

1999 SESSION

INTRODUCED

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HOUSE BILL NO. 2453

Offered January 21, 1999

A BILL to amend the Code of Virginia by adding a section numbered 10.1-1408.3, relating to caps on landfill disposal.

Patrons—Williams, Behm, Jackson, Joannou, Moss and Woodrum

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 a section numbered 10.1-1408.3 as follows:

§ 10.1-1408.3. Caps on levels of disposal.

A. The amount of municipal solid waste received at any landfill authorized to accept such waste shall not exceed 2,000 tons per day, or the average actual amount of municipal solid waste received by such landfill on a daily basis during 1998, as reported to the Department of Environmental Quality pursuant to § 10.1-1413.1, whichever is greater, unless the landfill has received approval from the Director pursuant to subsection B for a larger tonnage allotment. The "average actual amount" shall be calculated by dividing the 1998 volume reported pursuant to § 10.1-1413.1 by the number of days the landfill received solid waste in 1998.

B. In considering requests for increased tonnage allotments, the Director shall consider those factors set forth in subsection D of § 10.1-1408.1 and other factors he deems appropriate to protect the health, safety and welfare of the people of Virginia and Virginia's environmental and natural resources.

No request for an increased tonnage allotment shall be approved by the Director until a public hearing on the proposed increase has been held in the locality where the landfill requesting the increase is located.

C. The provisions of this section shall not be construed as allowing activities related to waste disposal that exceed those that may be found in state or local permits, regulations, ordinances, agreements, contracts or other instruments related to particular facilities or localities.

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