

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 5

BY Senator Woodrum

[Introduced January 10, 2024; referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to
2 authorizing the Department of Environmental Protection to promulgate a legislative rule
3 relating to control of air pollution from the operation of coal preparation plants, coal
4 handling operations, and coal refuse disposal areas.

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 The legislative rule filed in the State Register on July 28, 2023, authorized under the
2 authority of §22-5-4 of this code, modified by the Department of Environmental Protection to meet
3 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register
4 on September 14, 2023, relating to the Department of Environmental Protection (control of air
5 pollution from the operation of coal preparation plants, coal handling operations and coal refuse
6 disposal areas, [45 CSR 05](#)), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from the operation of coal preparation plants, coal handling operations and coal refuse disposal areas.

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