

Department of Planning and Budget 2001 Fiscal Impact Statement

1. **Bill Number** SB1404

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. **Patron** Mims

3. **Committee** Passed Both Houses

4. **Title** Permits for private sewerage facilities

5. **Summary/Purpose:** The bill would provide that the State Water Control Board may grant to an operator of a private sewerage facility that was permitted prior to January 1, 2001 and that discharges less than 5,000 gallons of effluent per day a waiver of the requirement to file a plan to control, prevent, or contain a threat to public health or the environment, including provision for financial assurances, from the closure of such facility upon a finding that, for at least five years, such person has not violated any regulation or order of the Board, any condition of a permit to operate such facility, or any other provision of the State Water Control Law. However, no waiver could be approved by the Board until after the governing body of the locality in which the facility is located approves the waiver after a public hearing. The Board may revoke the waiver for good cause and any operator who receives a waiver and later ceases operations would, if such cessation results in significant harm or an imminent and substantial risk of significant harm to human health and the environment, be guilty of a Class 4 felony and liable to the Commonwealth and any political subdivision for the costs incurred in abating, controlling, preventing, removing, or containing such harm or threat.

6. **Fiscal Impact:** Final, see Item 8.

7. **Budget amendment necessary:** No.

8. **Fiscal implications:** According to the Department of Environmental Quality, there would be minimal costs to the agency associated with this bill. Such costs could be funded from existing resources. The agency states that there are 66 facilities in the state that are affected by the current requirements; 5-6 of them discharge less than 5,000 gallons of effluent per day and could potentially be affected by this bill. While the bill does create a new Class 4 felony, it is expected that any impact on state responsible correctional bed space would be negligible.

9. **Specific agency or political subdivisions affected:** Department of Environmental Quality; local jurisdictions.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 02/27/01 / mar

Document: mar F:\MAR\LEGIS\2001\Sb1404ER.doc

cc: Secretary of Natural Resources

PDF Created 3/5/2001 5:32:22 PM