

VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

CHAPTER 583

An Act to amend the Code of Virginia by adding in Article 7.1 of Chapter 14 of Title 10.1 a section numbered 10.1-1454.2, relating to water transport of wastes.

[S 1308]

Approved March 27, 1999

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 7.1 of Chapter 14 of Title 10.1 a section numbered 10.1-1454.2 as follows:

§ 10.1-1454.2. Transportation of waste upon waters; prohibitions.

The provisions of § 10.1-1454.1 will not in all circumstances provide sufficient protection of health, safety and welfare or of the Commonwealth's atmosphere, lands, and waters. Therefore, the commercial transport of hazardous or nonhazardous solid waste (except scrap metal, dredged material and source-separated recyclables) or regulated medical waste by ship, barge or other vessel upon the navigable waters of the Commonwealth is prohibited on the Rappahannock, James and York Rivers, to the fullest extent consistent with limitations posed by the Constitution of the United States, as is necessary to protect health, safety and welfare and the Commonwealth's atmosphere, lands and waters from pollution, impairment or destruction.

2. That the Virginia Department of Transportation, in conjunction with other appropriate agencies, shall conduct an analysis of the impact any prohibition imposed pursuant to § 10.1-1454.2 may have on highway safety due to impacts on truck traffic. The Department shall report its findings to the Governor and the General Assembly by January 1, 2000.