

2 **H. B. 4147**

3 (By Delegate(s) Brown, Poling, D., Fleischauer and Talbott)

4 [Introduced January 19, 2012; referred to the Committee on the  
5 Judiciary.]

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10 A BILL to amend and reenact article 3, chapter 64 of the Code of  
11 West Virginia, 1931, as amended, relating to authorizing the  
12 Department of Environmental Protection to promulgate a  
13 legislative rule relating to permits for construction and  
14 major modifications of major stationary sources which cause or  
15 contribute to nonattainment areas.

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  
23 twenty-ninth day of July, two thousand eleven, authorized under the  
24 authority of section four, article five, chapter twenty-two, of  
25 this code, relating to the Department of Environmental Protection

1 (permits for construction and major modifications of major  
2 stationary sources which cause or contribute to nonattainment  
3 areas, [45 CSR 19](#)), is authorized.

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5 NOTE: The purpose of this bill is to authorize the Department  
6 of Environmental Protection to promulgate a legislative rule  
7 relating to Permits for Construction and Major Modifications of  
8 Major Stationary Sources Which Cause or Contribute to Nonattainment  
9 Areas.

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