

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 62.1-44.15:3 of the Code of Virginia, relating to applications for*  
3 *discharge certificates.*

4 [S 763]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 62.1-44.15:3 of the Code of Virginia is amended and reenacted as follows:**

8 § 62.1-44.15:3. When application to discharge sewage considered complete.

9 A. No application for a certificate to discharge sewage, industrial wastes and other wastes into or  
10 adjacent to state waters shall be considered complete unless the applicant has provided the Executive  
11 Director with notification from the governing body of the county, city or town in which the discharge is  
12 to take place, or such other sufficient proof as the Board may require, that the location and operation of  
13 the discharging facility is consistent with all applicable ordinances adopted pursuant to Chapter 44  
14 (§ 15.1-427 et seq.) of Title 15.1. If the governing body of any county, city or town fails to respond  
15 within forty-five days following receipt of a written request which identifies the location of the property  
16 and the proposed land use, by certified mail, return receipt requested, by an applicant for certification  
17 that the location and operation of the proposed discharging facility is consistent with all ordinances  
18 adopted pursuant to Chapter 44, the application shall be deemed complete for purposes of this section.  
19 The provisions of this section shall not apply to any applicant exempt from compliance under Chapter  
20 44 of Title 15.1, to any facility approved pursuant to subsection B of § 56-46.1, or to any discharge for  
21 which a valid certificate had been issued prior to July 1, 1987. The provisions of this subsection shall  
22 not apply to any discharge in any county operating under the urban county executive form of  
23 government.

24 B. No application for a certificate to discharge sewage into or adjacent to state waters from a  
25 privately owned wastewater treatment system serving fifty or more residences shall be considered  
26 complete unless the applicant has provided the Executive Director with notification from the State  
27 Corporation Commission that the applicant is incorporated in the Commonwealth and is in compliance  
28 with all regulations and relevant orders of the State Corporation Commission.

ENROLLED

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