

2002 SESSION

INTRODUCED

023085972

HOUSE BILL NO. 389

Offered January 9, 2002

Prefiled January 8, 2002

A BILL providing for the State Water Control Board to establish schedules requiring compliance on and after January 1, 2008, with numerical effluent limitations for tributyltin included in permits issued by the Board and providing that the Board shall not assess any penalty, prior to January 1, 2008, relating to numerical effluent limitations for tributyltin.

Patrons—Wardrup, Drake, Gear, Hamilton, Joannou, McDonnell, Oder, Purkey, Rapp, Sears and Suit;
Senators: Blevins, Lucas, Maxwell, Norment, Stolle, Wagner and Williams

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. § 1. Notwithstanding any permit or order issued by the State Water Control Board and to the extent consistent with federal law, the Board shall establish schedules requiring compliance on and after January 1, 2008, with numerical effluent limitations for tributyltin (TBT) included in any Virginia Pollution Discharge Elimination System Permit issued by the Board. Such compliance schedules shall be established by an order or a permit issued by the Board. The Board shall not assess any penalty prior to January 1, 2008, monetary or otherwise, relating to numerical effluent limitations for TBT. Any person or entity holding a permit with numerical effluent limitations for TBT shall, however, comply with all other permit conditions and applicable regulatory requirements and shall use the best available treatment and control technology to reduce the levels of TBT in his effluent.

2. That the Department of Environmental Quality shall require any person or entity issued a Virginia Pollution Discharge Elimination System Permit containing numerical effluent limitations for TBT to provide periodic reports on his progress to the department in developing reliable treatment technology for the removal of TBT from wastewater.

3. That for violations of any numerical effluent limitation for TBT included in a Virginia Pollution Discharge Elimination System Permit occurring on or after January 1, 2008, the Virginia Department of Environmental Quality shall assess all penalties and pursue all remedies available under law.

4. That the Virginia Department of Environmental Quality shall report by September 15 of 2004, 2006 and 2008 to the chairpersons of the Senate Committee on Agriculture, Conservation and Natural Resources and the House Committee on Agriculture and Natural Resources on the progress in developing a reliable treatment technology for the removal of TBT from wastewaters.

#

INTRODUCED

HB389