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SENATE BILL NO. 865

Senate Amendments in [] — January 28, 2009

A *BILL to amend the Code of Virginia by adding a section numbered 10.1-1402.02, relating to the use of coal combustion by-product in a flood plain.*

Patron Prior to Engrossment—Senator Edwards

Referred to Committee on Agriculture, Conservation and Natural Resources**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 10.1-1402.02 as follows:***§ 10.1-1402.02. Use, reuse, or reclamation of coal combustion by-product in a flood plain.*

Notwithstanding any other provision of this article, for any project proposed after July 1, 2009, the Board shall not exclude or exempt from the definition of solid waste or any solid waste permitting requirements the use, reuse, or reclamation of unamended coal combustion by-product [~~as structural fill~~] in an area designated as a 100-year flood plain as defined in § 10.1-600.

ENGROSSED

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