WEST VIRGINIA LEGISLATURE
Regular Session, 2005

ENROLLED
Committee Substitute for
SENATE BILL NO. 654

(By Senator Bowman)

PASSED April 7, 2005

In Effect ninety days from Passage
AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22-15-23, relating to the beneficial use of water treatment plant sludge; requiring promulgation of legislative rules; and setting forth minimum requirements for the legislative rules.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §22-15-23, to read as follows:

ARTICLE 15. SOLID WASTE MANAGEMENT ACT.


(a) Water treatment plant sludge determined by the Secretary to have beneficial properties may be beneficially used in accordance with requirements determined neces-
sary by the Secretary to protect human health and the 
environment. Persons seeking to beneficially use water 
treatment plant sludge shall meet the requirements of this 
article and the rules promulgated under this article.

(b) In order to enhance the resource recovery and 
recycling goals of this article and to encourage the benefi-
cial use of water treatment plant sludge, the Secretary 
shall propose, for promulgation, legislative rules to 
effectuate the purposes of this section in accordance with 
the provisions of article three, chapter twenty-nine-a of 
this code. The Secretary shall, at a minimum, include the 
following in the proposed rules:

(1) A mechanism to determine beneficial use characteris-
tics of water treatment plant sludge;

(2) A method to determine pollutant content of water 
treatment plant sludge proposed for beneficial use;

(3) A method to determine that the beneficial properties 
of the water treatment plant sludge are derived from the 
raw material rather than additives;

(4) Buffer zones or other criteria necessary to adequately 
protect ground and surface water;

(5) Necessary restrictions of pollutant levels in the water 
treatment plant sludge;

(6) Analytical methods and storage requirements for 
water treatment plant sludge;

(7) Permit requirements; and

(8) Appropriate fees.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 21st Day of April, 2005.

Governor
PRESENTED TO THE GOVERNOR

APR 15 2005

Time 3:50