

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 810

SENATORS SMITH AND CLINE, *original sponsors*

[Passed March 4, 2020; in effect 90 days from passage]

1 AN ACT to amend and reenact §22-5-20 of the Code of West Virginia, 1931, as amended, relating
2 to adoption of a state plan implementing the federal Affordable Clean Energy rule pursuant
3 to section 111(d) of the federal Clean Air Act.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. AIR POLLUTION CONTROL.

§22-5-20. Development of a state plan relating to carbon dioxide emissions from existing fossil fuel-fired electric generating units.

1 The West Virginia Department of Environmental Protection shall propose a legislative rule
2 for promulgation in accordance with §29A-3-1 of this code to implement the Affordable Clean
3 Energy rule, consisting of Emission Guidelines for Greenhouse Gas, Emissions from Existing
4 Electric Utility Generating Units (EGUs) pursuant to the federal Clean Air Act, section 111(d). The
5 proposed rule shall be filed with the Secretary of State in time for consideration during the 2021
6 legislative session. Notwithstanding any provision to the contrary, the agency shall submit a
7 complete or partial state compliance plan to the federal Environmental Protection Agency no later
8 than September 1, 2020, which may be comprised of one or more EGU facilities that are
9 voluntarily prepared to move forward with a compliance plan for one or more of their EGUs.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2020.

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Governor