

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 10.1-1186.1 and by adding in*
3 *Chapter 3.1 of Title 62.1 an article numbered 3.1, consisting of sections numbered 62.1-44.17:2 and*
4 *62.1-44.17:3, relating to the reduction and reporting of toxics.*

5 [H 2246]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That the Code of Virginia is amended by adding a section numbered 10.1-1186.1 and by adding**
9 **in Chapter 3.1 of Title 62.1 an article numbered 3.1, consisting of sections numbered 62.1-44.17:2**
10 **and 62.1-44.17:3, as follows:**

11 *§ 10.1-1186.1. Department to publish toxics inventory.*

12 *The Department of Environmental Quality shall publish in March of each year the information*
13 *reported by industries pursuant to 42 U.S.C. § 11023 in its document known as the "Virginia Toxic*
14 *Release Inventory." The report shall be (i) organized by chemical, facility and facility location, and*
15 *standard industrial classification code, and (ii) distributed to newspapers of general circulation and*
16 *television and radio stations. The report shall include the information collected for the most recent*
17 *calendar year for which data is available prior to the March publication date.*

18 *Article 3.1.*19 *Toxics Discharge Reduction.*20 *§ 62.1-44.17:2. Definitions.*21 *As used in this article, unless the context requires a different meaning:*

22 *"Toxicity" means the inherent potential or capacity of a material to cause adverse effects on a living*
23 *organism, including acute or chronic effects on aquatic life, detrimental effects on human health or*
24 *other adverse environmental effects.*

25 *"Toxics" means any agent or material including, but not limited to, those listed under 33 U.S.C.*
26 *§ 1317(a) of the Federal Water Pollution Control Act which after discharge will, on the basis of*
27 *available information, cause toxicity.*

28 *§ 62.1-44.17:3. Toxics reduction in state waters; report required.*

29 *A. The Board shall (i) conduct ongoing assessments of the amounts of toxics in Virginia's waters and*
30 *(ii) develop and implement a plan for the reduction of toxics in Virginia's waters.*

31 *B. The status of the Board's efforts to reduce the level of toxic substances in state waters shall be*
32 *reported annually, no later than January 1, to the House Committees on Conservation and Natural*
33 *Resources and Chesapeake and Its Tributaries, and the Senate Committee on Agriculture, Conservation*
34 *and Natural Resources. The initial report shall be submitted no later than January 1, 1998, and shall*
35 *include data from the previous five years on the trends of the reduction and monitoring of toxics in state*
36 *waters. The initial report and each subsequent annual report shall include, but not be limited to, the*
37 *following information:*

38 *1. Compliance data on permits that have toxics limits;*

39 *2. The number of new permits or reissued permits that have toxic limits and the location of each*
40 *permitted facility;*

41 *3. The location and number of monitoring stations and the period of time that monitoring has*
42 *occurred at each location;*

43 *4. A summary of pollution prevention and pollution control activities for the reduction of toxics in*
44 *state waters;*

45 *5. The sampling results from the monitoring stations for the previous year; and*

46 *6. The Board's plan for continued reduction of the discharge of toxics which shall include, but not be*
47 *limited to, additional monitoring activities, a work plan for the pollution prevention program, and any*
48 *pilot projects established for the use of innovative technologies to reduce the discharge of toxics.*