1	H. B. 4561
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3	(By Delegate Manypenny)
4	[Introduced February 16, 2012; referred to the
5	Committee on Energy, Industry and Labor, Economic Development and
6	Small Business then the Judiciary.]
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10	A BILL to amend the Code of West Virginia, 1931, as amended, by
11	adding thereto a new section, designated §22-5-20, relating to
12	employing best available control technology, as defined in the
13	West Virginia Code of State Rules, to control air pollution
14	from all stationary equipment associated with the natural gas
15	industry; and rulemaking.
16	Be it enacted by the Legislature of West Virginia:
17	That the Code of West Virginia, 1931, as amended, be amended
18	by adding thereto a new section, designated $\$22-5-20$, to read as
19	follows:
20	ARTICLE 5. AIR POLLUTION CONTROL.
21	§22-5-20. Emissions from stationary equipment in gas production.
22	(a) The Legislature finds that:
23	(1) The combined air pollution emitted from the numerous

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1	pieces of stationary equipment engaged in unconventional natural
2	gas production, processing and transmission pose a threat to the
3	West Virginia public and the environment; and
4	(2) The existing air pollution regulatory scheme fails to
5	adequately address emissions from these sources.
6	(b) Best available control technology, as defined in W.Va.CSR
7	§45-14-2.12 and W.Va. CSR §45-19-2.11, shall be employed to control
8	air pollution from all stationary equipment associated with natural
9	gas production, processing and transmission.
10	(c) The secretary shall propose rules for legislative approval
11	in accordance with the provisions of article three, chapter
12	twenty-nine-a of this code to implement the provisions of this
13	section.
14	(d) The requirements of this section do not alter or
15	interfere with the West Virginia Department of Environmental
16	Protections's or the secretary's duties or obligations contained in
17	federal requirements or West Virginia's state implementation plan.

NOTE: The purpose of this bill is to require that best available control technology be employed to control air pollution from all stationary equipment associated with the natural gas industry and to promulgate rules towards this end.

\$22-5-20 is new; therefore, it has been completely underscored.

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