

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 632

An Act relating to the closure of coal combustion residuals impoundments and other units; permits; request for proposals for recycling or beneficial use projects.

[S 807]

Approved March 30, 2018

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Director of the Department of Environmental Quality shall suspend, delay, or defer until July 1, 2019, the issuance of any permit required to provide for the closure of any coal combustion residuals (CCRs) surface impoundment or other CCRs unit that no longer receives CCRs, located within the Chesapeake Bay watershed. The provisions of this section shall not apply to the issuance of any permit required for impoundments where CCRs have already been removed and placed in another impoundment on site, are being removed from an impoundment, or are being processed in connection with a recycling or beneficial use project.*
2. **That the owner or operator of any coal combustion residuals (CCRs) surface impoundment or other CCRs unit to which the first enactment of this act applies shall by July 15, 2018, issue a request for proposals for entities to conduct recycling or beneficial use projects for the CCRs at such impoundment or unit. The request for proposals shall require responding entities to provide information from which the owner or operator is able to determine (i) the quantity of CCRs, including CCRs below the unit's waste boundary, that may be suitable for recycling or beneficial use, including but not limited to encapsulated beneficial uses, such as bricks or concrete, in each such CCRs unit; (ii) the cost of such recycling or beneficial use of such CCRs; and (iii) the potential market demand for material recycled or beneficially used from such CCRs.**
3. **That no later than November 15, 2018, the owner or operator of each coal combustion residuals (CCRs) surface impoundment or other CCRs unit to which the second enactment of this act applies shall transmit a business plan that compiles the information collected pursuant to clauses (i), (ii), and (iii) of such enactment to the Governor; to the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources, the House Committee on Commerce and Labor, the Senate Committee on Agriculture, Conservation and Natural Resources, and the Senate Committee on Commerce and Labor (the Committees); and to the Directors of the Departments of Environmental Quality and Conservation and Recreation (the Departments). Each such owner or operator and each entity that provided the information collected pursuant to clauses (i), (ii), and (iii) of the second enactment of this act shall provide assistance to the Governor, the Committees, and the Departments, upon request.**