

## § 10.1-1186.01. Reimbursements to localities for upgrades to treatment works

A. The General Assembly shall fund grants to finance the reasonable costs of design and installation of nutrient removal technology at the publicly owned treatment works designated as significant dischargers contained in subsection E, or as eligible nonsignificant dischargers as defined in § 10.1-2117. Notwithstanding § 10.1-2128, at such time as grant disbursements pursuant to this section reach 200 percent of the appropriations provided for in Chapter 951 of the Acts of Assembly of 2005 and Chapter 10 of the Acts of Assembly of 2006, Special Session I, the House Committee on Agriculture, Chesapeake and Natural Resources, the House Committee on Appropriations, the Senate Committee on Agriculture, Conservation and Natural Resources, and the Senate Committee on Finance shall review the future funding needs to meet the purposes of the Water Quality Improvement Act and the appropriate funding mechanism for such needs.

B. The disbursement of grants for the design and installation of nutrient removal technology at those publicly owned treatment works included in subsection E and eligible nonsignificant dischargers shall be made monthly based on a requisition submitted by the grant recipient in the form requested by the Department. Each requisition shall include written certification that the applicable local share of the cost of nutrient removal technology for that portion of the project covered by such requisition has been incurred or expended. Except as may otherwise be approved by the Department, disbursements shall not exceed 95 percent of the total grant amount until satisfactory completion of the project. The distribution of the grants shall be effected by one of the following methods:

1. In payments to be paid by the State Treasurer out of funds appropriated to the Water Quality Improvement Fund pursuant to § 10.1-2131;
2. Over a specified time through a contractual agreement entered into by the Treasury Board and approved by the Governor, on behalf of the Commonwealth, and the locality or public service authority undertaking the design and installation of nutrient removal technology, such payments to be paid by the State Treasurer out of funds appropriated to the Treasury Board; or
3. In payments to be paid by the State Treasurer upon request of the Director of Environmental Quality out of proceeds from bonds issued by the Virginia Public Building Authority, in consultation with the Department of Environmental Quality, pursuant to §§ 2.2-2261, 2.2-2263, and 2.2-2264, including the Commonwealth's share of the interest costs expended by the locality or regional authority for financing such project during the period from 50% completion of construction to final completion of construction.

C. The General Assembly shall have the sole authority to determine whether disbursement will be made pursuant to subdivision B 1, B 2, or B 3, or a combination thereof; provided that a disbursement shall only be made pursuant to subdivision B 3 upon a certification by the Department of Environmental Quality that project grant reimbursements for the fiscal year will exceed the available funds in the Water Quality Improvement Fund.

D. Exclusive of any deposits made pursuant to § 10.1-2128, the grants awarded pursuant to this section shall include such appropriations as provided for in Chapter 951 of the Acts of Assembly of 2005; and Chapter 10 of the Acts of Assembly of 2006, Special Session I.

E. The disbursement of grants to finance the costs of design and installation of nutrient removal technology at the following 89 publicly owned treatment works and other eligible nonsignificant dischargers shall be provided pursuant to the distribution methodology included in § 10.1-2131. However, in no case shall any publicly owned treatment works receive a grant of less than 35% of the costs of the design and installation of nutrient removal technology.

FACILITY NAME	OWNER
Shenandoah - Potomac River Basin	
ACSA-Fishersville STP	Augusta County Service Authority
Luray STP	Town of Luray
ACSA-Middle River Regional STP	Augusta County Service Authority
HRRSA-North River WWTF	Harrisonburg-Rockingham Regional Sewer Authority
ACSA-Stuarts Draft STP	Augusta County Service Authority
Waynesboro STP	City of Waynesboro
ACSA-Weyers Cave STP	Augusta County Service Authority
Berryville STP	Town of Berryville
Front Royal STP	Town of Front Royal
Mount Jackson STP	Town of Mount Jackson
New Market STP	Town of New Market
Shenandoah Co.-North Fork Regional WWTP	Shenandoah County
Stoney Creek Sanitary District STP	Stoney Creek Sanitary District
Strasburg STP	Town of Strasburg
Woodstock STP	Town of Woodstock
FWSA-Opequon Water Reclamation Facility	Frederick-Winchester Service Authority
FWSA-Parkins Mill WWTF	Frederick-Winchester Service Authority
Purcellville-Basham Simms WWTF	Town of Purcellville
LCSA-Broad Run WRF	Loudoun County Service Authority
Leesburg WPCF	Town of Leesburg
Round Hill WWTP	Town of Round Hill

