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SENATE BILL NO. 480

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Gartlan

on February 8, 1996)

(Patron Prior to Substitute—Senator Gartlan)

A BILL to amend and reenact § 62.1-44.5 of the Code of Virginia, relating to reporting of prohibited discharges.

Be it enacted by the General Assembly of Virginia:

1. That § 62.1-44.5 of the Code of Virginia is amended and reenacted as follows:

§ 62.1-44.5. Prohibition of waste discharges or other quality alterations of state waters except as authorized by permit; notification required.

A. Except in compliance with a certificate issued by the Board, it shall be unlawful for any person to (1) (i) discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances, or (2) (ii) otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the uses of such waters for domestic or industrial consumption, or for recreation, or for other uses.

B. Any person required to obtain a permit or certificate pursuant to this chapter, who discharges or causes or allows (i) a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters or (ii) a discharge that may reasonably be expected to enter state waters, in violation of the provisions of subsection A shall, immediately upon learning of the discharge, notify the Board, the Director of the Department of Environmental Quality, or the coordinator of emergency services appointed pursuant to § 44-146.19 for the political subdivision reasonably expected to be affected by the discharge. Written notice to the Director of the Department of Environmental Quality shall follow initial notice by no more than forty-eight hours.