

**Virginia Regulatory Town Hall
Agency Background Document
Notice of Intended Regulatory Action (NOIRA)**

Agency Name: Virginia Waste Management Board
VAC Number: 9 VAC 20-130-10 *et seq.*
Regulation Title: Regulations for the Development of Solid Waste Management Plans, Amendment 1
Action Title: Amendment
Date: July 1, 1999

Basis:

At § 10.1-1411, the Virginia Waste Management Act contained in Chapter 14, Title 10.1, Code of Virginia (1950), as amended, requires that cities, counties and towns of the Commonwealth develop solid waste management plans for their jurisdiction and include provisions to achieve the statutory recycling goal. Several other parts of the Act require the Department of Environmental Quality to consider the plans when issuing permits for solid waste management facilities and in making other specific decisions. The local governments may unite with other jurisdictions in a regional plan, if the Governor approves the region. The Waste Management Board is authorized to promulgate and maintain regulations to establish structure for the plans and is further authorized to review and approve the plans. In fulfillment of these responsibilities, the Board adopted Regulations for the Development of Solid Waste Management Plans, 9 VAC 20-130-10 *et seq.* (1990).

Purpose:

The Virginia Waste Management Board will reconsider the regulations by promulgation of Amendment 1. More than nine years having passed since the adoption of the regulations, the Board wishes to consider what changes to the regulations are appropriate. The Board intends to amend the regulations and begin public participation processes to gather the advice of local governments and the public on what changes are appropriate and prudent.

Substance:

The Board will consider all aspects of the regulations for amendment; however, focal issues are expected to include the definition of the terms defining the recycle rate and the structure, methodology and frequency of amendments to the plans. The establishment of progress reports may be considered, including the frequency,

methodology and structure of the reports.

Alternative:

The alternative not to amend the regulation at this time is considered inappropriate because there are adjustment to the regulations that need to be made. In addition, it is the Board's policy to revisit all its regulations periodically and to seek the advice of the public regarding the current suitability of the requirements.

A technical advisory committee will advise the Department of Environmental Quality on what regulatory text to recommend to the Board as proposed regulations. This panel will advise the department on less intrusive and less burdensome alternatives, where such exists, and during the public participation process, the public will be asked to suggest less intrusive and burdensome alternatives.