

**Department of Planning and Budget
2011 Fiscal Impact Statement**

1. Bill Number: SB 1119

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: McEachin

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Department of Environmental Quality; permit compliance; civil penalty procedures

5. Summary: Increases the limit of a civil penalty issued by a special order of the Director of the Department of Environmental Quality from \$10,000 to \$32,500. The Department may issue a civil penalty of not more than \$15,000 after providing reasonable notice of the civil penalty in writing and allowing for an informal fact finding proceeding upon request. The legislation also requires that the Board or the Director, prior to reviewing an application for a permit, shall require an applicant to demonstrate that he is in substantial compliance with local ordinances and with federal and state laws, regulations, and rules, including permits and authorizations, for the protection of the environment in the Commonwealth.

6. Budget Amendment Necessary: No

7. Fiscal Impact: Indeterminate

8. Fiscal Implications: The passage of this bill would increase the Department of Environmental Quality's (DEQ) authority and could increase consent penalty revenue, but any anticipated revenue cannot be determined.

9. Specific Agency or Political Subdivisions Affected: Department of Environmental Quality

10. Technical Amendment Necessary: no

11. Other Comments: None

Date: 01/26/10