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SENATE BILL NO. 940

Offered January 19, 2018

A BILL to amend the Code of Virginia by adding a section numbered 62.1-44.15:4.2, relating to sewage discharges; notice.

Patron—Stuart

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 a section numbered 62.1-44.15:4.2 as follows:****§ 62.1-44.15:4.2. Notice of discharge from combined sewer overflow system.**

A. The owner or operator of any combined sewer overflow (CSO) system shall immediately, but in no case later than two hours after discovery, report any discharge of untreated or partially treated sewage to the Department and the local health department, except for a discharge of partially treated sewage directly from a publicly owned treatment works that is in compliance with a plan or permit approved by the Board. Such report shall include, to the extent knowable with existing systems and models, (i) the volume and treated state of the discharge; (ii) the date and time of the discharge; (iii) the expected duration of the discharge; (iv) a brief description of the steps being taken to contain the discharge, except for wet weather CSO discharges; (v) the location of the discharge, with the maximum level of specificity possible; and (vi) the reason for the discharge.

B. In addition to complying with the requirements of subsection A, the owner or operator shall, as soon as possible, but no later than four hours from discovery of the discharge, notify the local health department and the chief elected official or his authorized designee of any adjoining locality that may be affected. The owner or operator shall provide the same notification within the same timeframe to the general public, pursuant to regulations adopted by the Board, through appropriate electronic media, including electronic mail or voice communication as determined by the Department.

C. The Department shall expeditiously post on its website information reported to it pursuant to subsection A.

D. The Department shall prepare a report on CSO discharges annually. The report shall, at a minimum, include the total number of discharges, the details of such discharges, including the volume and treated state of the discharge, and the duration and location of each discharge, as well as any remedial responses taken to mitigate impacts and avoid further discharges.

2. That the State Water Control Board shall promulgate regulations to implement the provisions of this act.

INTRODUCED

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