

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: HB33

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Clark

3. Committee: Committee Referral Pending

4. Title: Commissioner of Health; work group to study the occurrence of microplastics in the Commonwealth.

5. Summary: Directs the Commissioner of Health to convene a work group to study the occurrence of microplastics in the Commonwealth's public drinking water and develop recommendations for the reduction of microplastics in the Commonwealth's public drinking water. The bill requires the work group to report its findings and recommendations to the Governor and the Chairmen of the House Committees on Agriculture, Chesapeake and Natural Resources and Health, Welfare and Institutions and the Senate Committees on Agriculture, Conservation, and Natural Resources and on Education and Health by December 1, 2024.

6. Budget Amendment Necessary: Yes, item 280.

7. Fiscal Impact Estimates: Preliminary.

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2025	\$4,404,000	General fund
2026	0	
2027	0	
2028	0	
2029	0	
2030	0	

8. Fiscal Implications: The provisions of this legislation would have a fiscal impact on the Virginia Department of Health (VDH) as it requires the agency to study the occurrence of microplastics in the Commonwealth's public drinking water. There is no data on microplastics in the Commonwealth's drinking water, including possible sources of such contamination. Additionally, since microplastics is an unregulated contaminant, a study would be necessary to determine current levels of microplastics in the Commonwealth's

public drinking water, including possible sources for microplastics to enter drinking water. There are about 2,860 waterworks in Virginia. Because the bill requires that the agency “determine current levels of microplastics in the Commonwealth’s public drinking water” it is assumed that water from all 2860 waterworks would have to be analyzed. In September 2022, California became the first state to require microplastic testing in drinking water sources. California’s standardized methods for sampling and testing microplastics cost an estimated \$1,000 to \$2,000 per sample. At an average cost of \$1,500 per sample, this equates to \$4,290,000 for 2860 samples. This amount is included in the Expenditure Impact in section 7. Should the intent of the legislation be to sample a subset of waterworks and project a statewide analysis, the agency indicates that a minimum of 1000 samples would be necessary to draw reliable conclusions, at an estimated cost of \$1,500,000.

The bill requires that a work group be established to evaluate existing approaches to reducing microplastics in drinking water, including regulatory approaches adopted by other states and the federal government. VDH does not have the resources to provide the administrative and technical support (coordinate, facilitate, and gather appropriate experts regarding microplastics) required of this legislation and would need to hire a qualified contractor. For similar legislation in the 2023 session, VDH estimated a contractor would charge \$96,000 to provide administrative and technical support, including the cost to complete a report (\$150/hour x 40 hours/week for 16 weeks). Additionally, VDH asserted in 2023 that to have a meaningful evaluation of existing approaches adopted by other states, a comprehensive review of scientific studies and regulatory approaches would be necessary. VDH estimated the contractor would charge \$18,000 to complete the comprehensive review of existing approaches to reduce microplastics in drinking water (\$150/hour x 40/week for 3 weeks). In reviewing this current legislative proposal, VDH asserts that these costs would be comparable.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Health

10. Technical Amendment Necessary: No

11. Other Comments: