Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

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Revised

Bill Number:HB1618Patron:ClarkBill Title:Commissioner of Health; work group to study the occurrence of microplastics in the
Commonwealth's public drinking water; report.

Bill 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 and Human Services and the Senate Committees on Agriculture, Conservation and Natural Resources and Education and Health by December 1, 2025.

Budget Amendment Necessary:		Yes.	Items Impacted:	280
Explanation:	See below			

General Fund Expenditure Impact:

Agency	FY2025	FY2026	<u>FY2027</u>	FY2028	FY2029	<u>FY2030</u>
VDH		\$ 550,000 - \$3,100,000				
TOTAL		\$ 550,000 - \$3,100,000				

Fiscal Summary: The provisions of this legislation would have a fiscal impact on the Virginia Department of Health (VDH) to convene a work group to study the occurrence of microplastics in the Commonwealth's public drinking water. Specifically, the Office of Drinking Water of the Department of Health shall provide administrative and technical support for the work group. In completing its work, the work group shall: 1) determine current levels of microplastics in the Commonwealth's public drinking water; 2) identify possible sources of such contamination; 3) evaluate existing approaches to reducing microplastics in drinking water, including regulatory approaches adopted by other states and the federal government; and 4) develop recommendations for the reduction of microplastics in the Commonwealth's public drinking water.

Fiscal Analysis: 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. VDH estimates a contractor would charge \$500,000 to provide administrative and technical support, including the cost to complete a report. For comparative purposes, VDH contracted for a similar study, Estimating and Communicating the cost of PFAS and LSLR compliance, conducted by KPMG, which had a cost of \$498,100. The KPMG study and proposed microplastics study both require VDH to: 1) coordinate and survey stakeholders for information; 2) analyze data and information; 3)

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draw conclusions; and 4) write a report of that information. However, the provisions of this legislation also requires the formation and facilitation of a workgroup, which includes the actual field work and project management to complete a study.

There is no sampling data on microplastics in the Commonwealth's drinking water, including possible sources of such contamination. Additionally, since microplastics is an unregulated contaminant, a sampling 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 2,870 waterworks in Virginia, with 1,567 community and nontransient noncommunity waterworks in Virginia likely subject to a future maximum contaminant level. The bill does not specify a specific amount of sampling to perform. However, the bill has a report deadline of December 1, 2025 to the Governor and identified members of the General Assembly, which limits the amount of sampling that can occur in that timeframe. VDH expects that no more than 25 samples could be collected and adequately analyzed in time within current resources for results to be included in the December 1, 2025 report. Additionally, VDH estimates that at least 1,000 samples would need to be collected to yield statistically significant data of the concentration of microplastics in drinking water and the associated sources of microplastics.

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. Given the passage of time, VDH estimates a cost of \$2,000 to \$2,600 per sample, to include laboratory analysis and sample collection by a contractor. The three labs estimate the cost to complete a microplastics analysis would be \$1,400 to \$2,000, while the estimated cost to collect a sample for the lab will be \$600. Thus, the appropriate cost range is \$2,000 to \$2,600.

Based on an estimated 25 samples with a cost of \$2,000 to \$2,600 per sample, sampling and laboratory costs would range between \$50,000 to \$65,000. Based on an estimated 1,000 samples with a cost of \$2,000 to \$2,600 per sample, sampling and laboratory costs would range between \$2,000,000 to \$2,600,000. This amount is scalable based on the amount of sampling performed.

Total costs to meet the requirements of this legislation would be \$550,000 to \$3,100,000 based on the number of samples. \$500,000 for the contractor and \$50,000 - \$2,600,000 to collect between 25 and 1,000 samples and associated laboratory costs.

Other: Updated to include additional information from the Virginia Department of Health.