

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

Senate Bill 113

BY SENATOR MAYNARD

[Originating in the Committee on the Judiciary;

reported on February 21, 2017]

1 A BILL to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating
2 to authorizing the Department of Environmental Protection to promulgate a legislative rule
3 relating to awarding of matching grants for local litter control programs; authorizing the
4 Department of Environmental Protection to promulgate a legislative rule relating to
5 alternative emission limitations during startup, shutdown and maintenance operations;
6 authorizing the Department of Environmental Protection to promulgate a legislative rule
7 relating to permits for construction, modification, relocation and operation of stationary
8 sources of air pollutants, notification requirements, administrative updates, temporary
9 permits, general permits, permission to commence construction and procedures for
10 evaluation; authorizing the Department of Environmental Protection to promulgate a
11 legislative rule relating to permits for construction and major modification of major
12 stationary sources for the prevention of significant deterioration of air quality; authorizing
13 the Department of Environmental Protection to promulgate a legislative rule relating to
14 standards of performance for new stationary sources; authorizing the Department of
15 Environmental Protection to promulgate a legislative rule relating to the control of air
16 pollution from hazardous waste treatment, storage and disposal facilities; authorizing the
17 Department of Environmental Protection to promulgate a legislative rule relating to
18 emission standards for hazardous air pollutants; authorizing the Department of
19 Environmental Protection to promulgate a legislative rule relating to ambient air quality
20 standards; and authorizing the Department of Environmental Protection to promulgate a
21 legislative rule relating to voluntary remediation and redevelopment.

Be it enacted by the Legislature of West Virginia:

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

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 25, 2016, authorized under
2 the authority of section three, article fifteen-a, chapter twenty-two of this code, relating to the
3 Department of Environmental Protection (awarding of matching grants for local litter control
4 programs, 33 CSR 41), is authorized.

5 (b) The legislative rule filed in the State Register on August 26, 2016, authorized under
6 the authority of section four, article five, chapter twenty-two of this code, relating to the Department
7 of Environmental Protection (alternative emission limitations during startup, shutdown and
8 maintenance operations, 45 CSR 01), is authorized.

9 (c) The legislative rule filed in the State Register on August 26, 2016, authorized under
10 the authority of section eleven, article five, chapter twenty-two of this code, relating to the
11 Department of Environmental Protection (permits for construction, modification, relocation and
12 operation of stationary sources of air pollutants, notification requirements, administrative updates,
13 temporary permits, general permits, permission to commence construction and procedures for
14 evaluation, 45 CSR 13), is authorized.

15 (d) The legislative rule filed in the State Register on August 26, 2016, authorized under
16 the authority of section four, article five, chapter twenty-two of this code, relating to the Department
17 of Environmental Protection (permits for construction and major modification of major stationary
18 sources for the prevention of significant deterioration of air quality, 45 CSR 14), is authorized.

19 (e) The legislative rule filed in the State Register on August 26, 2016, authorized under
20 the authority of section four, article five, chapter twenty-two of this code, relating to the Department
21 of Environmental Protection (standards of performance for new stationary sources, 45 CSR 16),
22 is authorized.

23 (f) The legislative rule filed in the State Register on August 26, 2016, authorized under
24 the authority of section four, article five, chapter twenty-two of this code, relating to the Department

25 of Environmental Protection (control of air pollution from hazardous waste treatment, storage and
26 disposal facilities, 45 CSR 25), is authorized.

27 (g) The legislative rule filed in the State Register on August 26, 2016, authorized under
28 the authority of section four, article five, chapter twenty-two of this code, relating to the Department
29 of Environmental Protection (emission standards for hazardous air pollutants, 45 CSR 34), is
30 authorized.

31 (h) The legislative rule filed in the State Register on August 26, 2016, authorized under
32 the authority of section four, article five, chapter twenty-two of this code, relating to the Department
33 of Environmental Protection (ambient air quality standards, 45 CSR 08), is authorized.

34 (i) The legislative rule filed in the State Register on August 25, 2016, authorized under the
35 authority of section three, article twenty-two, chapter twenty-two of this code, relating to the
36 Department of Environmental Protection (voluntary remediation and redevelopment, 60 CSR 03),
37 is authorized.