PWCSA-H.L. Mooney WWTF	Prince William County Service Authority
Upper Occoquan Sewage Authority WWTP	Upper Occoquan Sewage Authority
FCW&SA-Vint Hill WWTF	Fauquier County Water and Sewer Authority
Alexandria Sanitation Authority WWTP	Alexandria Sanitation Authority
Arlington Co. WPCF	Arlington County
Fairfax Co. - Noman-Cole Pollution Control Facility	Fairfax County
Stafford Co.-Aquia WWTP	Stafford County
Colonial Beach STP	Town of Colonial Beach
Dahlgren Sanitary District WWTP	King George County Service Authority
Fairview Beach STP	King George County Service Authority
Purkins Corner WWTP	King George County Service Authority
District of Columbia - Blue Plains STP (Virginia portion)	Loudoun County Service Authority and Fairfax County contract for capacity
Rappahannock River Basin	
Culpeper WWTP	Town of Culpeper
Marshall WWTP	Town of Marshall
Mountain Run WWTP	Culpeper County
Orange STP	Town of Orange
Rapidan STP	Rapidan Service Authority
FCW&SA-Remington WWTP	Fauquier County Water and Sewer Authority
Warrenton STP	Town of Warrenton
Wilderness Shores WWTP	Rapidan Service Authority
Spotsylvania Co.-FMC WWTF	Spotsylvania County
Fredericksburg WWTF	City of Fredericksburg
Stafford Co.-Little Falls Run WWTF	Stafford County
Spotsylvania Co.-Massaponax WWTF	Spotsylvania County
Montross-Westmoreland WWTP	Westmoreland County
Oakland Park STP	King George County Service Authority
Tappahannock WWTP	Town of Tappahannock

Urbanna WWTP	Hampton Roads Sanitation District
Warsaw STP	Town of Warsaw
Reedville Sanitary District WWTP	Reedville Sanitary District
Kilmarnock WWTP	Town of Kilmarnock
York River Basin	
Caroline Co. Regional STP	Caroline County
Gordonsville STP	Rapidan Service Authority
Ashland WWTP	Hanover County
Doswell WWTP	Hanover County
HRSD-York River STP	Hampton Roads Sanitation District
Parham Landing WWTP	New Kent County
Totopotomoy WWTP	Hanover County
HRSD-West Point STP	Hampton Roads Sanitation District
HRSD-Mathews Courthouse STP	Hampton Roads Sanitation District
James River Basin	
Buena Vista STP	City of Buena Vista
Clifton Forge STP	Town of Clifton Forge
Covington STP	City of Covington
Lexington-Rockbridge Regional WQCF	Maury Service Authority
Alleghany Co.-Low Moor STP	Alleghany County
Alleghany Co.-Lower Jackson River WWTP	Alleghany County
Amherst-Rutledge Creek WWTP	Town of Amherst
Lynchburg STP	City of Lynchburg
RWSA-Moores Creek Regional STP	Rivanna Water and Sewer Authority
Crewe WWTP	Town of Crewe
Farmville WWTP	Town of Farmville
Chesterfield Co.-Falling Creek WWTP	Chesterfield County
Henrico Co. WWTP	Henrico County
Hopewell Regional WWTF	City of Hopewell

Chesterfield Co.-Proctors Creek WWTP	Chesterfield County
Richmond WWTP	City of Richmond
South Central Wastewater Authority WWTF	South Central Wastewater Authority
Chickahominy WWTP	New Kent County
HRSD-Boat Harbor STP	Hampton Roads Sanitation District
HRSD-James River STP	Hampton Roads Sanitation District
HRSD-Williamsburg STP	Hampton Roads Sanitation District
HRSD-Nansemond STP	Hampton Roads Sanitation District
HRSD-Army Base STP	Hampton Roads Sanitation District
HRSD-Virginia Initiative Plant STP	Hampton Roads Sanitation District
HRSD-Chesapeake/Elizabeth STP	Hampton Roads Sanitation District
Eastern Shore Basin	
Cape Charles WWTP	Town of Cape Charles
Onancock WWTP	Town of Onancock
Tangier Island WWTP	Town of Tangier

F. To the extent that any publicly owned treatment works receives less than the grant specified pursuant to § 10.1-2131, any year-end revenue surplus or unappropriated balances deposited in the Water Quality Improvement Fund, as required by § 10.1-2128, shall be prioritized in order to augment the funding of those projects for which grants have been prorated. Any additional reimbursements to these prorated projects shall not exceed the total reimbursement amount due pursuant to the formula established in subsection E of § 10.1-2131.

G. Notwithstanding the provisions of subsection B of § 10.1-2131, the Director of the Department of Environmental Quality shall not be required to enter into a grant agreement with a facility designated as a significant discharger or eligible nonsignificant discharger if the Director determines that the use of nutrient credits in accordance with the Chesapeake Bay Watershed Nutrient Credit Exchange Program (§ 62.1-44.19:12 et seq.) would be significantly more cost-effective than the installation of nutrient controls for the facility in question.

2007, cc. 851, 900;2008, c. 572.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.