

FISCAL NOTE

December 17, 2021

Bill No:	HB 1842	Printer's No:	2231	Sponsor:	Zimmerman
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COST / (SAVINGS)

Fund (s)	2021-22	2022-23
General Fund	\$400,000	\$400,000
Clean Water Fund	\$1,000,000	\$1,000,000

SUMMARY: HB 1842 amends the Clean Streams Law adding a new section providing for notice to the Department of Environmental Protection (DEP) for accidental spills of pollutants into the waters of the commonwealth.

ANALYSIS: HB 1842 amends the Clean Streams Law, adding a section on notice of discharge endangering public health or the environment. A person who releases a substance into the waters of the commonwealth shall notify DEP if the discharge is not authorized by a permit and is likely to render the waters harmful to the public health, as determined by reportable quantities or other standards adopted by regulation.

No later than 180 days after the effective date, the Environmental Quality Board (EQB) shall publish proposed regulations establishing standards for what constitutes a reportable spill for public comment. No later than a year after the effective date, the EQB shall promulgate final regulations.

This act shall take effect in 60 days.

FISCAL IMPACT: DEP collects roughly \$2 million in civil penalties each year, about half of which are issued for accidental spills or discharges. So, HB 1842 would cause the Clean Water Fund to lose \$1 million in annual revenue from fines. Additionally, this legislation would make it more difficult for DEP to identify spill sources and defend their enforcement against legal challenges. In order to increase their efforts in the field and on legal counsel, DEP would need to hire two additional full-time employees at an annual cost of \$400,000 for salary and benefits. HB 1842 therefore carries \$1.4 million in annual costs.