

# WEST VIRGINIA LEGISLATURE

## Senate Committee on Energy, Industry and Mining

Tuesday, January 15, 2019

1:00 p.m.

**Members Present:** Senator Randy Smith (Chair), Senator Dave Sypolt (Vice Chair), Senator Donna Boley, Senator Charles Clements, Senator Sue Cline, Senator Bill Hamilton, Senator Chandler Swope, Senator Doug Facemire, Senator William Ihlenfeld, Senator Glenn Jeffries, Senator Kenny Mann, Senator Richard Lindsay

**Members Absent:** Senator Mike Woelfel

Pursuant to the call of the Chairman, the Senate Committee on Energy, Industry and Mining met at 1:00 p.m. on January 15, 2019, in Room 208 of the West Wing.

All members being present, apart from Senator Woelfel.

Chairman Smith recognized Vice Chairman Sypolt who moved to approve the minutes from the January 9, 2019 meeting. The motion was adopted by the committee.

Chairman Smith brought the following bills before the committee

**S. B. 164** - DEP rule relating to requirements for conformity of transportation plans, programs, and projects applicable to air quality implementation plans.

Counsel explained the bill.

On the motion of the Vice Chairman, the committee recommended SB164 be reported to the full Senate with the recommendation that it do pass, under the original double Committee reference first be referred to the Committee on Judiciary.

**S. B. 165** - DEP rule relating to provisions for determination of compliance with air quality management rules.

Counsel explained the bill.

On the motion of the Vice Chairman, the committee recommended SB164 be reported to the full Senate with the recommendation that it do pass, under the original double Committee reference first be referred to the Committee on Judiciary.

**S. B. 166** - DEP rule relating to cross-state air pollution rule to control certain emissions.

Counsel explained the bill.

On the motion of the Vice Chairman, the committee recommended SB164 be reported to the full Senate with the recommendation that it do pass, under the original double Committee reference first be referred to the Committee on Judiciary.

**S. B. 226** - Office of Miners' health, Safety, and Training rule relating to rules and regulations governing safety of employees in and around surface mines in WV.

Counsel explained the bill.

On the motion of the Vice Chairman, the committee recommended SB164 be reported to the full Senate with the recommendation that it do pass, under the original double Committee reference first be referred to the Committee on Judiciary.

**S. B. 227** - Office of Miners' Health, Safety, and Training rule relating to submission and approval of comprehensive mine safety program.

Counsel explained the bill.

On the motion of the Vice Chairman, the committee recommended SB164 be reported to the full Senate with the recommendation that it do pass, under the original double Committee reference first be referred to the Committee on Judiciary.

**S. B. 160** - DEP rule relating to ambient air quality.

Counsel explained the bill.

Questions and answers followed.

With leave of the committee, Laura Jennings, DEP, administered the oath prescribed by Senate Rule 28a by Chairman Smith, addressed the committee and responded to questions.

On the recommendation that it do pass, under the original double Committee reference first be referred to the Committee on Judiciary.

**S. B. 161** - DEP rule relating to standards of performance for new stationary sources.

Counsel explained the bill.

On the motion of the Vice Chairman, the committee recommended SB164 be reported to the full Senate with the recommendation that it do pass, under the original double Committee reference first be referred to the Committee on Judiciary.

**S. B. 162** - DEP rule relating to control of air pollution from hazardous waste treatment, storage, and disposal facilities.

Counsel explained the bill.

On the motion of the Vice Chairman, the committee recommended SB164 be reported to the full Senate with the recommendation that it do pass, under the original double Committee reference first be referred to the Committee on Judiciary.

**S. B. 163** - DEP rule relating to emission standards for hazardous air pollutants.

Counsel explained the bill.

On the motion of the Vice Chairman, the committee recommended SB164 be reported to the full Senate with the recommendation that it do pass, under the original double Committee reference first be referred to the Committee on Judiciary.

**S. B. 228** - Office of Miners' Health, Safety, and Training rule relating to operating diesel equipment in underground mines.

Counsel explained the bill.

On the motion of the Vice Chairman, the committee recommended SB164 be reported to the full Senate with the recommendation that it do pass, under the original double Committee reference first be referred to the Committee on Judiciary.

The Vice Chairman moved to adjourn the meeting. The motion passed unanimously.