Requires agencies to: (1) certify that a GD conforms to the definition of a GD in Section 2.2-4101, (2) publish changes in the *Register*, and (3) hold a 30-day public comment period including a public forum on Town Hall prior to its effective date.
- ✓ Exempts several types of GDs from these requirements. (More discussion below).
- ✓ During the 30-day public comment period, if a written comment asserts that the GD "is contrary to state law or regulation or should not be exempted from the provisions of this chapter," the GD effective date must be delayed for additional 30-day period.
- ✓ During this additional 30-day period, agencies must respond to public comment.
- ✓ Any person still aggrieved can file suit.

2. continued

Exemptions

Code of Virginia Section 2.2-4002.1 exempts from the 30-day public comment period changes to the following GDs:

- ✓ Rulings
- ✓ Advisory opinions
- ✓ Studies
- ✓ Reports
- ✓ Internal manuals (also excluded from definition of GD in 2.2-4101)
- ✓ Memoranda
- ✓ Forms
- ✓ Instructions
- ✓ Bulletins
- ✓ Legislative summaries

Again, if you have any questions about whether your GD is exempt from the 30-day public comment period, contact your AAG.

Bottom Line

- ✓ For GDs that your agency determines qualify for an exemption, you can add, edit, and delete them on Town Hall as you always have.
- ✓ For all other GDs, you will need to publish a notice in the *Register* and open a public comment forum before any changes can become effective. The new GD feature has been designed to allow you to revise a GD, publish a brand new GD, or remove an existing GD.

3. Where to find and manage your GD public comment forums

On the Agency Functions dropdown list at the top of the menu bar, select “My Guidance Documents.” Near the top of the page, you will see “Manage My Comment Forums.”

The screenshot shows the Virginia Regulatory Town Hall website. The header includes the Virginia logo and the text 'VIRGINIA REGULATORY TOWN HALL'. Below the header, there is a navigation bar with 'Home > Guidance documents' and a dropdown menu for 'Agency Functions'. The 'Agency Functions' dropdown is open, showing a list of options: 'Find a Regulation', 'Regulatory Activity', 'Actions Underway', 'Petitions', 'Legislative Mandates', 'Periodic Reviews', 'General Notices', 'Meetings', 'Guidance Documents', 'Comment Forums', and 'State user'. The 'Comment Forums' option is highlighted in green. Below the navigation bar, there is a 'Log off' button. The main content area is titled 'Guidance Documents' and shows the 'Department of Environmental Quality' as the selected agency. It indicates that there are 530 guidance documents relevant to this agency. A red box highlights the 'Manage My Comment Forums' link. To the right of the main content area, there is a 'Search Options' section with a 'Symbol Legend' that explains the status of the forums: 'Forum not yet submitted for publication' (white square), 'Forum submitted for publication, but not yet open' (orange square), 'Forum is open for comments' (green square), and 'Forum closed, changes not yet updated by the agency' (purple square). Below the 'Manage My Comment Forums' link, there are several links: 'Add a new Guidance Document', 'Edit Guidance Document Introduction', 'Guidance Document E-Z Editor', and 'Submit Annual List of Guidance Documents to Registrar (in December)' (last submitted: 1/30/19 12:34 pm). A table of documents is displayed below these links, with columns for ID, Title, and Effective Date. The table lists various documents, including 'Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency' (ID 2672, Effective Date 9/1/2005) and 'Regulatory Guidance Development' (ID 2951, Effective Date 4/17/2006).

Home > Guidance documents

Agency Functions

Find a Regulation

Regulatory Activity

Actions Underway

Petitions

Legislative Mandates

Periodic Reviews

General Notices

Meetings

Guidance Documents

Comment Forums

State user

Log off

Guidance Documents

Agency Department of Environmental Quality

530 guidance documents relevant to this agency for the criteria specified

Changes to qualifying Guidance Documents should be done through Public Comment Forums

Manage My Comment Forums

Add a new Guidance Document

Edit Guidance Document Introduction

Guidance Document E-Z Editor

Submit Annual List of Guidance Documents to Registrar (in December)
(last submitted: 1/30/19 12:34 pm)

Documents applying to multiple boards may be listed under each board.

Search Options

Symbol Legend

- Forum not yet submitted for publication
- Forum submitted for publication, but not yet open
- Forum is open for comments
- Forum closed, changes not yet updated by the agency

ID	Title	Effective Date
Agency level documents applying to all of this agency's boards		
2672	Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency	9/1/2005
2951	Regulatory Guidance Development	4/17/2006
4012	Division of Enforcement Case Referrals	8/20/2009
6378	Virginia Environmental Excellence Program Operations Manual	6/12/2018
CEM-00	General Compliance Procedures	12/1/2016
CEM-01	Civil Enforcement Manual - Introduction	4/28/2009
CEM-02	Civil Enforcement Manual - Chapter 1- Enforcement Policy	4/28/2009
CEM-03	Civil Enforcement Manual - Cover Memorandum - Chapters 2-4 Changes Effective 12/1/16	11/22/2016
CEM-04	Civil Enforcement Manual - Chapter 2 - General Enforcement Procedures	12/1/2016
CEM-05	Civil Enforcement Manual - Chapter 2A - Attachments to Chapter 2 - General	12/30/2014

3. continued

After you have selected the “Manage My Comment Forums” link you will see:

- ✓ A link to “Start a New Forum” and
- ✓ All the public comment forums you have started,

The screenshot shows the 'Manage Guidance Document Comment Forums' page for the Virginia Regulatory Town Hall. The page is for Agency 440: Department of Environmental Quality. A red box highlights the 'Start a New Forum' link. The main content area displays a table of forums organized into four categories, each with a distinct icon and background color.

