

2023 SESSION

INTRODUCED

23104475D

SENATE BILL NO. 1501

Offered January 20, 2023

A *BILL 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.*

Patron—Stuart

Referred to Committee on Agriculture, Conservation and Natural Resources

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, 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 person shall be allowed 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.

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