

# VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

## CHAPTER 624

*An Act to direct the Department of Environmental Quality to convene a work group to develop recommendations on the issue of the disposal of construction fill and debris on rural lands.*

[H 1639]

Approved April 2, 2020

**Be it enacted by the General Assembly of Virginia:**

**1.** § 1. *That the Department of Environmental Quality (DEQ) shall convene a work group to discuss the issue of the disposal of construction fill and debris on rural lands. The work group shall include representatives of DEQ, the Department of Forestry, the Department of Agriculture and Consumer Services, the Virginia Department of Transportation, nonprofit environmental organizations, the waste disposal industry, the trucking industry, the Virginia Chapter of the American Planning Association, the Virginia Farm Bureau Federation, the Virginia Agribusiness Council, the Virginia Association of Counties, the Home Builders Association of Virginia, the road construction industry, and the Virginia Association of Soil and Water Conservation Districts. The work group shall discuss (i) the need of road construction and development projects to dispose of dirt in a cost-effective manner; (ii) the practice of rural landowners charging a fee to allow the use of their lands as disposal sites; (iii) the extent of monitoring for possible contaminants or effects on groundwater when dirt and rubble is deposited on agricultural fields; (iv) the adequacy of existing state and local enforcement remedies against responsible land disturbers disposing of dirt in unauthorized or unapproved locations; and (v) the use of rural roads by dump trucks traveling to disposal sites and any effects of such travel, including road damage, traffic congestion, noise, and the loss of a portion of the dirt during transit in the form of dust or mud. The work group shall consider recommending (a) changes to guidance or regulations for agencies having the authority to regulate activities associated with the work group's work, including recommendations regarding a model ordinance for adoption by localities, and (b) statutory changes, including changes related to agricultural engineering operations and construction of terraces as those terms are used in the State Water Control Law (§ 62.1-44.2 et seq. of the Code of Virginia). The work group shall report its recommendations to the Director of DEQ, the State Forester, the Commissioner of the Department of Agriculture and Consumer Services, and the Commissioner of the Department of Transportation by December 1, 2020. The work group also may provide any recommendations to the Virginia Municipal League and the Virginia Association of Counties.*