

1999 SESSION

INTRODUCED

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SENATE BILL NO. 1226

Offered January 21, 1999

A *BILL to amend the Code of Virginia by adding in Article 2 of Chapter 14 of Title 10.1 a section numbered 10.1-1413.2 and by adding in Article 7.1 of Chapter 14 of Title 10.1 a section numbered 10.1-1454.2, relating to management of solid waste.*

Patrons—Marsh, Couric, Gartlan, Lambert, Maxwell, Miller, Y.B., Ticer, Walker and Whipple;
Delegates: Barlow, Baskerville, Christian, Day, Grayson, Jackson and Moss

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2 of Chapter 14 of Title 10.1 a section numbered 10.1-1413.2 and by adding in Article 7.1 of Chapter 14 of Title 10.1 a section numbered 10.1-1454.2 as follows:

§ 10.1-1413.2. *Cap on level of disposal.*

The tonnage of municipal solid waste received at any landfill authorized to accept such waste shall be capped at the 1998 levels reported to the Department of Environmental Quality pursuant to § 10.1-1413.1 and shall be considered the landfill's tonnage allotment. The owner or operator of any landfill authorized to accept municipal solid waste shall not allow disposal in excess of the tonnage allotment for his landfill. Each day in which a landfill receives waste in excess of its tonnage allotment shall be a separate violation of this chapter.

§ 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 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 shall be prohibited on the Rappahannock, James and York rivers by the Director, 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 to protect the Commonwealth's atmosphere, lands and waters from pollution, impairment or destruction.

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