

# VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

## CHAPTER 718

*An Act to amend the Code of Virginia by adding a section numbered 10.1-1184.2, relating to Department of Environmental Quality regulations; civil penalties; written notice of violation.*

[S 1501]

Approved March 27, 2023

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 10.1-1184.2 as follows:**

***§ 10.1-1184.2. Regulations; civil penalties; written notice of violation.***

*Prior to assessing any civil penalty pursuant to § 10.1-1309, 10.1-1455, or 62.1-44.15 against any person for an alleged violation of a regulation adopted by a Board or permit issued by the Department, the Department shall inform such person in writing of the alleged violation, the potential penalties for such violation, and the actions necessary to achieve compliance and remediate the alleged violation. The Department may allow the person 30 days to take such actions and to provide any additional, relevant facts to the Department, including facts that demonstrate a good-faith attempt to achieve compliance. If compliance has not been achieved and the alleged violation remediated after the 30 days, the Department or the Board shall proceed in accordance with § 10.1-1309, 10.1-1455, or 62.1-44.15, as applicable.*

*For purposes of this section, "Board" means the State Air Pollution Control Board, the Virginia Waste Management Board, or the State Water Control Board.*