

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 62.1-44.15:3 of the Code of Virginia, relating to application for*
3 *certificates to discharge into waters of the state.*

4 [H 593]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 62.1-44.15:3 of the Code of Virginia is amended and reenacted as follows:**

8 § 62.1-44.15:3. When application for certificate to discharge considered complete.

9 A. No application for a certificate to discharge sewage, industrial wastes and other wastes into or
10 adjacent to state waters shall be considered complete unless the applicant has provided the Executive
11 Director with notification from the governing body of the county, city or town in which the discharge is
12 to take place, or such other sufficient proof as the Board may require, that the location and operation of
13 the discharging facility is consistent with all *applicable* ordinances adopted pursuant to Chapter 11
14 (§ 15.1-427 et seq.) of Title 15.1. If the governing body of any county, city or town fails to respond
15 within forty-five days following receipt of a written request which identifies the location of the property
16 and the proposed land use, by certified mail, return receipt requested, by an applicant for certification
17 that the location and operation of the proposed discharging facility is consistent with all ordinances
18 adopted pursuant to Chapter 11, the application shall be deemed complete for purposes of this section.
19 The provisions of this section shall not apply to any applicant exempt from compliance under Chapter
20 11 of Title 15.1 or to any discharge for which a valid certificate had been issued prior to July 1, 1987.
21 *The provisions of this subsection shall not apply to any discharge in any county operating under the*
22 *urban county executive form of government.*

23 B. No application for a certificate to discharge sewage into or adjacent to state waters from a
24 privately owned wastewater treatment system serving fifty or more residences shall be considered
25 complete unless the applicant has provided the Executive Director with notification from the State
26 Corporation Commission that the applicant is incorporated in the Commonwealth and is in compliance
27 with all regulations and relevant orders of the State Corporation Commission.

ENROLLED

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