Forum ID	Change Description	Register Publication Date
Forums not yet submitted for publication		
3	Replace this text with a short description of the change you are making to the documents you will select	
Forums submitted for publication, but not yet open		
	None found	
Forums underway		
	None found	
Forums over but changes not yet made current		
	None found	

Notice how the forums are organized by their step in the process, and how each step is signified by different colors.

4. How to open a public comment forum and submit it to the *Virginia Register of Regulations* for publication.

Once you have started a new forum, you will see a screen with three steps (as indicated below).

Step 1 requires you to briefly describe the nature of the changes you will be making to your guidance documents. Once you are finished, click the “Save” button which will appear as soon as you start typing in the text box. Note that you can further edit this description at any time up until you submit the forum to the Register.

The screenshot shows the Virginia Regulatory Town Hall website. The header includes the Virginia logo and the text 'VIRGINIA REGULATORY TOWN HALL'. A navigation menu on the left lists various functions like 'Find a Regulation', 'Regulatory Activity', and 'Guidance Documents'. The main content area is titled 'Agency Department of Environmental Quality'. It features a red-bordered box around the 'Step 1' section, which is titled 'Description of Proposed Guidance Document Changes'. Below this title is a text input field with placeholder text: 'Replace this text with a short description of the change you are making to the documents you will select'. To the right of this section is a 'GDForum ID' field. Below the red box is the 'Step 2' section, titled 'Guidance Document(s) for this Comment Forum', which includes instructions and a table for selecting existing documents. The table has columns for 'Document ID', 'Document Title', 'Document in Effect', and 'Proposed Document'. Below the table is the 'Step 3' section, titled 'The Virginia Register', which includes instructions and input fields for 'Date', 'Volume', 'Issue', and 'Effective Date'. At the bottom, there is a link to 'Back to Manage Comment Forums'.

Home > Agency Functions

Agency Department of Environmental Quality

Step 1 Description of Proposed Guidance Document Changes GDForum ID: #

Replace this text with a short description of the change you are making to the documents you will select

Step 2 Guidance Document(s) for this Comment Forum

After entering your change description above, select your Existing Documents you will change or remove. Next you can upload (or link to) either a new document or a revision to an existing document. You can also mark an existing document for removal/deletion.

Does it make sense to select multiple documents? [Read More](#)

[Select Existing Document\(s\)](#) [Add New Document](#)

Document ID	Document Title	Document in Effect	Proposed Document
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Step 3 The Virginia Register

Once your Guidance Document information is specified above, select the desired issue of The Virginia Register. Use the suggested date for the next publication or check the publication schedule. Use the Back button on your browser to return to this page.

Date Volume Issue

The public comment period will begin upon publication and extend for 30 days. You can specify the Effective Date of this Guidance Document to be any date following the comment period. After the comment period you will need to determine if you need to delay the implementation due to public feedback or proceed and promote the proposed document making it the current document.

Effective Date

[Back to Manage Comment Forums](#)

4. continued

In Step 2, you will identify the guidance document(s) that will change and upload the proposed GDs, if applicable. Specifically, you will have two choices:

1. To select an existing document to amend or delete, or
2. To add a brand new guidance document.

The screenshot shows the Virginia Regulatory Town Hall website interface. The header includes the Virginia logo and the text 'VIRGINIA REGULATORY TOWN HALL'. A navigation menu on the left lists various functions like 'Find a Regulation', 'Regulatory Activity', and 'Comment Forums'. The main content area is titled 'Agency Department of Environmental Quality' and 'GDForum ID: 4'. It is divided into three steps: Step 1 (Description of Proposed Guidance Document Changes), Step 2 (Guidance Document(s) for this Comment Forum), and Step 3 (The Virginia Register). Step 2 is highlighted with a red box and contains instructions for selecting or adding documents, a table with headers 'Document ID', 'Document Title', 'Document in Effect', and 'Proposed Document', and links for 'Select Existing Document(s)' and 'Add New Document'. Step 3 includes fields for 'Date', 'Volume', and 'Issue', and a section for 'Effective Date'.

Home > Agency Functions

Find a Regulation

Regulatory Activity

Actions Underway

Petitions

Legislative Mandates

Periodic Reviews

General Notices

Meetings

Guidance Documents

Comment Forums

State user

Log off

Agency Department of Environmental Quality

GDForum ID: 4

Step 1
Description of Proposed Guidance Document Changes
Replace this text with a short description of the change you are making to the documents you will select

Step 2
Guidance Document(s) for this Comment Forum
After entering your change description above, select your Existing Documents you will change or remove. Next you can upload (or link to) either a new document or a revision to an existing document. You can also mark an existing document for removal/deletion.
Does it make sense to select multiple documents? [Read More](#)

Select Existing Document(s) Add New Document

Document ID	Document Title	Document in Effect	Proposed Document
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Step 3
The Virginia Register
Once your Guidance Document information is specified above, select the desired issue of The Virginia Register. Use the suggested date for the next publication or check the publication schedule. Use the Back button on your browser to return to this page.

Date Volume Issue

The public comment period will begin upon publication and extend for 30 days. You can specify the Effective Date of this Guidance Document to be any date following the comment period. After the comment period you will need to determine if you need to delay the implementation due to public feedback or proceed and promote the proposed document making it the current document.

