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SENATE BILL NO. 1058

Senate Amendments in [] — January 26, 2011

A BILL to repeal §§ 10.1-1327 and 10.1-1328 of the Code of Virginia, relating to air emissions; repeal of laws and regulations related to the Clean Air Interstate Rule.

Patron Prior to Engrossment—Senator McDougle

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That §§ 10.1-1327 and 10.1-1328 of the Code of Virginia, and any regulations implementing the Clean Air Interstate Rule, shall be repealed upon the earlier of (i) the date when facilities in the Commonwealth become subject to the requirements of a federal implementation plan adopted by the U.S. Environmental Protection Agency in response to the remand of the Clean Air Interstate Rule, or (ii) the effective date of a final rule adopted by the State Air Pollution Control Board implementing federal requirements adopted by the U.S. Environmental Protection Agency in response to the remand of the Clean Air Interstate Rule.

[2. That, in the event the State Air Pollution Control Board develops a final rule to implement federal requirements adopted by the U.S. Environmental Protection Agency in response to the remand of the Clean Air Interstate Rule, the State Air Pollution Control Board shall evaluate the inclusion of a renewable and energy-efficiency source set-aside as part of a new source set-aside when developing such rule. For purposes of this enactment clause "evaluate" includes the description of an option for a renewable and energy-efficiency source set-aside in any Notice of Intended Regulatory Action and solicitation of public comment on such option.]

ENGROSSED

SB1058E