

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: HB2221

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

2. Patron: Hayes

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Environmental permits; community and environmental justice outreach.

5. Summary: Requires that, for any application received on or after July 1, 2021, applicants for a permit for (i) the construction of a new major source, (ii) a major modification to an existing source, (iii) a new fossil fuel-fired compressor station facility used to transport natural gas, (iv) a major modification to an existing source that is a fossil fuel-fired compressor station facility used to transport natural gas, (v) a fossil fuel-fired electric generating facility with a capacity of more than 25 megawatts, (vi) a sludge or solid waste incinerator or combustor, or (vii) a medical waste incinerator complete certain public notice requirements, including (a) holding a public hearing; (b) publishing notices in English and Spanish in a newspaper, on social media, and on signage at the site location at least 60 days prior to such public meeting; (c) making a good faith effort to mail notices to interested parties; (d) accepting written comments; (e) summarizing meeting information; and (f) responding to community concerns to the satisfaction of the Department of Environmental Quality (DEQ). The bill provides that applicants for a minor new source review permit that is not subject to the bill's public notice requirements is to make a good faith effort to mail a notice of the proposed minor source to interested parties; post and maintain a sign at the site; and include a report of public comments received in their application to DEQ.

The bill provides that for certain notices of intent received on or after July 1, 2021, an applicant, local government, or public authority proposing to operate a new sanitary landfill; with the exception of those applying for coverage under a general permit or permit by rule; includes a description of good faith efforts made to seek public comment and a summary of comments received. The bill includes similar requirements for certain hazardous waste facility permits applicants and certain permit applicants under DEQ's Water Protection program.

The bill allows some public meetings to be conducted electronically when the Governor has declared a state of emergency.

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. Such impacts include additional public comments the agency may receive and review.

This bill is expected to have an indeterminate state impact on agencies that apply for certain environmental permits, such as the Department of Transportation, the Department of General Services, and institutions of higher education, as it establishes additional requirements on permit applicants.

- 9. Specific Agency or Political Subdivisions Affected:** Department of Environmental Quality, state agencies that apply for certain environmental permits.

- 10. Technical Amendment Necessary:** No.

- 11. Other Comments:** This bill has technical amendments.