WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Committee Substitute

for

House Bill 2382

[Originating in the Committee on the Judiciary;
reported on January 15, 2021]
A BILL to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, all relating
generally to authorizing certain agencies of the Department of Environmental Protection
to promulgate legislative rules; authorizing the rules as filed and as modified by the
Legislative Rule-Making Review Committee; authorizing the Department of Environmental
Protection to promulgate a legislative rule relating to ambient air quality standards;
authorizing the Department of Environmental Protection to promulgate a legislative rule
relating to standards of performance for new stationary sources; authorizing the
Department of Environmental Protection to promulgate a legislative rule relating to control
of air pollution from combustion of solid waste; authorizing the Department of Environmental
Protection to promulgate a legislative rule relating to control of air pollution
from municipal solid waste landfills; authorizing the Department of Environmental
Protection to promulgate a legislative rule relating to acid rain provisions and permits;
authorizing the Department of Environmental Protection to promulgate a legislative rule
relating to emission standards for hazardous air pollutants; authorizing the Department of
Environmental Protection to promulgate a legislative rule relating to control of greenhouse
gas emissions from existing coal-fired electric utility generating units; authorizing the
Department of Environmental Protection to promulgate a legislative rule relating to
requirements governing water quality standards; authorizing the Department of
Environmental Protection to promulgate a legislative rule relating to hazardous waste
management system; and authorizing the Department of Environmental Protection to
promulgate a legislative rule relating to voluntary remediation and redevelopment rule.

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.

(a) The legislative rule filed in the State Register on August 26, 2020, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (ambient air quality standards, 45 CSR 08), is authorized.

(b) The legislative rule filed in the State Register on August 26, 2020, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (standards of performance for new stationary sources, 45 CSR 16), is authorized.

(c) The legislative rule filed in the State Register on August 26, 2020, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (control of air pollution from combustion of solid waste, 45 CSR 18), is authorized.

(d) The legislative rule filed in the State Register on August 26, 2020, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (control of air pollution from municipal solid waste landfills, 45 CSR 23), is authorized.

(e) The legislative rule filed in the State Register on August 26, 2020, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (acid rain provisions and permits, 45 CSR 33), is authorized.

(f) The legislative rule filed in the State Register on August 26, 2020, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (emission standards for hazardous air pollutants, 45 CSR 34), is authorized.

(g) The legislative rule filed in the State Register on August 26, 2020, authorized under the authority of §22-5-4 of this code, modified by the Department of Environmental Protection to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 28, 2020, relating to the Department of Environmental Protection (control of greenhouse gas emissions from existing coal-fired electric utility generating units, 45 CSR 44), is authorized.
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(h) The legislative rule filed in the State Register on August 17, 2020, authorized under the authority of §22-11-4 of this code, modified by the Department of Environmental Protection to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 22, 2020, relating to the Department of Environmental Protection (requirements governing water quality standards, 47 CSR 02), is authorized.

(i) The legislative rule filed in the State Register on August 25, 2020, authorized under the authority of §22-18-6 of this code, relating to the Department of Environmental Protection (hazardous waste management system, 33 CSR 20), is authorized.

(j) The legislative rule filed in the State Register on August 25, 2020, authorized under the authority of §22-22-3 of this code, modified by the Department of Environmental Protection to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 11, 2020, relating to the Department of Environmental Protection (voluntary remediation and redevelopment rule, 60 CSR 03), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards.

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