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**SENATE BILL NO. 321**

Offered January 9, 2008

Prefiled January 8, 2008

*A BILL to amend and reenact § 10.1-1186.2:1 of the Code of Virginia, relating to the environmental impact of renewable energy electric utilities.*

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Patron—Wagner

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Referred to Committee on Agriculture, Conservation and Natural Resources

**Be it enacted by the General Assembly of Virginia:****1. That § 10.1-1186.2:1 of the Code of Virginia is amended and reenacted as follows:**

§ 10.1-1186.2:1. Impact of electric generating facilities.

A. The Department and the State Air Pollution Control Board have the authority to consider the cumulative impact of new and proposed electric generating facilities within the Commonwealth on attainment of the national ambient air quality standards.

B. The Department shall enter into a memorandum of agreement with the State Corporation Commission regarding the coordination of reviews of the environmental impacts of proposed electric generating facilities that must obtain certificates from the State Corporation Commission. *When considering the cumulative impact of new and proposed renewable energy electric generating facilities, as defined in § 56-576, the Department shall consult with interested agencies of the Commonwealth that have expertise in natural resource management and develop a coordinated recommendation on the potential environmental impacts of the proposed renewable energy electric generating facility. The recommendation shall specify any additional site studies, including the scope and duration thereof, necessary to minimize adverse environmental impacts.*

C. Prior to the close of the Commission's record on an application for certification of an electric generating facility pursuant to § 56-580, the Department shall provide to the State Corporation Commission a list of all environmental permits and approvals that are required for the proposed electric generating facility and shall specify any environmental issues, identified during the review process, that are not governed by those permits or approvals or are not within the authority of, and not considered by, the Department or other participating governmental entity in issuing such permits or approvals. The Department may recommend to the Commission that the Commission's record remain open pending completion of any required environmental review, approval or permit proceeding. All agencies of the Commonwealth shall provide assistance to the Department, as requested by the Director, in preparing the information required by this subsection.

INTRODUCED

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