

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 4059**

BY DELEGATES SOBONYA, FRICH AND MOFFATT

[Introduced January 18, 2016; Referred  
to the Committee on Energy then the Judiciary.]

1 A BILL to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as  
 2 amended, relating to authorizing the Department of Environmental Protection, Water and  
 3 Waste Management to promulgate a legislative rule relating to above ground storage tank  
 4 administrative proceedings and civil penalty assessment.

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

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

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

**§64-3-1. Department of Environmental Protection, Water and Waste Management .**

1 The legislative rule filed in the State Register on July 31, 2015, authorized under the  
 2 authority of section five, article thirty, chapter twenty-two, of this code, relating to the Department  
 3 of Environmental Protection, Water and Waste Management (above ground storage tank  
 4 administrative proceedings and civil penalty assessment, 47 CSR 65), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection,  
 Water and Waste Management to promulgate a legislative rule relating to Above Ground  
 Storage Tank Administrative Proceedings and Civil Penalty Assessment.

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