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SENATE BILL NO. 1501

Senate Amendments in [] - February 3, 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 Prior to Engrossment—Senator 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 [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 person shall be allowed~~ 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.

ENGROSSED

SB1501E