

22107286D

## HOUSE BILL NO. 1326

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Commerce and Labor  
on February 28, 2022)

(Patron Prior to Substitute—Delegate Kilgore)

A BILL to direct the Department of Energy to identify the volume and number of waste coal piles.

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

1. § 1. The Department of Energy (the Department), in cooperation with the public institutions of higher education serving the coalfield region of the Commonwealth, shall identify the approximate volume and number of waste coal piles present in the coalfield region of the Commonwealth and options for cleaning up such waste coal piles, including the use of waste coal in generation of electricity. The Department shall also collaborate with other states in which waste coal piles are located that are members of the Appalachian Regional Commission to identify best practices for cleaning up waste coal piles. The Department shall report its findings and any recommendations to the Chairmen of the Senate Committee on Commerce and Labor, the Senate Committee on Agriculture, Conservation and Natural Resources, the House Committee on Commerce and Energy, and the House Committee on Agriculture, Chesapeake and Natural Resources by December 1, 2022. For purposes of this act, "waste coal" means usable material that is a by-product of previous coal processing operations.

§ 2. The Department of Energy, the Department of Environmental Quality, and the Virginia Department of Transportation's Transportation Research Council, in cooperation with the engineering schools of the public institutions of higher education in the Commonwealth, shall convene a working group to evaluate the opportunities to use coal ash for construction purposes for public infrastructure projects in the Commonwealth. The working group shall also include other such stakeholders as may be necessary to undertake its evaluation of how and whether coal ash can be used for infrastructure construction projects in such a way that may reduce the costs incurred to mitigate coal ash waste ponds in the Commonwealth. The working group shall report its findings and any recommendations to the Chairmen of the Senate Committee on Commerce and Labor, the Senate Committee on Agriculture, Conservation, and Natural Resources, the Senate Committee on Transportation, the House Committee on Commerce and Energy, the House Committee on Agriculture, Chesapeake and Natural Resources, and the House Committee on Transportation by December 1, 2022.