

H. B. 3254

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(By Delegates Manypenny, Perdue, Staggers,
Frazier, Barill, Mahan, Guthrie, Fleischauer,
Longstreth and Doyle)

[Introduced February 21, 2011; referred to the
Committee on the Judiciary then Finance.]

10 A BILL to amend and reenact §22-5-1 of the Code of West Virginia,
11 1931, as amended, relating to adding oil and gas facilities,
12 wells, pipelines and tanks to the coordinated statewide
13 program of air pollution prevention.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §22-5-1 of the Code of West Virginia, 1931, as amended,
16 be amended and reenacted to read as follows:

17 **ARTICLE 5. AIR POLLUTION CONTROL.**

18 **§22-5-1. Declaration of policy and purpose.**

19 It is hereby declared to be the public policy of this state
20 and the purpose of this article to achieve and maintain such levels
21 of air quality as will protect human health and safety, and to the
22 greatest degree practicable, prevent injury to plant and animal
23 life and property, foster the comfort and convenience of the
24 people, promote the economic and social development of this state
25 and facilitate the enjoyment of the natural attractions of this
26 state.

27 To these ends it is the purpose of this article to provide for
28 a coordinated statewide program of air pollution prevention,
29 abatement and control, including air pollution from oil and gas

1 facilities, wells, pipelines and tanks; to facilitate cooperation
2 across jurisdictional lines in dealing with problems of air
3 pollution not confined within single jurisdictions; to assure the
4 economic competitiveness of the state by providing for the timely
5 processing of permit applications and other authorizations under
6 this article; and to provide a framework within which all values
7 may be balanced in the public interest.

8 Further, it is the public policy of this state to fulfill its
9 primary responsibility for assuring air quality pursuant to the
10 "Federal Clean Air Act," as amended.

NOTE: The purpose of this bill is to add oil and gas
facilities, wells, pipelines and tanks to the coordinated statewide
program of air pollution prevention.

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