

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 503

An Act to amend the Code of Virginia by adding a section numbered 10.1-1402.05, relating to permit for coal ash landfill storage; provision of public water supply.

[S 1050]

Approved March 24, 2023

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 10.1-1402.05 as follows:

§ 10.1-1402.05. Coal ash landfill storage; provision of public water supply.

A. No application for a new coal ash landfill permit for storing coal combustion residuals in Planning District 8 shall be approved by the Department if the facility boundary is located within one mile of an existing residential area that is not served by municipal water supply, unless the owner or operator of the coal ash landfill has offered to provide, at its expense, (i) municipal water supply service for such residential area and (ii) any requested service connections for residential properties in existence at the time such permit application is filed.

B. Any offer by the owner or operator of a coal ash landfill to provide municipal water supply service or requested service connections pursuant to subsection A shall be made (i) in writing to any resident located within one mile of the facility boundary and (ii) in coordination with the municipal water supply service authority in which the coal ash landfill will be located, notwithstanding the water supply service authority's final schedule for installation.