

1 SENATE BILL NO. 120

2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the Senate Committee on Finance and Appropriations

4 on February 10, 2022)

5 (Patron Prior to Substitute--Senator Hackworth)

6 A BILL to direct the Department of Energy to identify the volume and number of waste coal piles.

7 **Be it enacted by the General Assembly of Virginia:**

8 1. § 1. The Department of Energy (the Department), in cooperation with the public institutions of higher
9 education serving the coalfield region of the Commonwealth, shall identify the approximate volume and
10 number of waste coal piles present in the coalfield region of the Commonwealth and options for cleaning
11 up such waste coal piles, including the use of waste coal in generation of electricity. The Department shall
12 also collaborate with other states in which waste coal piles are located that are members of the Appalachian
13 Regional Commission to identify best practices for cleaning up waste coal piles. The Department shall
14 report its findings and any recommendations to the Chairmen of the Senate Committee on Commerce and
15 Labor, the Senate Committee on Agriculture, Conservation and Natural Resources, the House Committee
16 on Commerce and Energy, and the House Committee on Agriculture, Chesapeake and Natural Resources
17 by December 1, 2022. For purposes of this act, "waste coal" means usable material that is a by-product of
18 previous coal processing operations.

19 § 2. The Department of Energy, the Department of Environmental Quality, and the Virginia
20 Department of Transportation's Transportation Research Council, in cooperation with the engineering
21 schools of the public institutions of higher education in the Commonwealth, shall convene a working
22 group to evaluate the opportunities to use coal ash for construction purposes for public infrastructure
23 projects in the Commonwealth. The working group shall also include other such stakeholders as may be
24 necessary to undertake its evaluation of how and whether coal ash can be used for infrastructure
25 construction projects in such a way that may reduce the costs incurred to mitigate coal ash waste ponds in
26 the Commonwealth. The working group shall report its findings and any recommendations to the

27 Chairmen of the Senate Committee on Commerce and Labor, the Senate Committee on Agriculture,
28 Conservation, and Natural Resources, the Senate Committee on Transportation, the House Committee on
29 Commerce and Energy, the House Committee on Agriculture, Chesapeake and Natural Resources, and
30 the House Committee on Transportation by December 1, 2022.

31 #