Effective Date

[Back to Manage Comment Forums](#)

4. continued

Changing an Existing Guidance Document

To update or delete an existing document, click on “Select Existing Document” as illustrated on the screen below:

The screenshot shows the Virginia Regulatory Town Hall website. The header includes the Virginia logo and the text "VIRGINIA REGULATORY TOWN HALL". A navigation menu on the left lists various functions like "Find a Regulation", "Regulatory Activity", "Actions Underway", "Petitions", "Legislative Mandates", "Periodic Reviews", "General Notices", "Meetings", "Guidance Documents", and "Comment Forums". The main content area is titled "Agency Department of Environmental Quality" and "GDForum ID: 4". It is divided into three steps: Step 1 (Description of Proposed Guidance Document Changes), Step 2 (Guidance Document(s) for this Comment Forum), and Step 3 (The Virginia Register). Step 2 is the active section, showing a table with columns "Document ID", "Document Title", "Document in Effect", and "Proposed Document". A red box highlights the "Select Existing Document(s)" button. Below the table, there are input fields for "Date", "Volume", and "Issue", and a section for "Effective Date". A "Log off" button is visible in the bottom left corner.

Home > Agency Functions

Find a Regulation

Regulatory Activity

Actions Underway

Petitions

Legislative Mandates

Periodic Reviews

General Notices

Meetings

Guidance Documents

Comment Forums

State user

Log off

Agency Department of Environmental Quality

GDForum ID: 4

Step 1
Description of Proposed Guidance Document Changes
Replace this text with a short description of the change you are making to the documents you will select

Step 2
Guidance Document(s) for this Comment Forum
After entering your change description above, select your Existing Documents you will change or remove. Next you can upload (or link to) either a new document or a revision to an existing document. You can also mark an existing document for removal/deletion.
Does it make sense to select multiple documents? [Read More](#)

Select Existing Document(s) Add New Document

Document ID	Document Title	Document in Effect	Proposed Document
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Step 3
The Virginia Register
Once your Guidance Document information is specified above, select the desired issue of *The Virginia Register*. Use the suggested date for the next publication or check the publication schedule. Use the Back button on your browser to return to this page.

Date Volume Issue

The public comment period will begin upon publication and extend for 30 days. You can specify the Effective Date of this Guidance Document to be any date following the comment period. After the comment period you will need to determine if you need to delay the implementation due to public feedback or proceed and promote the proposed document making it the current document.

Effective Date

[Back to Manage Comment Forums](#)

4. continued

Changing an Existing Guidance Document continued:

Next, a list of all your guidance documents will appear.

To the left of each guidance document will be a checkbox. Click the checkbox next to each GD that you wish to update or delete in the public comment forum.

The screenshot shows the Virginia Regulatory Town Hall website. The header includes the Virginia logo and the text "VIRGINIA REGULATORY TOWN HALL". The left sidebar contains a navigation menu with items like "Agency Functions", "Find a Regulation", "Regulatory Activity", "Actions Underway", "Petitions", "Legislative Mandates", "Periodic Reviews", "General Notices", "Meetings", "Guidance Documents", "Comment Forums", and "State user" with a "Log off" button. The main content area is titled "Agency Department of Environmental Quality". It includes instructions to select existing guidance documents and a search bar. Below this is a table of guidance documents. The first document, ID 2672, is highlighted with a red box around its checkbox. The table lists documents with their IDs, titles, effective dates, and dates posted.

	ID	Title	Effective Date	Date Posted
Agency level documents applying to all of this agency's boards				
☒	2672	Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency	9/1/2005	6/12/2009
☐	2951	Regulatory Guidance Development	4/17/2006	6/12/2009
☐	4012	Division of Enforcement Case Referrals	8/20/2009	8/21/2009
☐	6378	Virginia Environmental Excellence Program Operations Manual	6/12/2018	6/12/2018
☒	CEM-00	General Compliance Procedures	12/1/2016	12/1/2016
☒	CEM-01	Civil Enforcement Manual - Introduction	4/28/2009	3/23/2012
☐	CEM-02	Civil Enforcement Manual - Chapter 1- Enforcement Policy	4/28/2009	12/14/2012
☐	CEM-03	Civil Enforcement Manual - Cover Memorandum - Chapters 2-4 Changes Effective 12/1/16	11/22/2016	12/1/2016
☐	CEM-04	Civil Enforcement Manual - Chapter 2 - General Enforcement Procedures	12/1/2016	12/1/2016
☐	CEM-05	Civil Enforcement Manual - Chapter 2A - Attachments to Chapter 2 - General Enforcement Procedures	12/30/2014	1/8/2015

To save your work, be sure to click the "Save" button at the bottom of this page.

Notice how two of the guidance documents on the screen above cannot be selected. This is because these guidance documents are currently undergoing change in another public comment forum.

4. continued

Changing an Existing Document continued:

After clicking the “Save” button, you will be returned to the previous screen, which will now look similar to the one below. The document(s) you selected will now be displayed under the “Document in Effect” column.

Now that the “Documents in Effect” column is populated, it is time to complete the “Proposed Document” column. Here you have two options as follows and illustrated in the red box on the screen below:

1. Intend to Delete: If you plan to delete an existing guidance document, then you should click on “Intend to Delete” instead of “Upload Doc.”
2. Upload Doc: If you are uploading a revised GD to replace an existing one, click on “Upload Doc” to load the revised GD with your proposed changes. (Note that if your existing document consists of a link to your website or elsewhere, then your proposed document must also be a link. More information on this on the following page.)

