



Virginia Waste Management Board Meeting September 21, 2020

Virginia Solid Waste Management Regulations 9VAC20-81 HB 1352 (2020) Amendment

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Why are we amending 9VAC20-81?

- Required through action of the 2020 General Assembly under Chapter 621 of the 2020 Acts of Assembly (HB 1352).
- The 2020 General Assembly amended the Virginia Waste Management Act (Act) under Chapter 14 of Title 10.1 of the Code of Virginia. Chapter 621 of the 2020 Acts of Assembly prohibits the disposal of solid waste in an unpermitted facility.

Changes in the Regulation

- **9VAC20-81-40. Prohibitions.**

- Added a prohibition under a new Subsection G:

No person shall dispose of or manage solid waste in an unpermitted facility, including by disposing, causing to be disposed, or arranging for the disposal of solid waste upon a property for which the Director has not issued a permit and that is not otherwise exempt from permitting requirements.

Process

- **Final Exempt Process**

- The Administrative Process Act allows for an expedited adoption process if certain criteria are met.
- § 2.2-4006 A 4 a: A regulation may be exempt from full process if it is “necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved...”

End of Staff Presentation

- Are there any questions?

- The staff recommends:

Staff Recommended Action

The Board adopt HB 1352 (2020) Amendment to 9VAC20-81, authorize its publication, and affirm that the Board will receive, consider and respond to requests by any interested person at any time with respect to reconsideration or revision.