

2 **Senate Bill No. 115**

3 (By Senators Minard, Snyder, Prezioso,
4 Unger, Boley and K. Facemyer)

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6 [Introduced January 18, 2011; referred to the Committee on
7 Energy, Industry and Mining; and then to the Committee on the
8 Judiciary.]
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11 A BILL to amend and reenact article 3, chapter 64 of the Code of
12 West Virginia, 1931, as amended, relating to authorizing the
13 Department of Environmental Protection to promulgate a
14 legislative rule relating to standards of performance for new
15 stationary sources.

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

17 That article 3, chapter 64 of the Code of West Virginia, 1931,
18 as amended, be amended and reenacted to read as follows:

19 **ARTICLE 3. AUTHORIZATION FOR DEPARTMENT OF ENVIRONMENTAL**
20 **PROTECTION TO PROMULGATE LEGISLATIVE RULES.**

21 **§64-3-1. Department of Environmental Protection.**

22 The legislative rule filed in the state register on the

1 twenty-eighth day of July, two thousand ten, authorized under the
2 authority of section four, article five, chapter twenty-two, of
3 this code, relating to the Department of Environmental Protection
4 (standards of performance for new stationary sources, 45 CSR 16),
5 is authorized.

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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.

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