

17101508D

**SENATE BILL NO. 984**

Offered January 11, 2017

Prefiled January 3, 2017

A *BILL to amend and reenact § 10.1-2117 of the Code of Virginia, relating to nutrient removal technology; water reuse facilities.*

---

 Patron—Dance
 

---



---

 Referred to Committee on Agriculture, Conservation and Natural Resources
 

---

**Be it enacted by the General Assembly of Virginia:****1. That § 10.1-2117 of the Code of Virginia is amended and reenacted as follows:****§ 10.1-2117. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Biological nutrient removal technology" means technology that will typically achieve at least an 8 mg/L total nitrogen concentration or at least a 1 mg/L total phosphorus concentration in effluent discharges.

"Chesapeake Bay Agreement" means the Chesapeake Bay Agreement of 2000 and any amendments thereto.

"Eligible nonsignificant discharger" means any publicly owned treatment works that is not a significant discharger but due to expansion or new construction is subject to a technology-based standard under § 62.1-44.19:15 or 62.1-44.19:16.

"Fund" means the Virginia Water Quality Improvement Fund established by Article 4 (§ 10.1-2128 et seq.).

"Individual" means any corporation, foundation, association or partnership or one or more natural persons.

"Institutions of higher education" means any educational institution meeting the requirements of § 60.2-220.

"Local government" means any county, city, town, municipal corporation, authority, district, commission or political subdivision of the Commonwealth.

"Nonpoint source pollution" means pollution of state waters washed from the land surface in a diffuse manner and not resulting from a discernible, defined or discrete conveyance.

"Nutrient removal technology" means state-of-the-art nutrient removal technology, biological nutrient removal technology, or other nutrient removal technology, *including technologies in water reuse facilities that result in the reduction of nutrient discharges.*

"Point source pollution" means pollution of state waters resulting from any discernible, defined or discrete conveyances.

"Publicly owned treatment works" means a publicly owned sewage collection system consisting of pipelines or conduits, pumping stations and force mains, and all other construction, devices, and appliances appurtenant thereto, or any equipment, plant, treatment works, structure, machinery, apparatus, interest in land, or any combination of these, not including an onsite sewage system, that is used, operated, acquired, or constructed for the storage, collection, treatment, neutralization, stabilization, reduction, recycling, reclamation, separation, or disposal of wastewater, or for the final disposal of residues resulting from the treatment of sewage, including but not limited to: treatment or disposal plants; outfall sewers, interceptor sewers, and collector sewers; pumping and ventilating stations, facilities, and works; and other real or personal property and appurtenances incident to their development, use, or operation.

"Reasonable sewer costs" means the amount expended per household for sewer service in relation to the median household income of the service area as determined by guidelines developed and approved by the State Water Control Board for use with the Virginia Water Facilities Revolving Fund established pursuant to Chapter 22 (§ 62.1-224 et seq.) of Title 62.1.

"Significant discharger" means (i) a publicly owned treatment works discharging to the Chesapeake Bay watershed with a design capacity of 0.5 million gallons per day or greater, (ii) a publicly owned treatment works discharging to the Chesapeake Bay watershed east of the fall line with a design capacity of 0.1 million gallons per day or greater, (iii) a planned or newly expanding publicly owned treatment works discharging to the Chesapeake Bay watershed, which is expected to be in operation by 2010 with a permitted design of 0.5 million gallons per day or greater, or (iv) a planned or newly expanding publicly owned treatment works discharging to the Chesapeake Bay watershed east of the fall line with a design capacity of 0.1 million gallons per day or greater, which is expected to be in operation by

INTRODUCED

SB984

59 2010.

60 "State-of-the-art nutrient removal technology" means technology that will achieve at least a 3 mg/L  
61 total nitrogen concentration or at least a 0.3 mg/L total phosphorus concentration in effluent discharges.

62 "State waters" means all waters on the surface or under the ground, wholly or partially within or  
63 bordering the Commonwealth or within its jurisdictions.

64 "Water Quality Improvement Grants" means grants available from the Fund for projects of local  
65 governments, institutions of higher education, and individuals (i) to achieve nutrient reduction goals in  
66 regulations, permits, or the Chesapeake Bay TMDL Watershed Implementation Plan or (ii) to achieve  
67 other water quality restoration, protection or enhancement benefits.