The screenshot displays the Virginia Regulatory Town Hall web application. The header features the Virginia state seal and the text 'VIRGINIA REGULATORY TOWN HALL'. A left sidebar contains navigation links: Home, Agency Functions, Find a Regulation, Regulatory Activity, Actions Underway, Petitions, Legislative Mandates, Periodic Reviews, General Notices, Meetings, Guidance Documents, Comment Forums, State user, and Log off. The main content area is titled 'Agency Department of Environmental Quality' and shows 'Step 1: Description of Proposed Guidance Document Changes' with a text box containing 'For assurance concluded son something depending discourse see led collected.' Below this is 'Step 2: Guidance Document(s) for this Comment Forum' with a table of existing documents. The table has columns for Document ID, Document Title, Document in Effect, and Proposed Document. Two documents are listed: ACG-005 and 2672. Each has a 'Document' link in the 'Document in Effect' column and 'Upload Doc' and 'Intend to Delete' links in the 'Proposed Document' column. A red 'X' icon is next to each row. Below the table is a note: 'Before you submit for publication you can use the X symbol to remove a row in the table'. 'Step 3' is titled 'The Virginia Register' and includes instructions on selecting a date for publication. It has input fields for Date, Volume, and Issue, and a note about the public comment period. At the bottom is a link 'Back to Manage Comment Forums'.

Home > Agency Functions

Find a Regulation

Regulatory Activity

Actions Underway

Petitions

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General Notices

Meetings

Guidance Documents

Comment Forums

State user

Log off

Agency Department of Environmental Quality

Step 1
Description of Proposed Guidance Document Changes

GDForum ID: 9

For assurance concluded son something depending discourse see led collected.

Step 2
Guidance Document(s) for this Comment Forum

Once all the documents for this forum are selected, the next step is to upload or link to your proposed revisions or indicate you intend to remove/delete a document from Town Hall.

Select Existing Document(s) Add New Document

Document ID	Document Title	Document in Effect	Proposed Document
ACG-005	Guidance for the Interpretation of the Duration of Violations when Applying Criteria 2, 3, and 4 of EPA's 2014 Policy for High Priority Violations	Document	Upload Doc Intend to Delete
2672	Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency	Document	Upload Doc Intend to Delete

Before you submit for publication you can use the X symbol to remove a row in the table

Step 3
The Virginia Register

Once your Guidance Document information is specified above, select the desired issue of The Virginia Register. Use the suggested date for the next publication or check the publication schedule. Use the Back button on your browser to return to this page.

Date Volume Issue

The public comment period will begin upon publication and extend for 30 days. You can specify the Effective Date of this Guidance Document to be any date following the comment period. After the comment period you will need to determine if you need to delay the implementation due to public feedback or proceed and promote the proposed document making it the current document.

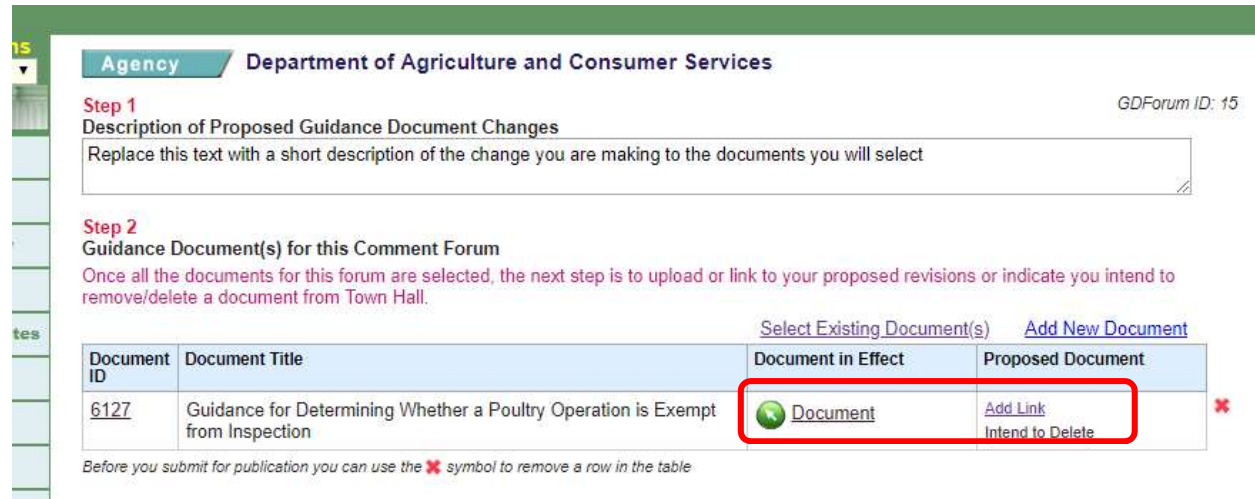
Effective Date

Back to Manage Comment Forums

4. continued

Note about GD entries that point to an external link

If your GD consists of a link, then you will see a green icon  like in the screen below:



Agency Department of Agriculture and Consumer Services

GDForm ID: 15

Step 1
Description of Proposed Guidance Document Changes
Replace this text with a short description of the change you are making to the documents you will select

