WV ACE Partial State Plan
Appendix G

Senate Bill 810 (2020 Regular Session)
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Enrolled
Committee Substitute
for
Senate Bill 810

SENATORS SMITH AND CLINE, original sponsors

[Passed March 4, 2020; in effect 90 days from passage]
AN ACT to amend and reenact §22-5-20 of the Code of West Virginia, 1931, as amended, relating
to adoption of a state plan implementing the federal Affordable Clean Energy rule pursuant
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.

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

Chairman, Senate Committee

Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within ................................................... this the...........................................

Day of ..........................................................................................................., 2020.

Governor