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HOUSE BILL NO. 503

Offered January 19, 1998

A BILL to amend and reenact §§ 32.1-164.3 and 62.1-44.19:3 of the Code of Virginia, relating to land application of sewage sludge.

Patron—Guest

Referred to Committee on Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-164.3 and 62.1-44.19:3 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-164.3. Septage disposal.

Notwithstanding the provisions of Chapter 3.1 (§ 62.1-44.2 et seq.) of Title 62.1, the Board of Health shall have the authority to issue permits which prescribe the terms and conditions upon which septage may be disposed of by land application. *No permit shall allow the land application of sewage sludge containing any untreated human waste. No permit shall be issued for the land application of sewage sludge unless all holders of property interests in the land designated for the application have provided, in a form specified by the Board, written consent to the application.* Application for disposal permits shall be submitted in form and content which are satisfactory to the Board. Upon receipt of a satisfactory application, the Board shall send a copy to the State Water Control Board and comply with the provisions of § 32.1-164.2. The State Water Control Board shall review the application without delay and advise the Board within sixty days of the requirements necessary to protect state waters. The Board shall not consider the application complete until comments have been received from the State Water Control Board. The Board shall approve or disapprove the application and issue the permit as appropriate. If the application is disapproved, the Board shall advise the applicant of the conditions necessary to obtain approval. The Board may summarily revoke or amend the permit if it determines that the septage disposal is adversely affecting public health or if the State Water Control Board notifies the Board that state waters are being adversely affected.

§ 62.1-44.19:3. Prohibition on land application, marketing and distribution of sewage sludge without permit.

A. No owner of a sewage treatment works shall land apply, market or distribute sewage sludge from such treatment works except in compliance with a valid Virginia Pollutant Discharge Elimination System Permit issued by the Board.

B. No person shall contract or propose to contract, with the owner of a sewage treatment works, to land apply, market or distribute sewage sludge in the Commonwealth, nor shall any person land apply, market or distribute sewage sludge in the Commonwealth without a current Virginia Pollution Abatement Permit from the Board or a current permit from the State Health Commissioner authorizing land application, marketing or distribution of sewage sludge and specifying the location or locations, and the terms and conditions of such land application, marketing or distribution.

C. *No Virginia Pollution Abatement Permit shall allow the land application of sewage sludge containing any untreated human waste.*

D. *No Virginia Pollution Abatement Permit shall allow the land application of sewage sludge unless all holders of property interests in the land designated for the application have provided, in a form specified by the Board, written consent to the application.*

INTRODUCED

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