

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

### **Introduced**

## **House Bill 4104**

BY DELEGATES SOBONYA, FRICH AND MOFFATT

[Introduced January 18, 2016; Referred  
to the Committee on Energy then the Judiciary]

1 A BILL to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as  
2 amended, relating to authorizing the Department of Environmental Protection, Water and  
3 Waste Management to promulgate a legislative rule relating to above ground storage  
4 tanks.

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

1 That article 3, chapter 64 of the Code of West Virginia, 1931, as amended, be amended  
2 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, Water and Waste Management .**

1 The legislative rule filed in the State Register on July 31, 2015, authorized under the  
2 authority of section five, article thirty, chapter twenty-two, of this code, modified by the Department  
3 of Environmental Protection, Water and Waste Management to meet the objections of the  
4 Legislative Rule-making Review Committee and refiled in the State Register on November 24,  
5 2015, relating to the Department of Environmental Protection, Water and Waste Management  
6 (above ground storage tanks, 47 CSR 63), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection,  
Water and Waste Management to promulgate a legislative rule relating to Above Ground  
Storage Tanks.

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