

West Virginia Energy Law Legislative Update

Thank you for joining us today
The webinar will begin promptly at 12 pm

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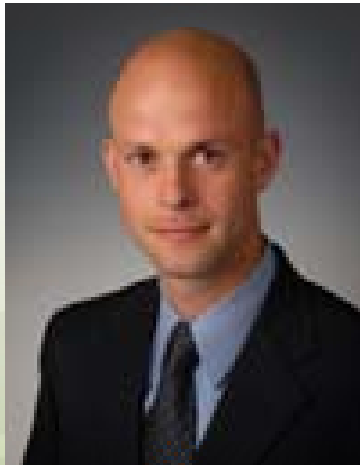


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West Virginia Energy Law Legislative Update



Bills Passed by Both Houses

■ ■ Bills Passed by Both Houses



SB 350: Recategorizing recycled energy as renewable energy resource

- PSC's Alternative and Renewable Energy Portfolio Standard (W. Va. Code § 24-2F-1 *et seq.*)
- Provides flexibility in determining what is “renewable energy”
- Effective June 11, 2010

■ ■ Bills Passed by Both Houses



SB 382: Relating to certain oil and gas drilling geologic reports

- W.Va. Code §26-6-22
- New completion report requirements for wells drilled
- Effective June 6, 2010

■ ■ Bills Passed by Both Houses



SB 656: Relating to special rates for energy-intensive industrial electric power consumers

- W.Va. Code §24-2-1j
- Minimum 50k kilowatt contract
- PSC discretion (appeal available)
- Other criteria
- Effective June 7, 2010

■ ■ Bills Passed by Both Houses



HB4181: Continuing the current hazardous waste management fee until 2015

- W.Va. Code §22-18-22
- Effective June 18, 2010

■ ■ Bills Passed by Both Houses



HB 4457: Relating to the access to and protection of Cemeteries.

- W.Va. Code §29-1-8a; §37-13A-1; §37-13A-2; §37-13A-5; §37-13A-7; §61-8-14
- Immediately cease activity and notify sheriff within 48 hrs or finding cemetery or remains
- Right to access cemeteries by “authorized” individuals after notice to private landowner
- Effective June 9, 2010

■ ■ Bills Passed by Both Houses



SB183: Creating Diesel-Powered Motor Vehicle Idling Act

- W.Va. Code §17C-13A-1 *et seq*
- Illegal to idle diesel engines for over 15 minutes
- BUT, list of exceptions very long

■ ■ Bills Passed by Both Houses



HB4177: Dedicating five percent of coal severance tax to county of origin

- To be used for economic development, job creation, infrastructure and road repair
- Passed both houses, but not enrolled due to “technical deficiency”



Bills Passed by One Chamber

■ ■ Bills Passed by One Chamber



SB369: Modifying definitions of certain wells

- Clarified the difference between shallow and deep wells

■ ■ Bills Passed by One Chamber



SB458: Distributing minimum share of severance tax to coalbed methane-producing counties

- Proposed to redistribute the severance tax according to coalbed methane production by county

■ ■ Bills Passed by One Chamber



SB493: Creating 21st Century Business Technologies Property Valuation Act

- Salvage value to be used for tangible personal property used in certain technological areas
- Alternative energy identified as an area for this valuation

■ ■ Bills Passed by One Chamber

HB4513: Establishing requirements for Marcellus gas well operations use of water resources

- Additional reporting requirements including:
 - Estimates of water use
 - Disposal plans
 - Surface water considerations
 - Other environmental issues

■ ■ Bills Not Passed by Either Chamber

- SB85: Repealing the article banning nuclear power plant construction
- HB3023: Oil and gas surface owners' bill of rights
- HB2905: Increasing the distance required for surface mining activity in relation to cemeteries (covered in HB4457)
- HB4616: Creating the temporary natural gas resources transportation road system

■ ■ Bills Not Passed by Either Chamber

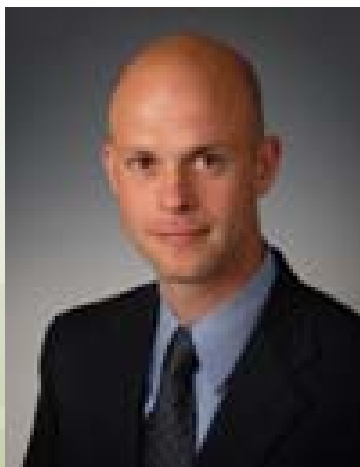


- HB2081: Requiring mine superintendant sign fire boss record book daily
- HB2236: Use of permanent replacements for striking workers an unfair labor practice in certain instances
- HB4620: Requiring that certain mining machines automatically shut off when the methane level reaches 1%



Thank You!

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Thank you for participating!

*Please join us for the next
Energy Webinar , July 21st*

Details will be emailed to you soon!





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