

SENATE BILL NO. 1013

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources

on _____)

(Patron Prior to Substitute--Senator Edwards)

A BILL to amend the Code of Virginia by adding a section numbered 32.1-175.2, relating to community waterworks; contaminants; PFAS chemicals; notification to customers.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 32.1-175.2 as follows:

§ 32.1-175.2. Notification of water contamination to waterworks customers.

A. For the purposes of this section:

"Notification concentration" means 10 parts per trillion (ppt) for HFPO-DA, 2,000 ppt for PFBS, four ppt for PFOA, and four ppt for PFOS.

"PFAS advisory" means a nonregulatory lifetime health advisory level established by the U.S. Environmental Protection Agency (EPA) pursuant to the federal Safe Drinking Water Act (42 U.S.C. § 300f et seq.) for HFPO-DA, PFBS, PFOA, and PFOS.

B. Prior to the adoption of an applicable primary maximum contaminant level either in the National Primary Drinking Water Regulations (40 C.F.R. Part 141) or in a regulation adopted by the Board, if a community waterworks owner receives a finished water test result from an EPA-approved method for drinking water for any PFAS chemical subject to a PFAS advisory and such result exceeds the notification concentration, such owner shall (i) report such result to the Department as part of its operating report for the month in which the test result was received, (ii) provide public notice in the required consumer confidence report provided to the owner's customers and by posting on the owner's website, and (iii) provide such additional public notice as the Department may require on a case-by-case basis under applicable regulations.

