

2 **H. B. 4145**

3 (By Delegate(s) Brown, Poling, D., Fleischauer and Talbott)

4 [Introduced January 19, 2012; referred to the Committee on the  
5 Judiciary.]

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10 A BILL to amend and reenact article 3, chapter 64 of the Code of  
11 West Virginia, 1931, as amended, relating to authorizing the  
12 Department of Environmental Protection to promulgate a  
13 legislative rule relating to standards of performance for new  
14 stationary sources.

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

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

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

20 **§64-3-1. Department of Environmental Protection.**

21 The legislative rule filed in the State Register on the  
22 twenty-ninth day of July, two thousand eleven, authorized under the  
23 authority of section four, article five, chapter twenty-two, of  
24 this code, relating to the Department of Environmental Protection  
25 (standards of performance for new stationary sources, [45 CSR 16](#)),

1 is authorized.

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3 NOTE: The purpose of this bill is to authorize the Department  
4 of Environmental Protection to promulgate a legislative rule  
5 relating to Standards of Performance for New Stationary Sources.

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