

ARTICLE 20. AIR POLLUTION CONTROL

- § 1409(128). [1] Declaration of policy and purpose.
- 1409(129). [2] Definitions.
- 1409(130). [3] Making it unlawful to cause statutory air pollution.
- 1409(131). [4] Creation of air pollution control commission; personnel; records.
- 1409(132). [5] Authority and powers of commission; rules and regulations; public hearings.
- 1409(133). [6] Complaints before the commission and procedure thereon.
- 1409(134). [7] Right of appeal; jurisdiction of court.
- 1409(135). [8] Penalties.
- 1409(136). [9] Applications for injunctive relief.
- 1409(137). [10] Emergencies; powers of commission; procedure.
- 1409(138). [11] Powers reserved to state board of health; local health boards and political subdivisions.
- 1409(139). [12] Severability.
- 1409(140). [13] Effective date of rules and regulations.

§ 1409(128). [1] **Declaration of Policy and Purpose.**—It is hereby determined and declared to be the policy of the state of West Virginia to maintain such a reasonable degree of purity of the air resources of the state as shall be technically feasible, economically reasonable, and necessary for the protection of the normal health, the general welfare and the property of the people of the state. The measures for the accomplishment of this purpose shall not unreasonably obstruct the attraction, development and expansion of business, industry and commerce within the state. The program for the control of air pollution under this act shall be sought to be accomplished by a maximum of cooperation and conciliation among all the parties concerned. All powers herein conferred upon the air pollution control commission shall be exercised solely to effectuate the policy declared in this section.

§ 1409(129). [2] **Definitions.**—The terms used in this article are defined as follows:

The term "person" shall mean any and all persons, natural or artificial including any municipal, public or private corporation organized or existing under the laws of this or any other state or county, and any firm, partnership or association of whatever nature.

The term "commission" shall mean the air pollution control commission herein created, and the term "commissioner" shall mean a member of said commission.

The term "air pollutants" shall mean solids, liquids or gases which, if discharged into the air, will result in a statutory air pollution.

The term "discharge" shall refer to any continuous or regular release, escape or emission of air pollutants into the air.

The term "statutory air pollution" shall mean and be limited to the discharge into the air by the act of man of substances (liquid, solid, gaseous,

N. H. DYER, M.D., M.P.H.
STATE DIRECTOR OF HEALTH



State of West Virginia

DEPARTMENT OF HEALTH

CHARLESTON 25305

November 28, 1967

Honorable Robert D. Bailey
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Mr. Bailey:

Enclosed are two copies of a Reference Page and two copies of Index Pages for The Public Health Laws of West Virginia and a Manual of Regulations of the West Virginia Board of Health. These Laws and Regulations are filed in the Odd Size File as item number 3.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "N. H. Dyer".

N. H. Dyer, M. D., M. P. H.
State Director of Health

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 11/28/67