

# **WEST VIRGINIA LEGISLATURE**

**2021 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 2382**

BY DELEGATE FOSTER

[Passed March 26, 2021; in effect from passage.]

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[Passed March 26, 2021; in effect from passage.]

1 AN ACT to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, all  
2 relating generally to authorizing certain agencies of the Department of Environmental  
3 Protection to promulgate legislative rules; authorizing the rules as filed and as modified by  
4 the Legislative Rule-Making Review Committee; authorizing the Department of  
5 Environmental Protection to promulgate a legislative rule relating to ambient air quality  
6 standards; authorizing the Department of Environmental Protection to promulgate a  
7 legislative rule relating to standards of performance for new stationary sources;  
8 authorizing the Department of Environmental Protection to promulgate a legislative rule  
9 relating to control of air pollution from combustion of solid waste; authorizing the  
10 Department of Environmental Protection to promulgate a legislative rule relating to control  
11 of air pollution from municipal solid waste landfills; authorizing the Department of  
12 Environmental Protection to promulgate a legislative rule relating to acid rain provisions  
13 and permits; authorizing the Department of Environmental Protection to promulgate a  
14 legislative rule relating to emission standards for hazardous air pollutants; authorizing the  
15 Department of Environmental Protection to promulgate a legislative rule relating to control  
16 of greenhouse gas emissions from existing coal-fired electric utility generating units;  
17 authorizing the Department of Environmental Protection to promulgate a legislative rule  
18 relating to requirements governing water quality standards; authorizing the Department of  
19 Environmental Protection to promulgate a legislative rule relating to hazardous waste  
20 management system; and authorizing the Department of Environmental Protection to  
21 promulgate a legislative rule relating to voluntary remediation and redevelopment rule.

*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.**

1 (a) The legislative rule filed in the State Register on August 26, 2020, authorized under the  
2 authority of §22-5-4 of this code, relating to the Department of Environmental Protection (ambient  
3 air quality standards, 45 CSR 08), is authorized.

4 (b) The legislative rule filed in the State Register on August 26, 2020, authorized under the  
5 authority of §22-5-4 of this code, relating to the Department of Environmental Protection  
6 (standards of performance for new stationary sources, 45 CSR 16), is authorized.

7 (c) The legislative rule filed in the State Register on August 26, 2020, authorized under the  
8 authority of §22-5-4 of this code, relating to the Department of Environmental Protection (control  
9 of air pollution from combustion of solid waste, 45 CSR 18), is authorized.

10 (d) The legislative rule filed in the State Register on August 26, 2020, authorized under the  
11 authority of §22-5-4 of this code, relating to the Department of Environmental Protection (control  
12 of air pollution from municipal solid waste landfills, 45 CSR 23), is authorized.

13 (e) The legislative rule filed in the State Register on August 26, 2020, authorized under the  
14 authority of §22-5-4 of this code, relating to the Department of Environmental Protection (acid rain  
15 provisions and permits, 45 CSR 33), is authorized.

16 (f) The legislative rule filed in the State Register on August 26, 2020, authorized under the  
17 authority of §22-5-4 of this code, relating to the Department of Environmental Protection (emission  
18 standards for hazardous air pollutants, 45 CSR 34), is authorized.

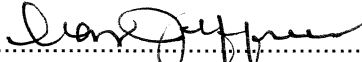
19 (g) The legislative rule filed in the State Register on August 26, 2020, authorized under the  
20 authority of §22-5-4 of this code, modified by the Department of Environmental Protection to meet  
21 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register  
22 on September 28, 2020, relating to the Department of Environmental Protection (control of  
23 greenhouse gas emissions from existing coal-fired electric utility generating units, 45 CSR 44), is  
24 authorized.

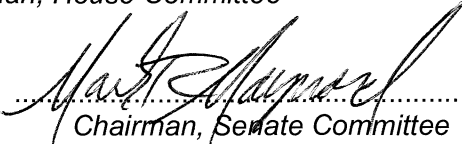
25 (h) The legislative rule filed in the State Register on August 17, 2020, authorized under the  
26 authority of §22-11-4 of this code, modified by the Department of Environmental Protection to  
27 meet the objections of the Legislative Rule-Making Review Committee and refiled in the State  
28 Register on December 22, 2020, relating to the Department of Environmental Protection  
29 (requirements governing water quality standards, 47 CSR 02), is authorized.

30 (i) The legislative rule filed in the State Register on August 25, 2020, authorized under the  
31 authority of §22-18-6 of this code, relating to the Department of Environmental Protection  
32 (hazardous waste management system, 33 CSR 20), is authorized.

33 (j) The legislative rule filed in the State Register on August 25, 2020, authorized under the  
34 authority of §22-22-3 of this code, modified by the Department of Environmental Protection to  
35 meet the objections of the Legislative Rule-Making Review Committee and refiled in the State  
36 Register on December 11, 2020, relating to the Department of Environmental Protection  
37 (voluntary remediation and redevelopment rule, 60 CSR 03), is authorized.

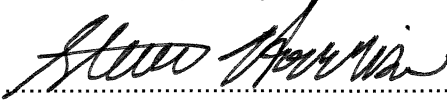
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

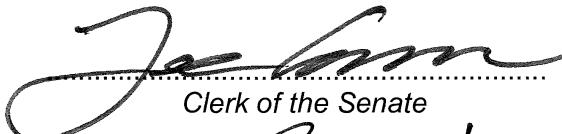
  
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Chairman, House Committee

  
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Chairman, Senate Committee

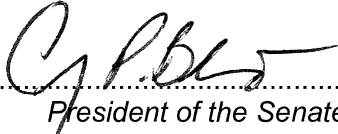
Originating in the House.

In effect from passage.

  
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Clerk of the House of Delegates

  
.....  
Clerk of the Senate

  
.....  
Speaker of the House of Delegates

  
.....  
President of the Senate

The within *is approved* this the *7th* day of *April*, 2021.

  
.....  
Governor

PRESENTED TO THE GOVERNOR

APR 01 2021

Time 4:09 pm