

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS
CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE MEETING
FRIDAY, JANUARY 15, 2016**

VIRGINIA LEGISLATIVE ISSUES

I. General Environmental

- A. Penalty Increases – HB 976** would increase penalty authority for fining localities from \$100,000 to \$1,000,000.
- B. DEQ Director Unilateral Orders – SB 228** would increase penalty authority for fining localities from \$10,000 to \$25,000.
- C. Reporting Deadline – HB 977** would reduce amount of time locality has to report unlawful discharges from 24 hours to 12 hours.
- D. Locality Posting of Violations – HB 479** would require locality to post signs for regulatory violations at public access points of affected waters.

II. Stormwater

- A. Grant Appropriations (SLAF) – Budget Amendments** will potentially add funding for local stormwater projects.
- B. Grant Program Codification – HB 1085** would codify the Stormwater Local Assistance Fund (SLAF) and maintain matching grants to localities.
- C. Sediment Trading – HB 438, SB 292** would allow MS4s to acquire and use credits for compliance with sediment wasteload allocations in the Chesapeake Bay or its tidal tributaries.
- D. Stormwater Fee Waivers – SB 468** would require that a locality with a stormwater fee provide a full waiver for any property that permanently retains its stormwater onsite.
- E. Stormwater Fee Payment by Locality – SB 469** would require that locality with stormwater fee pay private property owner if property accepts stormwater runoff from another private property.
- F. Stormwater Law Streamlining – Legislation** expected that would streamline various stormwater statutes (ex: State Water Control Law, Stormwater Management Act, Erosion & Sediment Control Law, Chesapeake Bay Preservation Act) and codify the SLAF.

III. Wastewater

- A. Nutrient Upgrades – Budget** includes bond authorization (\$59 Million) to reimburse localities for nutrient removal upgrades.
- B. Nutrient Credits – HB 448, SB 314** would allow a new or expanding wastewater facility to acquire nutrient credits from the Virginia Nutrient Credit Exchange Association, or from best management practices. Would remove the five year limitation on offset credits.
- C. Biosolids Bills**
 - 1. **Studies – HJ 56** directs the Secretary of Natural Resources and the Secretary of Health and Human Services to convene an expert panel to conduct a two-year study storage and land application of

biosolids and industrial waste. **HJ 120** (preferable alternative to HJ 56) directs JLARC to study storage and land application of biosolids and industrial waste.

2. Biosolids Testing and Buffers – **HB 447** would require DEQ to issue regulations for monitoring and testing of materials for pharmaceuticals, pathogens, personal care products and prions for which concentration limits exist in federal regulations or standards in permits to land apply. Also requires an increase in the buffer (from 10 feet to 100 feet) from a land application site to a roadway.
3. Phosphorus Application Rates – **HB 318** directs DCR to adopt regulations establishing a standard for acceptable rates of phosphorus application to “lands” (similar to MD PMT experience).
4. Real Estate Disclosure – **HB 17** would require disclosure to prospective purchaser or lessee of land where industrial waste or biosolids had been stored or land applied.