

The Department of Environmental Quality has reviewed the Economic Impact Analysis prepared by the Virginia Department of Planning and Budget for Amendment 2 of the Virginia Solid Waste Management Regulations 9 VAC 20-80.

The following comments are offered:

The Department believes it is important to note that the changes in the regulation for the prohibition of siting landfills in wetlands and floodplains, and quarterly monitoring of groundwater were included in the regulations as a result of modification of the statutes during the 1999 General Assembly session.

Page 5 of DPB's analysis states that allowing the filling of waste at industrial landfills to the property line could be allowed if consent from the neighboring property owner is maintained. The Department believes that 50 feet is the minimum distance needed to monitor groundwater and allow for remediation of any potential problems at the facility. The setback is needed for these activities and the setback is consistent with setbacks for sanitary and industrial facilities.