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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1992



ENROLLED

HOUSE BILL No. 4524

(By Delegates Rowe + J. Martin)



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
2 combustion of wood waste without a solid waste facility
3 permit and to allow facilities to use wood waste as an
4 alternative fuel.

5 (b) "Wood waste" means wood residues from logging
6 operations, sawmills, wood product manufacturing,
7 furniture making operations, recycling of wood products
8 and other industrial processes, but does not include
9 wood waste which contains hazardous constituents,
10 including copper chromium arsenate, which would

11 cause such wood waste to be regulated pursuant to
12 article five-e, chapter twenty of the code.

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

15 (1) Wood waste is not "solid waste" unless disposed of
16 at a solid waste facility or an open dump;

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

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

29 (e) The division of natural resources, in consultation
30 with the air pollution control commission, may promul-
31 gate legislative rules, in accordance with the provisions
32 of chapter twenty-nine-a of this code, to effectuate the
33 purposes of this section.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Lomer Duck

Chairman Senate Committee

Samuel C. Moore

Chairman House Committee

Originating in the House.

Takes effect from passage.

Carroll E. Holmes

Clerk of the Senate

Donald G. Kopp

Clerk of the House of Delegates

Willard Smith

President of the Senate

Robert C. Call

Speaker of the House of Delegates

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

Yaston Caperton

Governor

PRESENTED TO THE

GOVERNOR

Date 3/11/92

Time 3:40 pm