

## Department of Planning and Budget 2007 Fiscal Impact Statement

**1. Bill Number** HB3081

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

**2. Patron** Englin

**3. Committee** Agriculture, Chesapeake and Natural Resources

**4. Title** Notification of increased power generation; civil penalty.

**5. Summary/Purpose:** This bill requires power generation facilities that have been ordered by the U.S. Department of Energy to increase their power generation to notify those persons who have requested such notification if the increased operation is predicted to potentially cause exceedances of air quality standards. If such notification is not provided, the owner of the facility can be assessed a civil penalty of up to \$1,000, with each day of violation being a separate offense.

**6. Fiscal Impact Estimates are:** Preliminary, see item 8 (below).

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** This bill requires that power generation facilities who increase their power generation in response to an order by the U.S. Department of Energy notify those persons who have requested such notification if the increase may potentially exceed air quality standards. For each day notification is not provided, the owner of the facility can be assessed a civil penalty of up to \$1,000 by the State Advisory Board on Air Pollution through the Department of Environmental Quality (DEQ). While the number of violations is indeterminate at this time, this bill may result in a positive revenue impact on the state. Any monies collected from penalties are to be deposited into the Virginia Environmental Emergency Response Fund.

While the fiscal impact is indeterminate and would be based on the number of violations, DEQ anticipates that this bill will not have a significant impact on their agency.

The Department of Mines, Minerals and Energy expects that this bill will not have a fiscal impact on them.

**9. Specific agency or political subdivisions affected:** The Department of Environmental Quality, the Department of Mines, Minerals and Energy.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 1/24/07 / aek

**Document:** G:\2007 Fiscal Impact Statements\HB3081.Doc aek

cc: Secretary of Commerce and Trade