WEST VIRGINIA CODE: §64-3-1

§64-3-1. Department of Environmental Protection.

(a) The legislative rule filed in the State Register on July 22, 2025, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (alternative emission limitations during startup and shutdown operations, 45 CSR 01), is authorized.

(b) The legislative rule filed in the State Register on July 23, 2025, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (ambient air quality standards, 45 CSR 08), is authorized.

(c) The legislative rule filed in the State Register on July 23, 2025, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (standards of performance for new stationary sources, 45 CSR 16), is authorized.

(d) The legislative rule filed in the State Register on July 23, 2025, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (control of air pollution from combustion of solid waste, 45 CSR 18), is authorized.

(e) The legislative rule filed in the State Register on July 23, 2025, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (control of air pollution from hazardous waste treatment, storage, and disposal facilities, 45 CSR 25), is authorized.

(f) The legislative rule filed in the State Register on July 23, 2025, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (emission standards for hazardous air pollutants, 45 CSR 34), is authorized.

(g) The legislative rule filed in the State Register on July 23, 2025, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (cross-state air pollution rule to control annual nitrogen oxides emissions, annual sulfur dioxide emissions, and ozone season nitrogen oxides emissions, 45 CSR 43), is authorized.

(h) The legislative rule filed in the State Register on July 23, 2025, authorized under the authority of §22-18-6 of this code, relating to the Division of Water and Waste Management (hazardous waste management system, 33 CSR 20), is authorized.

(i) The legislative rule filed in the State Register on July 24, 2025, authorized under the authority of §22-11-4 of this code, modified by the Department of Environmental Protection to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on January 8, 2026, relating to the Division of Water and Waste Management (requirements governing water quality standards, 47 CSR 02), is authorized with the

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following amendment:

On page 42, subsection 8.23. by striking the number “20” and inserting in lieu thereof the number “120”.

(j) The legislative rule filed in the State Register on July 24, 2025, authorized under the authority of §22-11-10 of this code, modified by the Department of Environmental Protection to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on January 8, 2026, relating to the Department of Environmental Protection (carbon dioxide sequestration fee schedule, 47 CSR 09B), is authorized with the following amendment:

On page 5, section 4.7.1, after the word “paid” and before the semicolon by inserting the words “and other relevant evidence of the fair market value requested by the Commission”.

WV Legislature