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H. B. 4028

(By Delegates Poore, Marcum, Eldridge and
Fleischauer)

[Introduced January 9, 2014; referred to the
Committee on the Judiciary.]

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

Be it enacted by the Legislature of West Virginia:

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

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

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

The legislative rule filed in the State Register on July 22,
2013, authorized under the authority of section four, article five,
chapter twenty-two of this code, relating to the Department of
Environmental Protection (standards of performance for new

1 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.

This section is new; therefore, it has been completely underscored.