

2 **Senate Bill No. 118**

3 (By Senators Minard, Snyder, Prezioso,  
4 Unger, Boley and K. Facemyer)

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6 [Introduced January 18, 2011; referred to the Committee on  
7 Energy, Industry and Mining; and then to the Committee on the  
8 Judiciary.]  
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11 A BILL to amend and reenact article 3, chapter 64 of the Code of  
12 West Virginia, 1931, as amended, relating to authorizing the  
13 Department of Environmental Protection to promulgate a  
14 legislative rule relating to the control of air pollution from  
15 hazardous waste treatment, storage and disposal facilities.

16 *Be it enacted by the Legislature of West Virginia:*

17 That article 3, chapter 64 of the Code of West Virginia, 1931,  
18 as amended, be amended and reenacted to read as follows:

19 **ARTICLE 3. AUTHORIZATION FOR DEPARTMENT OF ENVIRONMENTAL**  
20 **PROTECTION TO PROMULGATE LEGISLATIVE RULES.**

21 **§64-3-1. Department of Environmental Protection.**

22 The legislative rule filed in the state register on the

1 twenty-eighth day of July, two thousand ten, authorized under the  
2 authority of section four, article five, chapter twenty-two, of  
3 this code, relating to the Department of Environmental Protection  
4 (control of air pollution from hazardous waste treatment, storage  
5 or disposal facilities, 45 CSR 25), is authorized.

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7 NOTE: The purpose of this bill is to authorize the Department  
8 of Environmental Protection to promulgate a legislative rule  
9 relating to the Control of Air Pollution from Hazardous Waste  
10 Treatment, Storage or Disposal Facilities.

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12 This section is new; therefore, strike-throughs and  
13 underscoring have been omitted.