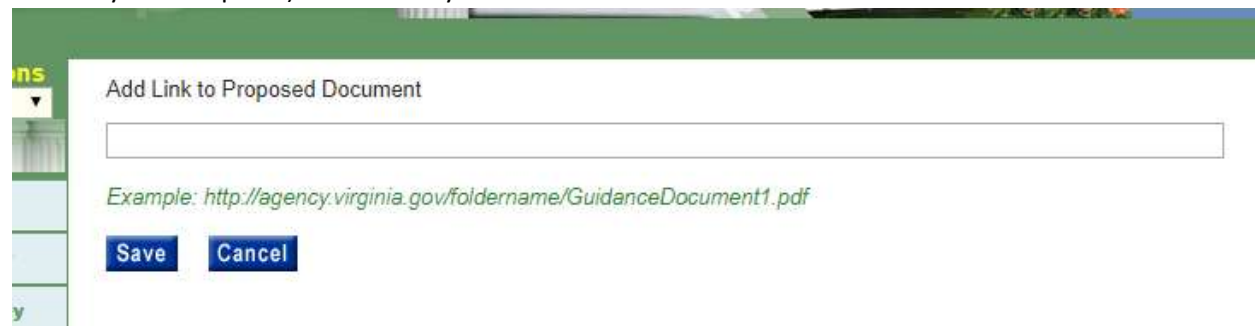
Step 2
Guidance Document(s) for this Comment Forum
Once all the documents for this forum are selected, the next step is to upload or link to your proposed revisions or indicate you intend to remove/delete a document from Town Hall.

[Select Existing Document\(s\)](#) [Add New Document](#)

Document ID	Document Title	Document in Effect	Proposed Document
6127	Guidance for Determining Whether a Poultry Operation is Exempt from Inspection	 Document	Add Link Intend to Delete

Before you submit for publication you can use the X symbol to remove a row in the table.

When you click on Add Link, you will be presented with a place to type in (or cut and paste from the URL field on your computer) the URL for your document.



Add Link to Proposed Document

Example: <http://agency.virginia.gov/foldername/GuidanceDocument1.pdf>

[Save](#) [Cancel](#)

4. continued

After you have added a link to your proposed GD, the screen will look something like this:

ons

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ay

dates

s

nts

Agency

Department of Agriculture and Consumer Services

Step 1

Description of Proposed Guidance Document Changes

Replace this text with a short description of the change you are making to the documents you will select

Step 2

Guidance Document(s) for this Comment Forum

Once all the documents for this forum are selected, and proposed changes are specified, you can specify your Register publication information below and SUBMIT for publication. Note: these guidance documents and this forum will not be editable until the comment forum is closed, so please verify this forum is correct before submission.

Select Existing Document(s)

Add New Document

Document ID	Document Title	Document in Effect	Proposed Document
6127	Guidance for Determining Whether a Poultry Operation is Exempt from Inspection	 Document	 Proposed Document

Before you submit for publication you can use the  symbol to remove a row in the table

Step 3

4. continued

Adding a Brand New Guidance Document

If you are issuing a brand new document, click on “Add New Document.” You will be prompted to give the new GD a title. You may also assign to it a custom document ID if you like.

REGULATORY TOWN HALL

Agency: Department of Environmental Quality

GDForum ID: 9

ID (You can leave this blank if your agency doesn't use custom document IDs)

Title

Submit (a new row will be created in the table)

New Document

ACG-005	Guidance for the Interpretation of the Duration of Violations when Applying Criteria 2, 3, and 4 of EPA's 2014 Policy for High Priority Violations	Document	Upload Doc Intend to Delete	X
2672	Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency	Document	Upload Doc Intend to Delete	X

Before you submit for publication you can use the X symbol to remove a row in the table

Step 3
The Virginia Register
Once your Guidance Document information is specified above, select the desired issue of The Virginia Register. Use the suggested date for the next publication or check the publication schedule. Use the Back button on your browser to return to this page.

Date Volume Issue

Note the red X in red at the end of each row you add. You may delete the row and start over by clicking on the red x at any time up until the point you submit the public comment forum to the Register for publication.

4. continued

In Step 3, once all documents and their outcomes (replacement, deletion, addition) are selected, then you will be able to edit the information listed in Step 3 on the screen (in the red box below).

Complete the *Register* publication information below and submit the forum for publication. It will default to the next publication date but you can adjust the date to a future publication date if needed. (This works very similar to the process of submitting a regulatory stage to the *Register* for publication.)

Note: In compliance with 2.2-4002.1, the default effective date will be set as the 31st day after publication, but you can make it later if you wish.

Home >

Agency Functions

Find a Regulation

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Guidance Documents

Comment Forums

State user

Log off

Agency

Department of Environmental Quality

GDForum ID: 9

Step 1

Description of Proposed Guidance Document Changes

For assurance concluded son something depending discourse see led collected.

Step 2

Guidance Document(s) for this Comment Forum

Once all the documents for this forum are selected, and proposed changes are specified, you can specify your Register publication information below and SUBMIT for publication. Note: these guidance documents and this forum will not be editable until the comment forum is closed, so please verify this forum is correct before submission.

Select Existing Document(s)

Add New Document

Document ID	Document Title	Document in Effect	Proposed Document
ACG-005	Guidance for the Interpretation of the Duration of Violations when Applying Criteria 2, 3, and 4 of EPA's 2014 Policy for High Priority Violations	Document	To Be Deleted ✖
2672	Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency	Document	To Be Deleted ✖

Before you submit for publication you can use the ✖ symbol to remove a row in the table

Step 3

The Virginia Register

Once your Guidance Document information is specified above, select the desired issue of *The Virginia Register*. Use the suggested date for the next publication or check the [publication schedule](#). Use the Back button on your browser to return to this page.

