

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4205

BY Delegate D. Smith

[Introduced; referred
to the Committee on.]

1 A BILL to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to
2 authorizing the Department of Environmental Protection to promulgate a legislative rule
3 relating to alternative emission limitations during startup and shutdown operations.

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.

1 The legislative rule filed in the State Register on July 22, 2025, authorized under the
2 authority of §22-5-4 of this code, relating to the Department of Environmental Protection
3 (alternative emission limitations during startup and shutdown operations, [45 CSR 01](#)), is
4 authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection to promulgate a legislative rule relating to alternative emission limitations during startup and shutdown operations.

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