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# VIRGINIA STATE BUDGET

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2003 Session

## Budget Bill - HB1400 (Chapter 1042)

Bill Order » Office of Natural Resources » Item 383

Department of Environmental Quality

### Item 383

First Year - FY2003

Second Year - FY2004

<b>Environmental Resources Management (51200)</b>	<b>\$32,987,363</b> <b>\$32,040,503</b>	<b>\$32,156,363</b> <b>\$31,071,089</b>
Groundwater Management (51202)	\$571,236 \$561,465	\$571,236 \$558,695
Water Discharge Permit Management (51204)	\$6,408,272 \$6,125,243	\$6,408,272 \$6,005,604
Water Discharge Pretreatment Management (51208)	\$245,572 \$245,269	\$245,572 \$245,275
Permit Assistance and Operations Coordination (51212)	\$5,413,704 \$4,795,964	\$4,582,704 \$3,949,470
Water Resources Enforcement (51213)	\$1,185,890 \$1,076,495	\$1,185,890 \$1,071,547
Air Quality Stationary Source Regulation Enforcement (51214)	\$74,680	\$74,680
Air Quality Mobile Source Regulation Enforcement (51215)	\$1,056,845 \$983,819	\$1,056,845 \$958,959
Waste Permit Management (51216)	\$3,110,276 \$3,065,934	\$3,110,276 \$3,036,162
Waste Inspection Management (51217)	\$2,348,121 \$2,218,141	\$2,348,121 \$2,168,031
Waste Enforcement (51218)	\$217,314 \$216,165	\$217,314 \$216,204
Water Discharge Compliance Inspections (51219)	\$2,717,721 \$2,695,296	\$2,717,721 \$2,677,951
Air Quality Stationary Source Permitting (51220)	\$5,934,657 \$6,124,789	\$5,934,657 \$6,216,982
Air Quality Stationary Source Compliance Inspections (51221)	\$3,703,075 \$3,857,243	\$3,703,075 \$3,891,529
Fund Sources:		
General	\$14,771,545 \$13,564,666	\$14,091,545 \$14,205,558
Special	\$351,211	\$351,211
Enterprise	\$6,270,079 \$6,555,738	\$6,270,079 \$6,685,610
Dedicated Special Revenue	\$6,008,846 \$5,946,369	\$7,188,846 \$5,520,522
Federal Trust	\$5,585,682 \$5,622,519	\$4,254,682 \$4,308,188

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Authority: Title 10.1, Chapters 11.1, 13 and 14; Title 44, Chapter 3.5; Title 46.2; §§ 46.2-1176 through 46.2-1187.3; and Title 62.1, Chapters 3.1, 20, 24 and 25, Code of Virginia.

A. The Department of Environmental Quality is authorized to commit resources necessary to qualify for in-kind match for the U.S. Army Corps of Engineers for the John H. Kerr Dam and Reservoir, Virginia and North Carolina Feasibility Study, to be conducted in accordance with § 216 of the River and Harbors Flood Control Act of 1970.

B. Included in this appropriation is \$486,000 each year in nongeneral funds for the State Programmatic General Permit program. The source of the nongeneral funds is \$236,000 each year from fees associated with the program and \$250,000 each year from the Virginia ~~Emergency~~ Environmental *Emergency* Response Fund, representing fines collected as a result of wetlands regulation violations. In addition, the Department of Environmental Quality shall apply for federal grants, including a Coastal Zone Management Grant, to ensure effective implementation and enforcement of Virginia's nontidal wetlands program.

C. The Department of Environmental Quality is authorized to use up to \$300,000 each year from the Vehicle Emissions Inspection *Program* Fund to implement the provisions of ~~House Bill 570, 2002 Session of the General Assembly Chapter 710, Acts of Assembly of 2002~~, which authorizes the Department to operate a program to subsidize repairs of vehicles that fail to meet emissions standards established by the Board when the owner of the vehicle is financially unable to have the vehicle repaired.

D.1. The Department of Environmental Quality may auction the NOx emissions credits allocated under the NOx SIP call as set asides for new sources and any revenue generated shall be deposited to the general fund of the state treasury. Prior to any auction, the department shall report to the Secretary of Natural Resources and to the Chairmen of the Senate Finance and House Appropriations Committees on the process by which an auction shall be conducted. The report shall be submitted no later than January 8, 2003.

2. *The State Air Pollution Control Board may promulgate emergency regulations to implement the provisions of the preceding subparagraph.*

E. *Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the Department is authorized to expend funds from the balances in the Virginia Environmental Emergency Response Fund for costs associated with its waste management and water programs.*

F.1. *The Department of Environmental Quality shall initiate, beginning January 1, 2004, a program for on-road testing of motor vehicle emissions pursuant to § 46.2-1178.1, Code of Virginia, in all areas designated nonattainment for the 1-hour ozone air quality standard as of January 1, 2003. The Department shall develop a plan for implementation of this program and shall include a schedule to phase in on-road testing to enhance the current emissions inspection program, consistent with the federal Clean Air Act. The Department may also initiate programs for on-road testing of motor vehicle emissions as part of a plan developed pursuant to an Early Action Compact for Ozone. The State Air Pollution Control Board may promulgate any regulations necessary to implement these provisions. Such regulations shall be adopted as final prior to the January 1, 2004, implementation.*

2. *The Department shall also develop a plan to implement a program for on-road testing of motor vehicle emissions pursuant to § 46.2-1178.1, Code of Virginia, in all areas designated nonattainment for the 8-hour ozone air quality standard as of July 1, 2004. This plan may also include on-road testing of emissions in areas that opt into Early Action Compacts for ozone and jurisdictions that are contiguous to designated ozone nonattainment areas. The plan shall include recommendations as to any amendments necessary to the Code of Virginia to implement and provide adequate funding for the program.*

3. *The Department shall work with the U.S. Environmental Protection Agency to secure approval of on-road*

*sensing to enhance the current emissions inspection program and shall identify any barriers to such approval.*

*4. In completing these plans and implementing the provisions of subparagraph 1, the Department is authorized to expend such funds as may be required from the Vehicle Emissions Inspection Program Fund. In completing these plans, DEQ shall contract with a private sector vendor which has experience in remote vehicle emission testing.*

*5. The Department shall provide these plans to the Governor, the Chairmen of the House Agriculture, Chesapeake and Natural Resources, Appropriations, Science and Technology and Transportation Committees and the Senate Agriculture, Conservation and Natural Resources, Finance and Transportation Committees, and the Joint Commission on Technology and Science by October 1, 2003.*