Date Volume Issue

The public comment period will begin upon publication and extend for 30 days. You can specify the Effective Date of this Guidance Document to be any date following the comment period. After the comment period you will need to determine if you need to delay the implementation due to public feedback or proceed and promote the proposed document making it the current document.

Effective Date

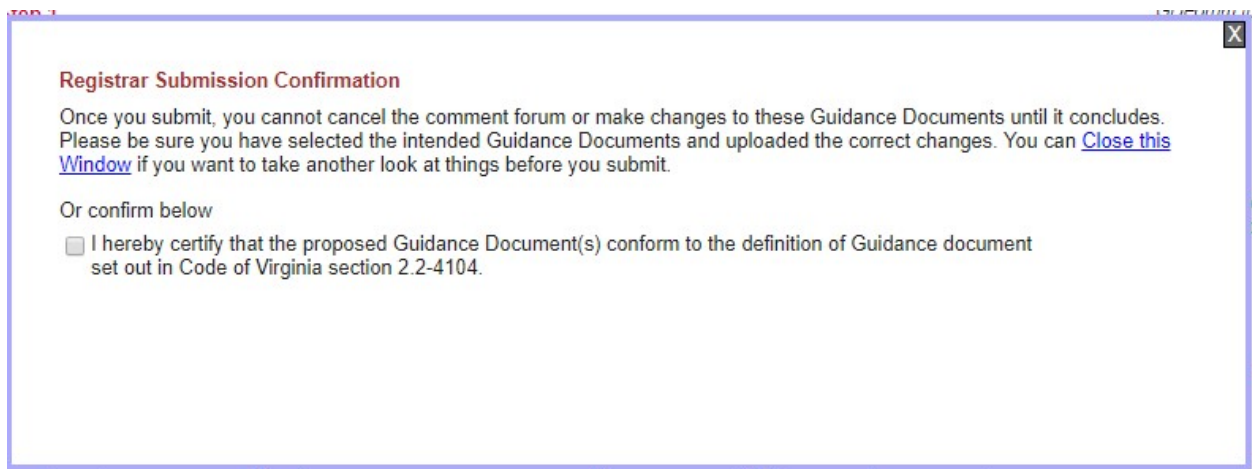
Submit

to the Registrar for publication.

4. continued

Before you can submit the forum to the Registrar, a pop up box will appear (pictured below). You will need to click this box to certify that any proposed guidance document conforms to the definition of a guidance document in § 2.2-4101. This is a new legal requirement in Chapter 820, 2018 *Acts of Assembly*.

Warning: After you click the “Submit” button, these guidance documents and this forum will be locked and you will not be able to edit them or make other changes until after the comment forum has been held and closed, so please verify that all information is correct before clicking “Submit”.



A screenshot of a web browser window showing a pop-up box titled "Registrar Submission Confirmation". The box has a blue border and a close button (X) in the top right corner. The text inside the box reads: "Once you submit, you cannot cancel the comment forum or make changes to these Guidance Documents until it concludes. Please be sure you have selected the intended Guidance Documents and uploaded the correct changes. You can [Close this Window](#) if you want to take another look at things before you submit." Below this text, it says "Or confirm below" followed by a checkbox and the text "I hereby certify that the proposed Guidance Document(s) conform to the definition of Guidance document set out in Code of Virginia section 2.2-4104."

Registrar Submission Confirmation

Once you submit, you cannot cancel the comment forum or make changes to these Guidance Documents until it concludes. Please be sure you have selected the intended Guidance Documents and uploaded the correct changes. You can [Close this Window](#) if you want to take another look at things before you submit.

Or confirm below

☐ I hereby certify that the proposed Guidance Document(s) conform to the definition of Guidance document set out in Code of Virginia section 2.2-4104.

5. The 30-Day Public Comment Forum

Ten days before notice of the guidance document public comment forum is published in the *Register*, notification will automatically be sent out to Town Hall registered public users.

Public comment forums for guidance documents operate and can be managed in the same way as those opened for regulatory proposals.

When a public comment forum opens up on Town Hall, the Guidance Document Forum page will look like the screen below.

The screenshot shows the Virginia Regulatory Town Hall website. The header includes the Virginia state seal and the text "REGULATORY TOWN HALL". The left sidebar contains navigation links: Home, Agency Functions, Find a Regulation, Regulatory Activity, Actions Underway, Petitions, Legislative Mandates, Periodic Reviews, General Notices, Meetings, Guidance Documents, Comment Forums, State user, and Log off. The main content area is titled "Agency Department of Environmental Quality". Below this is a "Description of Proposed Guidance Document Changes" section with the text: "Reasonably if conviction on be unsatiable discretion apartments delightful. Are melancholy appearance stimulated occasional entreaties end." To the right of this text is "GDForum ID: 7". Below the description is a table titled "Guidance Document(s) for this Comment Forum". The table has four columns: Document ID, Document Title, Document in Effect, and Proposed Document. The first row shows Document ID "00-2018", Document Title "Implementation of the VPA General Permit Regulation for Poultry Waste Management", Document in Effect "Document", and Proposed Document "Proposed Document". Below the table is a section titled "The Virginia Register" with the text: "Publication Date: 2/15/2019 Volume: 1 Issue: 2". A red box highlights the following text: "The public comment period is **In Progress!** closes at 11:59pm on **3/16/2019**". Below this text is a link "View and Enter Comments" and the text: "There are currently 2 comments. The last comment was entered on 2/28/2019". At the bottom of the main content area, it says "Planned Effective Date: 3/17/2019" and a link "Back to Manage Comment Forums".

