

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 258**

By Senator Rucker

[Introduced January 15, 2026; referred  
to the Committee on the Judiciary]

- 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 standards of performance for new stationary sources.

*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 23, 2025, authorized under the  
2 authority of §22-5-4 of this code, relating to the Department of Environmental Protection  
3 (standards of performance for new stationary sources, [45 CSR 16](#)), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection to promulgate a legislative rule relating to standards of performance for new stationary sources.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.