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HOUSE BILL NO. 1294

Offered January 10, 2018

Prefiled January 10, 2018

A *BILL to amend the Code of Virginia by adding in Article 2.2 of Chapter 3.1 of Title 62.1 a section numbered 62.1-44.15:23.2, relating to interstate natural gas pipeline construction; water quality impact bond; statewide halt.*

Patrons—Rasoul and Hurst; Senator: Deeds

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2.2 of Chapter 3.1 of Title 62.1 a section numbered 62.1-44.15:23.2 as follows:

§ 62.1-44.15:23.2. Construction of interstate natural gas pipeline; water quality impact bond; statewide halt.

A. Any company that plans to construct an interstate natural gas pipeline in Virginia shall, prior to commencing construction, post with the Board a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement acceptable to the Board, in an amount that the Board determines to be sufficient to ensure that measures could be taken by the Board at the company's expense to address and remediate any adverse water quality impact that arises out of construction activities. Within 60 days of the completion of construction, the bond, cash escrow, letter of credit, or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the company or terminated.

B. If the Board determines that any such construction activity has caused or threatens to cause an adverse water quality impact, the Board shall:

1. Initiate and maintain appropriate conservation action, at the company's expense, to address and remediate the identified water quality impact. Before construction shall resume on such pipeline, the company shall post with the Board a new performance bond in an amount determined by the Board pursuant to the provisions of subsection A; and

2. Issue an order halting any construction on each interstate natural gas pipeline under construction in Virginia. Before construction on any pipeline shall resume following the statewide cessation of construction activities, the Board shall certify that the identified water quality impact has been fully addressed and remediated.

C. The requirements of this section are in addition to all other provisions of law relating to such construction and are not intended to otherwise affect the requirements for such construction.

2. That the State Water Control Board shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

INTRODUCED

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