2022 Special Session I

Budget Bill - HB30 (Enrolled)

Bill Order » Office of Natural and Historic Resources » Item 379

Department of Environmental Quality

Item 379	First Year - FY2023	Second Year - FY2024
Air Protection (51300)	**$28,368,536**	**$28,368,536**
Air Protection Permitting (51325)	$6,150,738	$6,150,738
Air Protection Compliance and Enforcement (51326)	$6,428,603	$6,428,603
Air Protection Outreach (51327)	$1,180,235	$1,180,235
Air Protection Planning and Policy (51328)	$9,249,605	$9,249,605
Air Protection Monitoring and Assessment (51329)	$5,359,355	$5,359,355
Fund Sources:		
General	$3,170,320	$3,170,320
Special	$5,543,481	$5,543,481
Enterprise	$10,214,815	$10,214,815
Dedicated Special Revenue	$5,324,949	$5,324,949
Federal Trust	$4,114,971	$4,114,971

Authority: Title 10.1, Chapters 11.1 and 13; and Title 46.2, Chapter 10, Code of Virginia.

A. The Department of Environmental Quality is authorized to use up to $300,000 the first year and $300,000 the second year from the Vehicle Emissions Inspection Program Fund to implement the provisions of 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 Air Pollution Control Board when the owner of the vehicle is financially unable to have the vehicle repaired.

B.1. All of the permit program emissions fees collected by the State Air Pollution Control Board pursuant to § 10.1-1322, Code of Virginia, shall be assessed and collected on an annual basis notwithstanding the provisions of that section. The State Air Pollution Control Board shall adopt regulations adjusting permit program emissions fees collected pursuant to § 10.1-1322, Code of Virginia, and establish permit application processing fees and permit maintenance fees sufficient to ensure that the revenues collected from fees cover the total direct and indirect costs of the program consistent with the requirements of Title V of the Clean Air Act, except that the initial adjustment to permit program emissions fees shall not be increased by more than 30 percent over current rates. Notwithstanding the provisions of § 10.1-1322, Code of Virginia, the permit application fees collected pursuant to this paragraph shall not be credited towards the amount of annual fees owed pursuant to § 10.1-1322, Code of Virginia. All of the fees adopted pursuant to this section shall be adjusted annually by the Consumer Price Index.

2. The State Air Pollution Control Board shall adopt regulations to prohibit the sale, lease, rent, installation or entry into commerce in Virginia of any products or equipment that use or will use hydrofluorocarbons for the

applications and end uses restricted by Appendix U and Appendix V of Subpart G of 40 C.F.R. Part 82, as those read on January 3, 2017. Notwithstanding the foregoing, such regulations shall not prohibit the use of hydrofluorocarbons in the manufacturing process by extruded polystyrene boardstock and billet manufacturers located in Virginia to produce products for sale and distribution outside of the Commonwealth, until the Board has solicited input from such manufacturers in order to determine and set by regulation a feasible date by which such manufacturers must be required to comply. In developing regulations, the Board shall solicit input from a workgroup of relevant stakeholders assembled by the Department.

3. The regulations adopted by the State Air Pollution Control Board to initially implement the provisions of this item shall be exempt from Chapter 40 of Title 2.2, Code of Virginia, and shall become effective no later than July 1, 2021. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Chapter 40 of Title 2.2, Code of Virginia.

C. Out of the amounts in this Item, $84,451 the first year and $84,451 the second year from the general fund is included for the purchase of laboratory and field equipment through the Commonwealth's Master Equipment Leasing Program.

D. The State Air Pollution Control Board shall make modifications to its final regulation prohibiting the use of certain hydrofluorocarbons such that these regulations shall not prohibit the use of hydrofluorocarbons in the manufacturing process by aviation and aerospace businesses located in Virginia to produce products for sale and distribution.