

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to direct the Department of Environmental Quality to convene a work group to develop*
3 *recommendations on the issue of the disposal of construction fill and debris on rural lands.*

4 [H 1639]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1.** § 1. *That the Department of Environmental Quality (DEQ) shall convene a work group to discuss the*
8 *issue of the disposal of construction fill and debris on rural lands. The work group shall include*
9 *representatives of DEQ, the Department of Forestry, the Department of Agriculture and Consumer*
10 *Services, the Virginia Department of Transportation, nonprofit environmental organizations, the waste*
11 *disposal industry, the trucking industry, the Virginia Chapter of the American Planning Association, the*
12 *Virginia Farm Bureau Federation, the Virginia Agribusiness Council, the Virginia Association of*
13 *Counties, the Home Builders Association of Virginia, the road construction industry, and the Virginia*
14 *Association of Soil and Water Conservation Districts. The work group shall discuss (i) the need of road*
15 *construction and development projects to dispose of dirt in a cost-effective manner; (ii) the practice of*
16 *rural landowners charging a fee to allow the use of their lands as disposal sites; (iii) the extent of*
17 *monitoring for possible contaminants or effects on groundwater when dirt and rubble is deposited on*
18 *agricultural fields; (iv) the adequacy of existing state and local enforcement remedies against*
19 *responsible land disturbers disposing of dirt in unauthorized or unapproved locations; and (v) the use of*
20 *rural roads by dump trucks traveling to disposal sites and any effects of such travel, including road*
21 *damage, traffic congestion, noise, and the loss of a portion of the dirt during transit in the form of dust*
22 *or mud. The work group shall consider recommending (a) changes to guidance or regulations for*
23 *agencies having the authority to regulate activities associated with the work group's work, including*
24 *recommendations regarding a model ordinance for adoption by localities, and (b) statutory changes,*
25 *including changes related to agricultural engineering operations and construction of terraces as those*
26 *terms are used in the State Water Control Law (§ 62.1-44.2 et seq. of the Code of Virginia). The work*
27 *group shall report its recommendations to the Director of DEQ, the State Forester, the Commissioner of*
28 *the Department of Agriculture and Consumer Services, and the Commissioner of the Department of*
29 *Transportation by December 1, 2020. The work group also may provide any recommendations to the*
30 *Virginia Municipal League and the Virginia Association of Counties.*

ENROLLED

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