

2019 SESSION

INTRODUCED

19100103D

SENATE BILL NO. 1009

Offered January 9, 2019

Prefiled July 23, 2018

A *BILL to amend the Code of Virginia by adding in Article 2.1 of Chapter 14 of Title 10.1 a section numbered 10.1-1413.3, relating to coal combustion residuals surface impoundments; Chesapeake Bay watershed; closure requirements.*

Patron—Chase

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 in Article 2.1 of Chapter 14 of Title 10.1 a section numbered 10.1-1413.3 as follows:

§ 10.1-1413.3. Closure of certain coal combustion residuals surface impoundments.

A. *The Department shall require the closure of any coal combustion residuals (CCR) surface impoundment, as that term is defined at 40 C.F.R. § 257.53, that is located within the Chesapeake Bay watershed.*

B. *The completion of such required closure shall include the removal at the time of the closure of all CCRs from the impoundment, the disposal of all such residuals in a permitted, synthetically lined landfill that meets or exceeds the federal Criteria for Municipal Solid Waste Landfills pursuant to 40 C.F.R. Part 258, and the reclamation of the impoundment site in a manner consistent with the mine reclamation standards of the Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. § 1201 et seq.*

C. *Any investor-owned public electric utility that completes the closure of a CCR surface impoundment in compliance with the provisions of this section shall be permitted to recover the costs of such closure as costs necessary for compliance with environmental laws or regulations pursuant to subdivision A 5 e of § 56-585.1, with such costs to be recovered over a period of at least 20 years.*

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