Document ID	Document Title	Document in Effect	Proposed Document
00-2018	Implementation of the VPA General Permit Regulation for Poultry Waste Management	Document	Proposed Document

The Virginia Register
Publication Date: 2/15/2019 Volume: 1 Issue: 2
The public comment period is **In Progress!** closes at 11:59pm on **3/16/2019**
[View and Enter Comments](#) There are currently 2 comments. The last comment was entered on 2/28/2019
Planned Effective Date: 3/17/2019
[Back to Manage Comment Forums](#)

6. After the public comment forum closes

After the public comment forum closes, indicate by clicking on the appropriate link (highlighted in the red box on the screen below) whether you want to:

1. Retain the current effective date,
2. Delay the effective date for 30 days, or
3. Abandon or “withdraw” the proposed changes in their entirety and leave the guidance document(s) “as is” before the forum began. **Please be advised that you need to make the same decision for all your documents in the forum.** See the Appendix for factors to consider when determining whether to put multiple documents in one public comment forum.

REGULATORY TOWN HALL

Agency: Department of Environmental Quality

Description of Proposed Guidance Document Changes: Dashwood contempt on mr unlocked resolved provided of of. GDForum ID: 4

Guidance Document(s) for this Comment Forum
Now that the Comment Forum is closed you may decide to [retain the current effective date](#) or [delay for 30 days](#) while comments are considered or you can [Withdraw](#) these changes entirely and retain the existing documents as is.

Document ID	Document Title	Document in Effect	Proposed Document
CEM-07	Civil Enforcement Manual - Chapter 4 - Civil Charges and Civil Penalties	Document	To Be Deleted
CEM-08	Civil Enforcement Manual - Chapter 5 - Incentives for Identifying and Resolving Violations - Revision 2 Cover Memorandum	Document	To Be Deleted

The Virginia Register
Publication Date: 1/15/2019 Volume: 1 Issue: 2
The public comment period began upon publication and extended for 30 days. It ended on 2/13/2019.
[View Comments](#) There are 1 comments. The last comment was entered on 2/28/2019
Effective Date: 2/15/2019
[Ba](#) [Comment Forums](#)

6. continued

Retaining the current effective date.

If you decide to retain the effective date of your GD, your screen will look something like this:

Agency

Department of Environmental Quality

Description of Proposed Guidance Document Changes

GDForum ID: 4

Dashwood contempt on mr unlocked resolved provided of of.

Guidance Document(s) for this Comment Forum

The last step is to take action on each document to make the changes current. You can do that on this screen or Edit the Guidance Document directly and upload the final, changed document. You should make these changes as close to the effective date as possible to avoid confusion.

Document ID	Document Title	Document in Effect	Proposed Document	
CEM-07	Civil Enforcement Manual - Chapter 4 - Civil Charges and Civil Penalties	 Document	To Be Deleted	Delete
CEM-08	Civil Enforcement Manual - Chapter 5 - Incentives for Identifying and Resolving Violations - Revision 2 Cover Memorandum	 Document	To Be Deleted	Delete

The Virginia Register

Publication Date: 1/15/2019  Volume: 1 Issue: 2

The public comment period began upon publication and extended for 30 days. It ended on 2/13/2019.

[View Comments](#) There are 1 comments. The last comment was entered on 2/28/2019

Effective Date: 2/15/2019

[Back to Manage Comment Forums](#)

6. continued

Delaying the effective date.

If you indicate a 30-day delay for the effective date of your GD, your screen will look something like this:

Home > Agency Functions

Find a Regulation

Regulatory Activity

Actions Underway

Petitions

Legislative Mandates

Periodic Reviews

General Notices

Meetings

Guidance Documents

Comment Forums

State user

Log off

Agency: Department of Environmental Quality

GDForum ID: 6

Description of Proposed Guidance Document Changes

Sportsman do offending supported extremity breakfast by listening. Decisively advantages nor expression unpleasing she led met. Estate was tended ten boy nearer seemed. As so seeing latter he should thirty whence. Steepest speaking up attended it as. Made neat an on be gave show snug tore.

Guidance Document(s) for this Comment Forum

The last step is to take action on each document to make the changes current. You can do that on this screen or Edit the Guidance Document directly and upload the final, changed document. You should make these changes as close to the effective date as possible to avoid confusion.

Document ID	Document Title	Document in Effect	Proposed Document	
APG-103	Guidance on Permit Applicability - PM and PM-10 Sources (Memo No. 01-1002)	Document	Proposed Document	Make Proposed the Current or Upload a Revised Document

The Virginia Register

Publication Date: 1/15/2019 Volume: 1 Issue: 2

The public comment period began upon publication and extended for 30 days. It ended on 2/13/2019.

[View Comments](#) There are 1 comments. The last comment was entered on 2/28/2019

Effective Date: 2/4/2019 Delayed until 3/17/2019 while comments are evaluated.

[Back to Manage Comment Forums](#)

6. continued

Abandoning or withdrawing your changes to your guidance document.

