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HOUSE BILL NO. 1232

Offered January 22, 1996

A *BILL to amend the Code of Virginia by adding a section numbered 62.1-44.15:02, relating to the management of toxics.*

Patrons—Connally, Parrish, Plum, Puller and Scott

Referred to Committee on Chesapeake and Its Tributaries

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 62.1-44.15:02 as follows:**

§ 62.1-44.15:02. Management of toxics; duty of Board.

A. *The Board shall establish by regulation a program of toxics management for the purpose of controlling the levels of toxic pollutants in state waters. The regulation shall require a permit holder to minimize, correct or prevent any discharge of toxic pollutants in amounts that have a reasonable likelihood of adversely affecting human health or the environment.*

B. *Upon issuance, reissuance or modification of a permit a determination of the need for toxics management shall be made. Monitoring shall be required in order to develop data to aid in the establishment of water quality-based effluent limitations and assessing the extent of effluent toxicity. Toxics monitoring shall be required of any permittee who has a discharge that falls into one of the following categories: (i) a discharge that has demonstrated actual or potential toxicity, or that contains toxic pollutants; (ii) publicly-owned treatment works with flow greater than or equal to one million gallons per day; (iii) any industry with a daily maximum wastewater flow greater than or equal to 50,000 gallons per day; (iv) any publicly-owned treatment works with a pretreatment program; and (v) any other discharges the Board deems to have the potential for toxicity based on an evaluation of manufacturing processes, indirect discharges, treatment processes, effluent or receiving stream data, or other relevant information.*

C. *The Board shall impose effluent toxicity reduction or elimination measures determined to be necessary as a result of the Board's evaluation of the results of the toxics monitoring data.*

D. *The regulation required by subsection A of this section shall be effective no later than January 1, 1998. Any regulation requiring toxics management in effect on January 1, 1996, shall continue in effect until the regulation required by subsection A becomes effective.*

INTRODUCED

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