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SENATE BILL NO. 547

Offered January 8, 2014

A BILL to amend the Code of Virginia by adding sections numbered 32.1-176.5:1.1 and 45.1-275.1, relating to testing of wells near uranium exploratory activity.

Patrons—Ruff and Stanley; Delegates: Edmunds and Wright

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 32.1-176.5:1.1 and 45.1-275.1 as follows:

§ 32.1-176.5:1.1. Department to provide explanation of water supply samples taken from wells near uranium exploratory activity.

The Department shall provide a nontechnical interpretation or explanation of each analysis of the water supply samples taken from the private well or waterworks to property owners whose well or waterworks is in proximity to uranium exploratory activity and whose water supply has been periodically sampled, the results of which have been provided to the Department pursuant to § 45.1-275.1. The Department shall determine the cost of providing the interpretation or explanation of the analysis of the water supply samples to the owner of the well, and the person holding the uranium exploratory permit under § 45.1-274 shall be responsible for reimbursing the Department for the costs incurred in providing such interpretation or explanation to the owner of the well.

§ 45.1-275.1. Sampling of private wells and waterworks near uranium exploratory activity.

A. Before undertaking any exploratory activity on any tract of land, the person proposing the exploratory activity shall contact all property owners within 750 feet of the proposed exploratory activity and request their consent to conduct an analysis of the water supply of each private well, as defined in § 32.1-176.3, or waterworks, as defined in § 32.1-167, located on their property. The analysis shall provide a baseline for determining whether the water supply meets the criteria of "aesthetic standards" and "pure water" as those terms are defined in § 32.1-167. With the consent of the property owner, the person proposing the exploratory activity shall perform this analysis every six months until the plugging of the exploration holes has been completed. The final sampling of the private well or waterworks shall be taken six months after the plugging has occurred.

B. The person holding the permit to conduct the exploratory activity shall submit the results and analysis of the water supply samples to the Department and the State Department of Health and the Departments shall make a determination based on an analysis of the submitted samples whether the exploratory activity is a threat to the water supply of the property owner. If the agencies determine that a threat exists, the Department, in consultation with the State Department of Health, shall take such actions as are necessary to remediate the situation.

C. The State Department of Health shall provide a nontechnical interpretation or explanation of the results of the water supply analysis obtained pursuant to subsection A to all residents whose well water has been sampled. The person holding the permit to conduct the exploratory activity shall be responsible for reimbursing the State Department of Health for the costs incurred in providing such interpretation or explanation to the owner of the well.

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