

# 1999 SESSION

ENROLLED

## SENATE JOINT RESOLUTION NO. 327

*Memorializing The Congress of the United States to enact legislation containing specific state and local powers to control the importation of waste into their jurisdictions.*

Agreed to by the Senate, January 29, 1999

Agreed to by the House of Delegates, February 25, 1999

WHEREAS, a recent report issued by the Department of Environmental Quality revealed that Virginia is currently the second largest importer of municipal solid waste from other states in the nation, currently importing approximately four million tons of municipal solid waste from other states and ranking second only to the state of Pennsylvania; and

WHEREAS, the amount of municipal solid waste being imported to Virginia from other states is expected to increase in coming years due to the impending closure of the Fresh Kills Landfill in New York; and

WHEREAS, the importation of significant amounts of municipal solid waste from other states is prematurely exhausting Virginia's limited landfill capacity; and

WHEREAS, the importation of significant amounts of municipal solid waste from other states has created many short-term environmental problems for Virginia, such as an increasing number of garbage trucks on our roads, an increasing number of garbage barges on our rivers, and the attendant environmental problems that are associated with such modes of transportation; and

WHEREAS, the importation of significant amounts of municipal solid waste from other states could create serious long-term environmental problems for Virginia; and

WHEREAS, the importation of significant amounts of municipal solid waste from other states is not consistent with Virginia's efforts to promote the Commonwealth as a national and international destination of history, tourism and high tech economic development; and

WHEREAS, the Commerce Clause of the United States Constitution, and the interpretation and application of the Commerce Clause adopted by federal courts and the Supreme Court of the United States to interstate waste transportation, have left Virginia and other states with limited alternatives in regulating, limiting or prohibiting the importation of municipal solid waste from other states; and

WHEREAS, it is the belief of the General Assembly of Virginia that state and local governments should be given more authority to control the importation of municipal solid waste into their jurisdiction; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Congress of the United States be urged to enact legislation that gives state and local governments additional specific authority to regulate, limit or prohibit the importation of municipal solid waste from other states into their jurisdictions; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit copies of this resolution to the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly of Virginia in this matter.

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