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HOUSE BILL NO. 959

Offered January 12, 2022

Prefiled January 12, 2022

A BILL to amend and reenact § 62.1-44.19:6 of the Code of Virginia, relating to dissemination of information regarding unpermitted discharges; de minimis impact.

 Patron—Tran

 Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:**1. That § 62.1-44.19:6 of the Code of Virginia is amended and reenacted as follows:****§ 62.1-44.19:6. Citizen right-to-know provisions.**

A. The Board, based on the information in the 303(d) and 305(b) reports, shall:

1. Request the Department of Wildlife Resources or the Virginia Marine Resources Commission to post notices at public access points to all toxic impaired waters. The notice shall be prepared by the Board and shall contain (i) the basis for the impaired designation and (ii) a statement of the potential health risks provided by the Virginia Department of Health. The Board shall annually notify local newspapers, and persons who request notice, of any posting and its contents. The Board shall coordinate with the Virginia Marine Resources Commission and the Department of Wildlife Resources to assure that adequate notice of posted waters is provided to those purchasing hunting and fishing licenses.

2. Maintain a "citizen hot-line" for citizens to obtain, either telephonically or electronically, information about the condition of waterways, including information on toxics, toxic discharges, permit violations and other water quality related issues.

3. Make information regarding the presence of toxics in fish tissue and sediments available to the public on the Internet and through other reasonable means for at least five years after the information is received by the Department of Environmental Quality. The Department of Environmental Quality shall post on the Internet and in the Virginia Register on or about January 1 and July 1 of each year an announcement of any new data that has been received over the past six months and shall make a copy of the information available upon request.

B. The Department of Environmental Quality shall provide to the Virginia Department of Health and local newspapers, television stations, and radio stations, and shall disseminate via official social media accounts and email notification lists, ~~the any~~ discharge information reported to the Director of the Department of Environmental Quality pursuant to subsection B of § 62.1-44.5, ~~when the Virginia Department of Health determines that the discharge may be detrimental to the public health or unless the Department determines that the discharge may impair~~ would have a *de minimis impact on the* beneficial uses of state waters.

2. That by October 1, 2022, the Department of Environmental Quality shall issue guidance setting forth criteria for determining if a discharge would have a de minimis impact on the beneficial uses of state waters pursuant to § 62.1-44.19:6 of the Code of Virginia, as amended by this act.

INTRODUCED

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