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SENATE BILL NO. 1064

Senate Amendments in [] - February 11, 2020

A BILL to direct compliance with regulations of certain combined sewer overflow outfalls; James River watershed.

Patrons Prior to Engrossment—Senators Stuart and Dunnavant

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. § 1. That the Department of Environmental Quality (DEQ) shall identify the owner or operator of any combined sewer overflow (CSO) outfall east of Charlottesville that discharges into the James River watershed.

§ 2. For any such owner or operator, DEQ shall, by July 1, 2021, determine what actions by the owner or operator are necessary to bring the CSO outfall into compliance with Virginia law, the federal Clean Water Act (33 U.S.C. § 1251 et seq.), and 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), and shall inform the owner or operator of the actions necessary.

[§ 3. Any such owner of a CSO outfall shall, by July 1, 2025, initiate construction activities necessary to bring the CSO outfall into compliance and shall, by July 1, 2027, bring the CSO outfall into compliance with Virginia law, the federal Clean Water Act, and the Presumption Approach described in the EPA CSO Control Policy, unless a higher level of control is necessary to comply with a TMDL.

§ 4. Any such owner of a CSO outfall shall report annually to DEQ on its progress pursuant to § 3. No later than January 1 of each year, DEQ shall transmit, with any additional information the Director of DEQ determines to be appropriate, the CSO outfall progress reports to the Chairmen of the Senate Committee on Finance and Appropriations, the Senate Committee on Agriculture, Conservation and Natural Resources, the House Committee on Appropriations, and the House Committee on Agriculture, Chesapeake and Natural Resources, the Virginia delegation to the Chesapeake Bay Commission, the Secretary of Natural Resources, and the Governor.]

ENGROSSED

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