

2010 SESSION

INTRODUCED

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SENATE BILL NO. 659

Offered January 20, 2010

A *BILL to amend the Code of Virginia by adding a section numbered 10.1-1307.03, relating to the control of air pollution from activities on the outer continental shelf.*

Patron—Wagner

Unanimous consent to introduce

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 10.1-1307.03 as follows:
§ 10.1-1307.03. Requirements applicable to Outer Continental Shelf sources.

A. As used in this section:

"Outer Continental Shelf" has the meaning provided by § 2 of the federal Outer Continental Shelf Lands Act (43 U.S.C. § 1331).

"Outer Continental Shelf sources" has the same meaning ascribed thereto in § 328(a)(4)(C) of the Clean Air Act (42 U.S.C. § 7627(a)(4)(C)).

B. The Board, by January 1, 2011, shall adopt any regulations necessary to implement and enforce the requirements of § 328 of the Clean Air Act (42 U.S.C. § 7627) relating to requirements to control air pollution from Outer Continental Shelf sources located offshore of the Commonwealth. The regulations adopted by the Board shall not differ materially from the regulations promulgated by the U.S. Environmental Protection Agency in implementing § 328 of the Clean Air Act.

2. That the Department of Environmental Quality shall request the Administrator of the U.S. Environmental Protection Agency to delegate to the Commonwealth any authority the Administrator has under the Clean Air Act to implement and enforce the requirements of § 328 of the Clean Air Act (42 U.S.C. § 7627).

3. That the actions of the Air Pollution Control Board relating to the adoption of regulations pursuant to this act shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

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