

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: HB1642

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

2. Patron: Ayala

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Coal ash ponds; medical monitoring program; drinking water well testing.

5. Summary: Requires the owner or operator of any coal ash pond located in the Chesapeake Bay watershed at the Bremo Power Station in Fluvanna County, Chesapeake Energy Center in the City of Chesapeake, Chesterfield Power Station in Chesterfield County, or Possum Point Power Station in Prince William County to commission an accredited and comprehensive well water test for private and public water wells within one and a half miles of each of its ponds by July 1, 2021 once a year for five years following approval of its closure by the Department of Environmental Quality (DEQ) and once every five years thereafter. The bill requires that utilities take certain remediation actions following any result exceeding U.S. Environmental Protection Agency Maximum Contaminant Level for drinking water. DEQ and the Department of Health (VDH) are to receive test results pursuant to this bill.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See item 8.

8. Fiscal Implications: It is anticipated that any fiscal impact on the Department of Environmental Quality as a result of this bill can be absorbed within existing resources. The State Corporation Commission anticipates no fiscal impact resulting from this bill.

Any fiscal impact to the Department of Health (VDH) is indeterminate. VDH anticipates incurring costs when drinking water supply well owners receive the results of tests conducted by utilities as required by this bill. Well owners are likely to seek assistance with interpretation of test results, risk communication, and water treatment options when applicable. VDH cannot quantify these costs, as the number of well owners who will seek guidance from VDH cannot be determined. VDH has identified 2,020 private wells and 23 public water supply (waterworks) wells within five miles of the Chesterfield Power Station, Chesapeake Energy Center, Bremo Bluff Power Station, and Possum Point Power Station coal ash ponds. VDH has not identified the number of wells located near other regulated waste disposal sites located within the Chesapeake Bay watershed that were historically used by a utilities to hold, dispose of, treat, or store coal combustion by-products.

9. Specific Agency or Political Subdivisions Affected: Department of Environmental Quality, State Corporation Commission; Virginia Department of Health

10. Technical Amendment Necessary: No.

11. Other Comments: None.