

DAAAlert...on Solid Waste Issues



A Publication of **Draper Aden Associates**

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Amendment 3 Approved by Waste Management Board

Draper Aden Associates attended the Waste Management Board meeting held on Thursday, April 25th. At the meeting, the Board approved amended language relative to the permitting requirements of Amendment 3 to the Solid Waste Management Regulations. The amended language addresses the statutory requirement for the Director to determine whether or not there is a need for a new or expanded municipal solid waste facility. The “demonstration of need” requirement had been the subject of much discussion in the regulated community. The regulation will now return to the Executive Review that had been interrupted, then go to public comment. Therefore, the regulation is not yet final.

Specifically, the language requires that an applicant have less than 10 years of remaining disposal capacity (changed from 5 years in the original text) before its application will be considered. The applicant must submit the following information together with its Notice of Intent, relative to *one of the two* options described below, to assist the Director (of DEQ) with the required investigation and analysis of need.

Option 1:

1. The anticipated area to be served by the facility;
2. Similar or related solid waste management facilities that are located in the same service area and could impact the proposed facility, and the capacity and service life of those facilities;
3. The present quantity of waste generated within the proposed service area;
4. The waste disposal needs specified in the local solid waste plan;
5. The projected future waste generation rates for the anticipated area to be served during the proposed life of the facility;
6. The recycling, composting or other waste management activities within the proposed service area;
7. The additional solid waste disposal capacity that the facility would provide to the proposed area of service; and
8. Any additional factors that provide justification for the additional capacity provided by the facility.

Option 2 (based on current or projected disposal rates); a municipal solid waste disposal facility must meet one of the following conditions:

1. The available permitted disposal capacity for the state is less than 20 years;
2. The available permitted disposal capacity is less than 20 years in either:
 - a. The planning region immediately contiguous to the planning region of the host community;
 - b. The facilities within a 75-mile radius of the proposed facility.

Draper Aden Associates will keep you informed as this issue develops. Please contact Jeff Crate (jcrate@daa.com) at either (540) 552-0444 or (804) 264-2228, Bill Sperry (bsperry@daa.com) at (804) 264-2228, or Lynn Croy (lcroy@daa.com) at (540) 552-0444. You can also obtain more information at <http://www.deq.state.va.us/waste/wastereg80.html>.

Draper Aden Associates is a full-service engineering and environmental consulting firm. Our services include: civil/utilities engineering; environmental services, geological/hydrogeological services; geotechnical/construction/laboratory; site planning & engineering; solid waste management; surveying; subsurface utility engineering; information management services, GIS and design/build/operate solutions.



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