

2004 SESSION

INTRODUCED

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HOUSE BILL NO. 113

Offered January 14, 2004

Prefiled December 22, 2003

*A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 13 of Title 10.1 a section numbered 10.1-1322.5, relating to severe nonattainment areas.*

Patron—Van Landingham

Referred to Committee on Agriculture, Chesapeake and Natural Resources

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 1 of Chapter 13 of Title 10.1 a section numbered 10.1-1322.5 as follows:**

*§ 10.1-1322.5. Emissions reductions in severe nonattainment areas.*

*A. Any electric generating facility in an area designated by the U.S. Environmental Protection Agency, pursuant to the federal Clean Air Act, as severe nonattainment shall meet the following emission reduction requirements no later than January 1, 2009, in addition to any other permit requirements:*

*1. Aggregate sulfur dioxide emissions shall be reduced by no less than 75 percent from the levels allowed under full implementation of the Phase II sulfur dioxide requirements under Title IV of the federal Clean Air Act, acid deposition control; and*

*2. Aggregate nitrogen oxide emissions shall be reduced by no less than 75 percent from the facility's 1997 levels.*

*B. The emission reductions required in this section shall not be reduced in any way by the electric generating facility's participation in any emissions trading program.*

*C. No electric generating facility may continue to operate after January 1, 2009, without meeting the requirements of this section unless it has entered into a consent decree with the Board obligating it to cease operations by January 1, 2014.*

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