

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **Senate Bill 166**

BY SENATOR MAYNARD

[Introduced January 10, 2019; Referred  
to the Committee on Energy, Industry and Mining; and then  
to the Committee on the Judiciary]

1 A BILL to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating  
 2 to authorizing the Department of Environmental Protection to promulgate a legislative rule  
 3 relating to cross-state air pollution rule to control annual nitrogen oxides emission, annual  
 4 sulfur dioxide emissions, and ozone season nitrogen oxides emissions.

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

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

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

1 The legislative rule filed in the State Register on July 24, 2018, authorized under the  
 2 authority of §22-5-4 of this code, relating to the Department of Environmental Protection (cross-  
 3 state air pollution rule to control annual nitrogen oxides emission, annual sulfur dioxide emissions,  
 4 and ozone season nitrogen oxides emissions, [45 CSR 43](#)), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection to promulgate a legislative rule relating to cross-state air pollution rule to control annual nitrogen oxides emission, annual sulfur dioxide emissions, and ozone season nitrogen oxides emissions.

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