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**HOUSE BILL NO. 1972**

House Amendments in [ ] — January 30, 2003

*A BILL to amend and reenact § 32.1-176.5 of the Code of Virginia, relating to water quality analysis.*

Patron Prior to Engrossment—Delegate Athey

Referred to Committee on Health, Welfare and Institutions

**Be it enacted by the General Assembly of Virginia:****1. That § 32.1-176.5 of the Code of Virginia is amended and reenacted as follows:**

§ 32.1-176.5. Construction permit; local government authority to require analysis of water.

A. Any person intending to construct a private well shall apply to the Department for and receive a permit before proceeding with construction. This permit shall be issued no later than sixty days from application and in accordance with the Board's regulations. In addition, an inspection shall be made after construction to assure that the construction standards are met.

B. The local governing bodies of the Counties of Albemarle, Chesterfield, Clarke, Culpeper, Fairfax, Fauquier, James City, Loudoun, Orange, Powhatan, Prince William, Rappahannock, Stafford, ~~and~~ York, [ *Goochland*, ] and Warren and the Cities of Manassas, Manassas Park, Suffolk, and Virginia Beach may by ordinance establish reasonable testing requirements to determine compliance with [ ~~existing federal or~~ ] state drinking water quality standards [ *as developed by the Department pursuant to 12-VAC-5-630* ] and require that such testing be done prior to the issuance of building permits. Such testing requirements shall apply only to building permit applicants proposing to utilize private ground water wells as their primary potable water source. In developing such an ordinance, the local governing body shall consider (i) the appropriate ground water constituents to be tested using the above standards as guidance; (ii) the reasonable cost of such testing which may be borne by the applicant; and (iii) the availability of certified laboratories to perform such services. However, no such test shall be conducted by Consolidated Laboratories. The applicant shall be notified of the test results with respect to such established standards.

ENGROSSED

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