

2008 SESSION

INTRODUCED

088213240

SENATE BILL NO. 196

Offered January 9, 2008

Prefiled January 7, 2008

A *BILL to amend the Code of Virginia by adding in Article 1 of Chapter 9 of Title 15.2 a section numbered 15.2-926.3, relating to the storage of hazardous materials.*

Patron—Herring

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 9 of Title 15.2 a section numbered 15.2-926.3 as follows:

§ 15.2-926.3. *Storage of hazardous materials.*

A. Any locality may by ordinance prohibit the initiation of new storage of hazardous materials in regulated floodways for a distance of five stream miles upstream of an intake to a public water supply. For the purposes of this section, "hazardous material" includes any element, compound, mixture, solution, or substance that, when released into the environment, may present substantial danger to the public health or welfare of the environment.

B. The locality may impose a civil penalty of no greater than \$100 for a violation of an ordinance adopted pursuant to this section. Each day the prohibited action continues after the issuance of an initial violation may constitute a separate violation.

C. The provisions of this section shall not apply to: (i) operations of the Virginia Department of Transportation or its contractors concerning the construction, reconstruction, or maintenance of highways; or (ii) any Department of Defense facility or operation.

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