

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5074

By Delegate Hansen

[Introduced January 25, 2024; Referred to the
Committee on Energy and Manufacturing then the
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §22-1-4, relating to requiring disclosure of the lawful activity that is the basis of
 3 a permit application with the Department of Environmental Protection; and providing
 4 exceptions thereto.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. DEPARTMENT OF ENVIRONMENTAL PROTECTION.

§22-1-4. Disclosure of purpose for permitted activity.

1 The Legislature finds that when an industrial, manufacturing, or other activity necessitates
 2 a permit pursuant to this chapter, that the public and residents in the proximity of that activity have
 3 a right to know the nature and purpose of the permitted activity, and that the entity applying for a
 4 permit shall disclose the lawful purpose of the activity with sufficient specificity to put the public on
 5 notice of the proposed activities that will occur at the permit location. The Director of the
 6 Department of Environmental Protection shall require, for a permit pursuant to this provisions of
 7 this chapter, disclosure of this information as part of the permit application: *Provided*, That the
 8 provisions of this section may not require disclosure of trade secrets or other propriety information
 9 by the applicant.

NOTE: The purpose of this bill is to require the purpose of any activity permitted by the Department of Environmental Protection to allow public disclosure of activities at a permitted location.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.