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## HOUSE BILL NO. 1334

Offered January 26, 1998

A *BILL to amend the Code of Virginia by adding a section numbered 62.1-44.17:1.1, relating to confined swine feeding operations.*

Patrons—Spruill, Baskerville, Christian, Crittenden, Drake, Hall, Jones, D.C., Keating, Rust, Scott and Watts; Senators: Lambert, Lucas and Miller, Y.B.

Referred to Committee on Conservation and Natural Resources

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

**1. That the Code of Virginia is amended by adding in a section numbered 62.1-44.17:1.1 as follows:**

*§ 62.1-44.17:1.1. Moratorium on confined swine feeding operations.*

*A. Except as provided in subsection B, for a period beginning July 1, 1998, and ending July 1, 2000, no confined animal feeding operation that has 300 or more animal units of swine and utilizes a liquid manure collection and storage system shall:*

*1. Become covered by the General Permit under § 62.1-44.17:1 or an individual permit;*

*2. Construct or expand any structure, feedlot or other facilities where hogs are or will be confined;*

*or*

*3. Construct or expand any liquid manure collection and storage system.*

*Construction or expansion is prohibited during the period of the moratorium regardless of the date on which a registration statement was submitted as provided in § 62.1-44.17:1 and regardless of the date on which the operation became permitted.*

*B. The moratorium established by subsection A of this section shall not prohibit:*

*1. Construction to repair a component of an existing permitted confined animal feeding operation.*

*2. Construction to replace a component of an existing permitted confined animal feeding operation if the replacement does not result in an increase in swine population, except as provided in subdivisions 3 or 6 of this subsection.*

*3. Construction or expansion at an existing permitted confined animal feeding operation for the purpose of accommodating an increase in the swine population to the population level for which the liquid manure collection and storage system serving the operation is designed.*

*4. Construction or expansion for the purpose of complying with any law or regulation and not for the purpose of increasing the swine population.*

*5. Construction or expansion at a permitted confined animal feeding operation, if the person undertaking the construction or expansion has, prior to July 1, 1998, (i) laid a foundation for a component of the confined animal feeding operation, (ii) entered into a bona fide written contract for the construction or expansion of a component of the confined animal feeding operation, or (iii) been approved for a loan or line of credit to finance the construction or expansion of a component of the confined animal feeding operation and has obligated or expended funds derived from the loan or line of credit.*

*6. Construction or expansion of an innovative animal waste management system that (i) does not employ an anaerobic lagoon and (ii) has been approved by the Board.*

INTRODUCED

HB1334