

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: SB1319

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Hashmi

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Waste control and recycling; permits.

5. Summary: Prohibits the Department of Environmental Quality (the Department) and the Virginia Waste Management Board from issuing any permit for the construction, modification, or expansion of a new or existing municipal solid waste landfill that will accept 3,500 tons or more of municipal solid waste per day until the General Assembly enacts legislation incorporating the findings and recommendations of the Waste Diversion and Recycling Task Force (the Task Force), and requests the Department to continue through 2022 and expand the scope of the Task Force.

6. Budget Amendment Necessary: Yes, Item 376, HB1800/SB1100

7. Fiscal Impact Estimates: Preliminary. See item 8.

7a. Expenditure Impact: Department of Environmental Quality

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2021	N/A	N/A	N/A
2022	\$75,000	N/A	GF
2023	\$25,000	N/A	GF

8. Fiscal Implications: The Department of Environmental Quality (DEQ) anticipates incurring an expenditure and revenue impact as a result of this bill. This bill expands membership requirements and the scope of the Waste Diversion and Recycling Task Force, established through Senate Joint Resolution 42 during the 2020 Session.

Additions to the scope of the task force include the study of options to divert certain types of waste originated out-of-state from landfills in the Commonwealth; the review of nationwide policies, legislation, practices, and programs for recommendation; the examination of Virginia's status as a prime destination for out-of-state trash; the investigation of potential roles composting and food donation in reducing the volume of waste that is accepted by landfills; and the study of emerging technologies and programs relevant to waste management.

Simultaneously, the bill imposes a moratorium on any permitting for the construction, modification, or expansion of a new or existing municipal solid waste landfill that will accept 3,500 tons or more of municipal solid waste per day until the General Assembly enacts legislation incorporating the findings and recommendations of the task force.

According to DEQ, the agency requires the assistance of a consultant to manage and support the task force in this new work. This consultant will also help to support and facilitate these meetings. The consultant should have experience in developing programs in waste diversion, waste reduction, and be able to evaluate current Virginia law and policy as it relates to recycling rates and the diversion of organic material from landfills. The consultant should provide DEQ with a plan on how best to implement the recommendations from the task force. The estimated total cost is \$100,000 between fiscal years 2022 and 2023. This estimated cost is based on DEQ's experience with similar services contracted in prior years and balances are not sufficient absorb the anticipated expenditure impact of this bill.

Additionally, DEQ anticipates that the amount of permit fees the agency collects during the period of the moratorium will decrease (including fees collected for permit modifications for affected facilities). The amount of the revenue decrease is indeterminate at this time.

HB1800/SB1100, as introduced, includes \$11.9 million in ongoing general fund support starting fiscal year 2022 to restore and enhance DEQ's capacity for water protection and solid waste permitting; community outreach; air and water monitoring; and protection of the Chesapeake Bay. As introduced, HB1800/SB110030 does not include additional support for the investigation of emerging technologies and best practices in waste diversion and recycling.

9. Specific Agency or Political Subdivisions Affected: Department of Environmental Quality; Virginia Waste Management Board; Virginia Council on Environmental Justice

10. Technical Amendment Necessary: None.

11. Other Comments: None.