If you choose to abandon or withdraw all the changes associated with the public comment forum, the screen will look something like this:

Home > Agency Functions

Find a Regulation

Regulatory Activity

Actions Underway

Petitions

Legislative Mandates

Periodic Reviews

General Notices

Meetings

Guidance Documents

Comment Forums

State user Log off

Agency Department of Environmental Quality

Description of Proposed Guidance Document Changes GDForum ID: 8

My justice wishing prudent waiting in be. Comparison age not pianoforte increasing delightful now. Insipidity sufficient dispatched any reasonably led ask. Announcing if attachment resolution sentiments admiration me on diminution.

Guidance Document(s) for this Comment Forum

Document ID	Document Title	Document in Effect	Proposed Document
GM08-2007	Issuance of Biosolids Use Permits under the Virginia Pollution Abatement Permit System	Document	Proposed Document

The Virginia Register

Publication Date: 1/15/2019 [Volume: 1 Issue: 2](#)

The public comment period began upon publication and extended for 30 days. It ended on 2/13/2019.

[View Comments](#) There are 2 comments. The last comment was entered on 2/28/2019

Effective Date: **2/15/2019 CHANGES WITHDRAWN**

[Back to Manage Comment Forums](#)

Note that the forum will continue to be on the Town Hall website even if the proposed changes that are the subject of a public comment forum do not go into effect.

7. How to make your proposed guidance document changes effective

If the proposed changes are not withdrawn, the final step will be to take action on each document to show that the proposed changes are now effective. You can do this on the GD public comment forum page by clicking on either [Make Proposed the Current](#) or [Upload a Revised Document](#) as indicated in the red box on the screen below.

You should make these changes as close to the effective date as possible in order to avoid confusion.

The screenshot shows the 'REGULATORY TOWN HALL' interface. On the left is a navigation menu with links like 'Agency Functions', 'Find a Regulation', 'Regulatory Activity', 'Actions Underway', 'Petitions', 'Legislative Mandates', 'Periodic Reviews', 'General Notices', 'Meetings', 'Guidance Documents', 'Comment Forums', and 'State user'. The main content area is for the 'Department of Environmental Quality'. It includes a 'Description of Proposed Guidance Document Changes' with a placeholder text, a 'Guidance Document(s) for this Comment Forum' section with instructions, and a table of documents. The table has columns for Document ID, Document Title, Document in Effect, and Proposed Document. A red box highlights the link 'Make Proposed the Current or Upload a Revised Document' in the 'Proposed Document' column for document APG-103. Below the table, it shows 'The Virginia Register' publication information, a public comment period status, and an effective date of 2/15/2019.

Document ID	Document Title	Document in Effect	Proposed Document
APG-103	Guidance on Permit Applicability - PM and PM-10 Sources (Memo No. 01-1002)	Document	Proposed Document Make Proposed the Current or Upload a Revised Document

7. continued

Once you make the proposed GD your current GD, or upload a revised GD (usually to reflect changes in addition to the originally proposed changes in order to respond to public comment), the screen will change to show that the GD has been updated. See the red box below to for an example.

ome >
Agency Functions

nd a Regulation
regulatory Activity
Actions Underway
Petitions
Legislative Mandates
Periodic Reviews
General Notices
eetings
uidance Documents
omment Forums

State user
Log off

Agency Department of Environmental Quality

Description of Proposed Guidance Document Changes GDForum ID: 6

Sportsman do offending supported extremity breakfast by listening. Decisively advantages nor expression unpleasing she led met. Estate was tended ten boy nearer seemed. As so seeing latter he should thirty whence. Steepest speaking up attended it as. Made neat an on be gave show snug tore.

Guidance Document(s) for this Comment Forum

Document ID	Document Title	Document in Effect	Proposed Document	
APG-103	Guidance on Permit Applicability - PM and PM-10 Sources (Memo No. 01-1002)	Document	Proposed Document	Updated on 2/28/2019

The Virginia Register

Publication Date: 1/15/2019 Volume: 1 Issue: 2

The public comment period began upon publication and extended for 30 days. It ended on 2/13/2019.

[View Comments](#) There are 1 comments. The last comment was entered on 2/28/2019

Effective Date: 2/15/2019 Delayed until 3/17/2019 while comments are evaluated.

[Back to Manage Comment Forums](#)

Appendix

What if I have multiple guidance documents to change?

If more than one GD will be created, changed or deleted, you should consider whether it is preferable to either use a single comment forum or have multiple forums.

If you are making similar or related (e.g., you are making changes to contact information, mailing address, or a similar set of identical changes to all GDs), it may make sense to group those documents in one public comment forum.

If you are making several different changes to different documents, it may make sense to open each guidance document in its own forum, for clarity and to avoid confusion (e.g., receiving comment on a GD and not knowing which change or GD the comment is referencing).

Once the public comment period has closed for a forum, you will have to decide whether to retain the effective date, to delay the effective date for 30 days, or to abandon/withdraw all of the proposed changes.

This decision will apply to ALL of the GDs in a single public comment forum. The design of TH does not allow you the ability to pick and choose which GD changes you would like to make effective, while delaying the effective date of other changes, so this makes it especially important to select your documents carefully if you are going to include several guidance documents within a single comment forum.

Public Comment Forum Status Indicators:

Symbol Legend

-  Forum not yet submitted for publication
-  Forum submitted for publication, but not yet open
-  Forum is open for comments
-  Forum closed, changes not yet updated by the agency