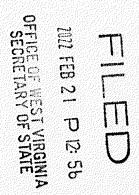
# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**ENROLLED** 



**Committee Substitute** 

for

Senate Bill 279

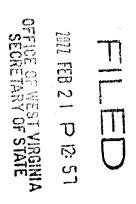
By SENATOR SYPOLT

[Passed February 11, 2022; in effect from passage]

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AN ACT to amend and reenact §64-3-1 et seq. of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee, and as amended by the Legislature; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to standards of performance for new stationary sources; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from combustion of solid waste; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to emission standards for hazardous air pollutants; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the requirements for the management of coal combustion residuals; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the requirements governing water quality standards; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the underground injection control rule; and authorizing the Department of Environmental Protection to promulgate a legislative rule relating to administrative proceedings and civil penalty assessment.

Be it enacted by the Legislature of West Virginia:

# ARTICLE 3. AUTHORIZATION FOR DEPARTMENT OF ENVIRONMENTAL PROTECTION TO PROMULGATE LEGISLATIVE RULES.

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

(a) The legislative rule filed in the State Register on July 16, 2021, 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 16, 2021, authorized under the authority of §22-5-4 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 August 26, 2021, relating to the Department of Environmental Protection (Control of Air Pollution from Combustion of Solid Waste, 45 CSR 18), is authorized.
- (d) The legislative rule filed in the State Register on July 16, 2021, 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.
- (e) The legislative rule filed in the State Register on July 30, 2021, authorized under the authority of §22-15-10 of this code, relating to the Department of Environmental Protection (Requirements for the Management of Coal Combustion Residuals, 33 CSR 01B), is authorized.
- (f) The legislative rule filed in the State Register on July 30, 2021, authorized under the authority of §22-11-4 of this code, modified by the Water Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 28, 2021, relating to the Department of Environmental Protection (Requirements Governing Water Quality Standards, 47 CSR 02), is authorized with the amendments set forth below:
- On page 16, subdivision 8.2.c, by striking out the word "Permit" and inserting in lieu thereof the words "Site-specific permit";
- 25 And,
- On page 16, subdivision 8.2.c., by striking out the words "by the Legislative Rule-Making Review Committee".

### Enr CS for SB 279

(g) The legislative rule filed in the State Register on July 30, 2021, authorized under the
authority of §22-11-8 of this code, relating to the Department of Environmental Protection
(Underground Injection Control, 47 CSR 13), is authorized.

(h) The legislative rule filed in the State Register on October 19, 2021, authorized under the authority of §22-11-22a of this code, relating to the Department of Environmental Protection (Administrative Proceedings and Civil Penalty Assessment, 47 CSR 30B), is authorized.

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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.			
Chairman, Senate Committee	_		
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Chairman, House Committee	A STATE OF THE STA		
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Clerk of the Senate	1 40°	Same Carrier Straight	
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Clerk of the House of Delegates  President of the Senate  Speaker of the House of De	legates		
The within 10 appraved this the Day of			
Day of	20	022. <b>1</b>	
Govern	or Or		

### PRESENTED TO THE GOVERNOR

FEB 1 6 2022

Time / 23pm