

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to authorize the State Water Control Board to adopt certain regulations relating to wastewater*
3 *treatment plants.*

4 [H 2074]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. § 1.** *The State Water Control Board shall accept petitions through July 10, 2009, for purposes of the*
8 *expedited process set forth in this section, from the facilities subject to waste load allocations for two or*
9 *more design flows based on their respective certificates to operate as of December 31, 2010. The*
10 *petitions shall be for the sole purpose of extending the deadline to no later than December 31, 2015, to*
11 *obtain the certificate to operate at the higher design flow, subject to the condition that such facilities*
12 *shall nevertheless be required to comply with such nutrient allocations as of January 1, 2011, whether*
13 *by point source nutrient credit exchanges under § 62.1-44.19:4 of the Code of Virginia or otherwise.*
14 *The State Water Control Board shall, with respect to these facilities, approve or deny such petitions and*
15 *adopt any regulation amendments to incorporate any approved petitions within 180 days of the petition*
16 *deadline. Prior to a final decision on the petitions, the State Water Control Board shall provide an*
17 *opportunity for public comment.*

18 **2. That the State Water Control Board's adoption of any regulation amendments made pursuant**
19 **to this act shall be exempt from Article 2 (§ 2.2-4006 et seq.) of the Code of Virginia of the**
20 **Administrative Process Act.**

21 **3. That this act shall not prohibit any person from petitioning the State Water Control Board at**
22 **any time to amend existing nutrient waste load allocations pursuant to § 2.2-4007.**

ENROLLED

HB2074ER