WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 1992

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ENROLLED

HOUSE BILL No. 4524

(By Delegates Rowe and J. Martin)

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Passed March 2, 1992

In Effect From Passage
ENROLLED

H. B. 4524

(By Delegates Rowe and J. Martin)

[Passed March 2, 1992; in effect from passage.]

AN ACT to amend article five-f, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section two-a, relating to the definition of wood waste and treatment of wood byproducts, wood residue and wood waste.

Be it enacted by the Legislature of West Virginia:

That article five-f, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section two-a, to read as follows:

ARTICLE 5F. SOLID WASTE MANAGEMENT ACT.

§20-5F-2a. Special provision for wood waste.

1. (a) The purpose of this section is to allow for the combustion of wood waste without a solid waste facility permit and to allow facilities to use wood waste as an alternative fuel.

5. (b) “Wood waste” means wood residues from logging operations, sawmills, wood product manufacturing, furniture making operations, recycling of wood products and other industrial processes, but does not include wood waste which contains hazardous constituents, including copper chromium arsenate, which would
cause such wood waste to be regulated pursuant to
article five-e, chapter twenty of the code.

(c) For purposes of section two of this article and
section two, article nine of this chapter:

(1) Wood waste is not “solid waste” unless disposed of
at a solid waste facility or an open dump;

(2) Wood waste is a material which may be used as
an effective substitute for commercial products or raw
material feedstock.

(d) The use of incineration technologies in an energy
recovery incinerator for the purposes of combusting
wood waste is not prohibited and no solid waste facility
permit is required. The provisions of this section shall
not be construed to allow the combustion of wood waste
without a source permit from the air pollution control
commission if such permit is required by article twenty,
chapter sixteen of this code or the rules promulgated
thereunder.

(e) The division of natural resources, in consultation
with the air pollution control commission, may promul-
gate legislative rules, in accordance with the provisions
of chapter twenty-nine-a of this code, to effectuate the
purposes of this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

Takes effect from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker of the House of Delegates

The within is approved this the 17th day of March, 1992.

[Signature]
Governor
PRESENTED TO THE
GOVERNOR
Date 31/11/192
Time 3:40 p.m.