

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to direct compliance with regulations of certain combined sewer overflow outfalls; Chesapeake*
3 *Bay Watershed.*

4 [S 898]

5 Approved

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

7 **1. § 1.** *That the Department of Environmental Quality (DEQ) shall identify the owner or operator of any*
8 *combined sewer overflow (CSO) outfall that discharges into the Chesapeake Bay Watershed.*

9 § 2. *For any owner or operator not under a state order or decree related to the CSO as of January*
10 *1, 2017, DEQ shall, by July 1, 2018, determine what actions by the owner or operator are necessary to*
11 *bring the CSO outfall into compliance with Virginia law, the federal Clean Water Act (33 U.S.C. § 1251*
12 *et seq.), and the Presumption Approach described in the CSO Control Policy adopted by the U.S.*
13 *Environmental Protection Agency (EPA) at 59 F.R. 18688, unless a higher level of control is necessary*
14 *to comply with a Total Maximum Daily Load (TMDL), and shall inform the owner or operator of the*
15 *actions necessary.*

16 § 3. *Any owner of a CSO outfall that discharges into the Chesapeake Bay Watershed not under a*
17 *state order or decree related to the CSO as of January 1, 2017, shall, by July 1, 2023, initiate*
18 *construction activities necessary to bring the CSO outfall into compliance and shall, by July 1, 2025,*
19 *bring the CSO outfall into compliance with Virginia law, the federal Clean Water Act, and the*
20 *Presumption Approach described in the EPA CSO Control Policy, unless a higher level of control is*
21 *necessary to comply with a TMDL.*

22 § 4. *Any owner of a CSO outfall that discharges into the Chesapeake Bay Watershed not under a*
23 *state order or decree related to the CSO as of January 1, 2017, shall report annually to DEQ on its*
24 *progress pursuant to § 3. No later than January 1 of each year, DEQ shall transmit, with any additional*
25 *information the Director of DEQ determines to be appropriate, the CSO outfall progress reports to the*
26 *Chairmen of the Senate Committee on Finance, the Senate Committee on Agriculture, Conservation and*
27 *Natural Resources, the House Committee on Appropriations, and the House Committee on Agriculture,*
28 *Chesapeake and Natural Resources; the Virginia delegation to the Chesapeake Bay Commission; the*
29 *Secretary of Natural Resources; and the Governor.*

ENROLLED

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