



### 2008 VA General Assembly

## Legislation Concerning Solid Waste Disposal Issues

*FYI—Several pieces of legislation dealing with solid waste concerns are presently being considered in the Virginia General Assembly. The following is a brief summary of some of the major issues of interest to solid waste professionals. This publication reflects the status of these bills as of January 16, 2008. More information can be found at <http://leg1.state.va.us/>.*

#### **HB 18 Environmental Quality, Department of; consolidation of various boards, increase of authority: Patron-Englin**

**Summary as introduced:** Amends legislation passed during the 2007 Session of the General Assembly to consolidate the existing three citizen boards—the State Air Pollution Control Board, the State Water Control Board, and the Waste Management Board—into one 11-member citizen board. The existing three citizen boards would retain authority over any applications for permits and amendments pending before the end of 2007 until the earlier of the resolution of the application or June 30, 2010.

**Status:** 11/27/07 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

#### **HB 19 Department of Environmental Quality: Patron-Englin**

**Summary as introduced:** Department of Environmental Quality. Repeals legislation passed during the 2007 Session of the General Assembly to consolidate the existing three citizen boards—the State Air Pollution Control Board, the State Water Control Board, and the Waste Management Board—into one 11-member citizen board.

**Status:** 11/27/07 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

#### **HB 86 Unused Pharmaceuticals Disposal Program; created: Patron-Landes**

**Summary as introduced:** Establishes a program for the disposal of unused pharmaceuticals.

**Status:** 12/13/07 House: Referred to Committee on Health, Welfare and Institutions

#### **HB 124 Machinery and tools taxation; exempts certified pollution control equipment and facilities: Patron-Purkey**

**Summary as introduced:** Exempts certified pollution control equipment and facilities, placed in service on or after January 1, 2010, from state and local taxation pursuant to Article X, Section 6 (d) of the Constitution of Virginia. The measure also provides that certain machinery and tools placed in service on or after January 1, 2010, are taxable as intangible personal property, thereby excluding such property from local taxation.

**Status:** 01/15/08 House: Assigned Finance sub: 1

#### **HB 158 Littering; illegal dumping or disposal of unsightly matter from motor vehicle.: Patron-Nichols**

**Summary as introduced:** Provides when the matter illegally dumped or disposed of was ejected from a motor vehicle or transported to the disposal site in a motor vehicle, the court, in addition to the criminal penalty provided, may suspend the defendant's license to operate a motor vehicle for a period not to exceed 30 days.

**Status:** 01/15/08 House: Referred to Committee for Courts of Justice

#### **HB 343 Cathode ray tubes; disposal bans: Patron-Plum**

**Summary as introduced:** Permits localities to prohibit the disposal of cathode ray tubes in any waste-to-energy or solid waste disposal facility within its jurisdiction, provided the locality has implemented a recycling program that is capable of handling all cathode ray tubes generated within its jurisdiction. Previously the ban only applied to privately operated landfills.

**Status:** 01/16/08 House: Reported from Agriculture, Chesapeake and Natural Resources (21-Y 0-N)

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### **HB 650 Environmental Quality, Department of; authority of citizen boards: Patron-Hogan**

**Summary as introduced:** Provides that the Air Pollution Control Board and the State Water Control Board may delegate their authority to make permitting decisions to the Director of the Department of Environmental Quality (the authority to issue permits related to waste management is already vested with the Director). Either Board has the discretion to make a final permitting decision if it finds significant public interest in the permit, substantial and disputed issues within the scope of the Board's statutory authority, and that the time required for a public hearing and decision by the Board would not create an unreasonable delay. The membership of all three citizen environmental boards would also be reconfigured so that the membership of each board—the Air Pollution Control Board, the State Water Control Board, and the Virginia Waste Management Board—includes at least one member from the other two boards.

**Status:** 01/08/08 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

### **HB 1408 Betterment loans; Director of Dept. of Environmental Quality to determine eligibility therefore: Patron-Poindexter**

**Summary as introduced:** Directs the Board of Health and the Director of the Department of Environmental Quality to develop procedures for qualifying the owners of failing septic tanks, underground storage tanks, and contaminated dry cleaning stores, for betterment loans to be provided by private lenders.

**Status:** 01/10/08 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

### **HB 1398 Tire recycling fee; extended until July 1, 2011: Patron-Oder**

**Summary as introduced:** Extends, until July 1, 2011, the \$1.00 recycling fee imposed on each new tire sold; thereafter, the fee is reduced to 50 cents. Under current law the fee is to be reduced to 50 cents on July 1, 2008.

**Status:** 01/10/08 House: Referred to Committee on Finance

### **HJ 22 Residential and commercial development, new; joint subcommittee to study identifiable costs: Patron-Marshall**

**Summary as introduced:** Establishes a joint subcommittee to study the identifiable costs of new residential and commercial development in Virginia and the manner in which those costs are currently borne or would likely be borne.

**Status:** 12/07/07 House: Referred to Committee on Rules

### **HJ 89 Southeastern Public Service Authority; JLARC to study operation and finances: Patron-Cosgrove**

**Summary as introduced:** Directs the Joint Legislative and Audit Review Commission to study the operation and finances of the Southeastern Public Service Authority.

**Status:** 01/07/08 House: Referred to Committee on Rules

### **HJ 106 Fluorescent light bulbs; Recycling Markets Development Council to study costs & benefits of recyc. Patron-Valentine**

**Summary as introduced:** Requests the Virginia Recycling Markets Development Council to study the costs and benefits of recycling fluorescent light bulbs that contain mercury.

**Status:** 01/08/08 House: Referred to Committee on Rules

### **HJ 112 Beverage containers; JLARC to include in two-year study analysis of effectiveness of recovery, etc: Patron-Morgan**

**Summary as introduced:** Beverage container recycling; study. Directs the Joint Legislative Audit and Review Commission to include in its 2007 authorized two-year study (SJR 361) an analysis of the effectiveness of the recovery and recycling of beverage containers as a waste minimization strategy.

**Status:** 01/08/08 House: Referred to Committee on Rules

### **SB 50 Zoning ordinances; purpose thereof: Patron-Whipple**

**Summary as introduced:** Provides that zoning ordinances shall be designed to give reasonable consideration to protecting the land, water, and air from harmful discharges, emissions, and other releases.

**Status:** 12/20/07 Senate: Referred to Committee on Local Government



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**SB 196 Hazardous materials; localities to prohibit initiation of new storage in floodplains: Patron-Herring**

**Summary as introduced:** Permits localities to prohibit the initiation of storage of hazardous materials in floodplains five stream miles upstream of an intake for a public water supply. However, the provisions of this bill shall not apply to: (i) operations of the Virginia Department of Transportation or its contractors concerning the construction, reconstruction, or maintenance of highways; or (ii) all Department of Defense facilities and operations.

**Status:** 01/07/08 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

**SB 322 Electric Utility Restructuring Act; defines municipal solid waste as source of renewable energy: Patron-Wagner**

**Summary as introduced:** Defines municipal solid waste as source of renewable energy under the Virginia Electric Utility Restructuring Act.

**Status:** 01/08/08 Senate: Referred to Committee on Commerce and Labor