

## 2007 SESSION

INTRODUCED

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### HOUSE BILL NO. 3081

Offered January 16, 2007

A *BILL to amend the Code of Virginia by adding a section numbered 10.1-1316.2, relating to notification of power generation use; civil penalty.*

Patrons—Englin, Ebbin and Moran

Referred to Committee on Commerce and Labor

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 10.1-1316.2 as follows:**

*§ 10.1-1316.2. Notification of increased operation of power generation facility.*

*A. Whenever any power generation facility has been ordered to operate by the U.S. Department of Energy pursuant to Section 202(c) of the federal Power Act or any other federal law, and such operation is predicted to potentially cause modeled exceedances of National Ambient Air Quality Standards, the facility shall within 24 hours give to anyone who has requested it email notification of the decision or order to increase production. Written notification shall also be provided to the chief administrative officer of the locality in which the facility is located within 24 hours of the facility's decision to increase production. The notification shall include but not be limited to the time the increase is expected to or did begin, the planned percentage increase in power production, the duration of the increase, and the reason for the increase.*

*B. The Board may assess any owner violating provisions of this section a civil penalty not to exceed \$1,000. Each day of violation shall constitute a separate offense. Such civil penalties shall be paid into the state treasury and deposited by the State Treasurer into the Virginia Environmental Emergency Response Fund pursuant to Chapter 25 (§ 10.1-2500 et seq.) of this title.*

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