

2017 SESSION

SENATE SUBSTITUTE

17104109D

SENATE BILL NO. 898

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on January 12, 2017)

(Patrons Prior to Substitute—Senators Stuart and Surovell [SB 818])

A *BILL to direct compliance with regulations of certain combined sewer overflow outfalls; Potomac River Watershed.*

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Department of Environmental Quality (DEQ) shall identify the owner of any combined sewer overflow (CSO) outfall that discharges into the Potomac River Watershed.*

§ 2. *That DEQ shall determine what actions by the owner are necessary to bring the CSO outfall into compliance with the Presumption Approach described in the CSO Control Policy adopted by the U.S. Environmental Protection Agency (EPA) at 59 F.R. 18688, unless a higher level of control is necessary to comply with a Total Maximum Daily Load (TMDL).*

§ 3. *That any owner of a CSO outfall that discharges into the Potomac River Watershed shall bring the CSO outfall into compliance with the Presumption Approach described in the EPA CSO Control Policy by July 1, 2020, unless a higher level of control is necessary to comply with a TMDL.*

§ 4. *That if the owner identified by DEQ is a locality and fails to bring its CSO outfall into compliance by July 1, 2020, the Governor shall immediately make an order directing the Comptroller to withhold, to the extent permitted by state and federal law, all further payment to the locality of all funds appropriated and payable by the Commonwealth to the locality for any and all purposes until the owner brings the CSO outfall into compliance.*

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