

LD5723685

## HOUSE BILL NO. 1215

Offered January 25, 1994

*A BILL to amend and reenact § 10.1-1425.10 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 10.1-1425.11:1, relating to establishment of pollution prevention goal.*

Patrons—Plum, Keating, Puller, Scott, Van Landingham and Van Yahres; Senators: Houck and Howell

Referred to Committee on Conservation and Natural Resources

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

**1. That § 10.1-1425.10 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 10.1-1425.11:1 as follows:**

§ 10.1-1425.10. Definition.

As used in this article, unless the context requires a different meaning, "~~pollution~~": "Pollution prevention" means eliminating or reducing the use, generation or release at the source of environmental waste. Methods of pollution prevention include, but are not limited to, equipment or technology modifications; process or procedure modifications; reformulation or redesign of products; substitution of raw materials; improvements in housekeeping, maintenance, training, or inventory control; and closed-loop recycling, on-site process-related recycling, reuse or extended use of any material utilizing equipment or methods which are an integral part of a production process. The term shall not include any practice which alters the physical, chemical, or biological characteristics or the volume of an environmental waste through a process or activity which itself is not integral to and necessary for the production of a product or the providing of a service, and shall not include treatment, increased pollution control, off-site or nonprocess-related recycling, or incineration.

"Toxic or hazardous substance" means (i) a chemical identified on the Toxic Chemical List established pursuant to § 313 of the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. § 11001 et seq. (P.L. 99-499) or (ii) a chemical listed pursuant to sections 101 (14) and 102 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq. (P.L. 92-500).

§ 10.1-1425.11:1. Pollution prevention goal.

A. The General Assembly finds that a goal against which efforts at pollution prevention may be measured is essential for an effective pollution prevention program. The General Assembly recognizes that many individual businesses have already reduced the generation and release of toxic and hazardous substances through appropriate pollution prevention techniques, and that there are some industrial processes which by their nature have limited potential for significantly reducing the generation and release of toxic or hazardous substances. Accordingly, the General Assembly adopts a goal of reducing the amount of toxic or hazardous substances used, generated or released within the Commonwealth, using the amount of toxic or hazardous substances generated or released statewide in 1993 as a baseline figure, by fifty percent by January 1, 2000.

B. Progress toward meeting this goal shall be evaluated annually by the Department based on data compiled pursuant to the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. § 11001 et seq. (P.L. 99-499), and other appropriate available information, including but not limited to all data acquired by the Department associated with permit application, issuance, or registration. To determine achievement of reduction goals, the Department may adjust the baseline figure for changes in the statutory definition of toxic or hazardous substances. The Department shall include a description of the Commonwealth's progress in achieving this goal in the evaluation report required by § 10.1-1425.17.

INTRODUCED

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