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UPDATE ON SOLID AND HAZARDOUS WASTE MANAGEMENT IN VIRGINIA

There have been two amendments to the Virginia Code by the General Assembly in this winter's session of the legislature. House bill 1708 amended and reenacted section 32.1-180 of the Code of Virginia by adding to 32.1-180 C: "A person who is a small quantity generator of hazardous wastes, as defined by the administrator of the Environmental Protection Agency, shall be exempt from the requirements of this subsection."

House bill 1418 amended and reenacted section 32.1-186 of the Code of Virginia by changing section 32.1-186 A, Civil penalties, from five to ten thousand dollars for each day of violation. A criminal penalty was also added as section B as follows:

B. In addition to the penalties provided above and in [section] 32.1-27, any person who knowingly transports any hazardous waste to an unpermitted facility; who knowingly treats, stores or disposes of hazardous waste without a permit; or who knowingly makes any false statement or representation in any application, label, manifest, record, report, permit, or other document filed, maintained, or used for purposes of hazardous waste program compliance shall be guilty of a felony and shall be punished by confinement in the penitentiary for one year or, in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than twelve months and a fine of not more than ten thousand dollars for each day of violation, either or both.

Both bills have been signed by the Governor. Another bill sponsored by Delegate William Grayson did not pass this session. This bill proposed to add a section numbered 32.1-181.1 to the Code of Virginia requiring notification to the Commissioner of the existence of prior disposal or storage of hazardous substances. Officials at the State Department of Health have indicated that this would be helpful in the implementation of the Solid and Hazardous Waste Management program in Virginia.

New hazardous waste regulations have also just been printed and are available to the public. William F. Gilley, Director of the Division of Solid and Hazardous Waste Management provided the following information:

The Virginia Board of Health promulgated its Hazardous Waste Management Regulations on November 21, 1980. As provided by the Code of Virginia (1950) as amended, these regulations will become effective on May 21, 1981.

The Virginia Department of Health is going to hold a series of informational briefings to acquaint the public with the more salient features of the regulatory program. These briefings are scheduled to be held at 7:30 p.m. in the places and dates shown below, unless otherwise noted:

Monday, May 11, 1981	Blacksburg	VPI-SU Continuing Education Center Bldg
Tuesday, May 12, 1981	Lynchburg	Sponsored by Central Virginia Industries, Inc. at Central Virginia Community College, Amherst Building, Room 2123 (Auditorium)
Wednesday, May 13, 1981	Norfolk	City Council Chambers, St. Paul's Blvd & Waterfront Dr., 1109 City Hall Bldg
Monday, May 18, 1981	Weyer's Cave	Blue Ridge Community College, Rm D-102
Tuesday, May 19, 1981	Alexandria	Alexandria City Hall Council Chambers, 301 King Street
Thursday, May 21, 1981 1:00-5:00 PM	Richmond	Highway Department Building, 1221 East Broad Street, Main Auditorium

New solid waste regulations will also be promulgated. Approval of the new hazardous waste management regulations by EPA is not expected before August of 1981. Some of the unique state requirements in the regulations may be enforced beginning May 21, 1981. The remainder will be enforced by the Department of Health upon EPA approval. Further information on enforcement may be obtained at the May informational briefings.

Finally, in last year's 1980 legislative session, section 32.1-178, Powers and Duties of Board, was amended by adding subdivisions 11 through 14 of subsection A and adding subsection B. These amendments basically provide that the Board can acquire appropriate sites to be used for a hazardous waste management facility and operate or provide for the operation of hazardous waste management facilities.

To date the Board has no plans to acquire a site or operate a hazardous waste management facility on its own. Rather, the Board is hoping that private industry will lead the way. Currently, there are several private possibilities pending, one of which has apparently been dropped. WRC Processing Co. had proposed to build a 25 million dollar hazardous-waste disposal facility near Dillwyn in Buckingham County. Due to the overwhelming opposition of 700 county residents at a March 28, 1981 hearing it was announced on April 8, 1981 that the company would not go forward with the project at this time.

C.A.F.