

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: SB1154

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

2. Patron: Wexton

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Discharge of deleterious substance into state waters; notice.

5. Summary: Requires any person who unlawfully discharges any deleterious substance into state waters to notify the Department of Environmental Quality (the Department) and the coordinator of emergency services of the affected locality within 12 hours. Current law allows such a person 24 hours to give notice and gives the person a choice between notifying the State Water Control Board (the Board), the Director of the Department, or the local emergency services coordinator. The bill also requires the Board or the Department to provide each report of a discharge to local newspapers, television stations, and radio stations within 24 hours of receiving it.

6. Budget Amendment Necessary: Yes, Item 361 of HB1400 and SB800.

7. Fiscal Impact Estimates: Preliminary.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2015	0	N/A	N/A
2016	340,000	N/A	GF
2017	190,000	N/A	GF
2018	190,000	N/A	GF
2018	190,000	N/A	GF
2020	190,000	N/A	GF
2021	190,000	N/A	GF

8. Fiscal Implications: The proposed legislation would require that the State Water Control Board or the Department of Environmental Quality (DEQ) provide information about every incident related to violations of water regulations and notifications of discharges that exceed permit limitations to local newspapers, television stations, and radio stations within 24 hours, regardless of the impact on state waters. DEQ currently administers over 10,000 individual and general Virginia Pollutant Discharge Elimination System (VPDES) permits, 1,200 Virginia Pollution Abatement (VPA) permits and 2,000 Virginia Water Protection (VWP) permits. In 2014, DEQ received 802 notices of pollution incidents that reached surface waters (i.e., unpermitted discharges and/or discharges that exceeded permit limitations). Currently, the Department of Health determines if the discharge may be detrimental to public

health, and rarely do these incidents pose an immediate threat or emergency to human health or to the environment. It is anticipated that reporting every incident to the media would have an expenditure impact to DEQ.

According to information received from DEQ, in order to implement the provision of this bill, the department would need two additional on-going positions (\$190,000) and one-time funding (\$150,000) to build a database. The estimated fiscal impact for each of these positions and incidentals to the job is \$95,000, which includes a salary of \$60,138 salary (average cost), fringe benefits of \$30,920, and personnel related costs (such as supplies and Equipment) of \$3,942. Additional FTEs are not necessary since DEQ already has vacant positions that it could use for this purpose, if funding is provided.

9. Specific Agency or Political Subdivisions Affected: The State Water Control Board, the Department of Environmental Quality, and localities.

10. Technical Amendment Necessary: No

11. Other Comments: None.

Date: 01/28/2015 /jlm
cc: Secretary of Natural Resources