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## HOUSE BILL NO. 2494

House Amendments in [ ] — February 2, 1997

A BILL to amend and reenact § 62.1-44.33 of the Code of Virginia, relating to discharge of [ ~~sewage and waste~~ untreated sewage ] from boats and vessels; penalty.

Patron—Robinson

Referred to Committee on Conservation and Natural Resources

## Be it enacted by the General Assembly of Virginia:

## 1. That § 62.1-44.33 of the Code of Virginia is amended and reenacted as follows:

§ 62.1-44.33. Board to make rules and regulations; penalty.

The State Water Control Board is empowered and directed to adopt and promulgate all necessary rules and regulations for the purpose of controlling the discharge of [ *untreated sewage* ] and other wastes from both documented and undocumented boats and vessels on all navigable and nonnavigable waters within this Commonwealth. No such regulation shall impose restrictions which are more restrictive than the regulations applicable under federal law; provided, however, the Board may adopt such regulations as are reasonably necessary with respect to vessels regularly berthed in marinas or other places where vessels are moored, in order to limit or avoid the closing of shellfish grounds; *and provided further that [ the Chesapeake Bay and the tidal portions of its tributaries are hereby declared a no discharge zone for the discharge of sewage and other wastes from both documented and undocumented boats and vessels documented and undocumented boats and vessels are prohibited from discharging sewage that has not been treated by a Coast Guard-approved Marine Sanitation Device (MSD Type 1 or Type 2) into the Chesapeake Bay and the tidal portions of its tributaries ]*.

In formulating such rules and regulations pursuant to this section, the Board shall consult with the State Department of Health, the Department of Game and Inland Fisheries and the Marine Resources Commission for the purpose of coordinating such rules and regulations with the activities of such agencies.

Violation of such rules and regulations *and the discharge of [ sewage or other wastes untreated sewage ] from documented and undocumented boats and vessels in the Chesapeake Bay and the tidal portions of its tributaries* shall, upon conviction, be a misdemeanor. Every law-enforcement officer of this Commonwealth and its subdivisions shall have the authority to enforce the rules and regulations adopted and promulgated under the provisions of this section *and to enforce the prohibition on discharge of [ sewage or other wastes untreated sewage ] created by this section.*

ENGROSSED

HB2494E