

FORM #2

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AUG 9 1 46 PM '00

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**  
**NOTICE OF EXTENSION OF COMMENT PERIOD**

AGENCY: Division of Environmental Protection, Office of Air Quality TITLE NUMBER: 45

RULE TYPE: Legislative; CITE AUTHORITY W. Va. Code §§22-5-1 et seq.

AMENDMENT TO AN EXISTING RULE: YES \_\_\_\_\_ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 1

TITLE OF RULE BEING PROPOSED: NO<sub>x</sub> Budget Trading Program as a Means of  
Control and Reduction of Nitrogen Oxides

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON August 21, 2000 AT 5:00 p.m.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Edward L. Kropp, Chief

Office of Air Quality

7012 MacCorkle Avenue, SE

Charleston, WV 25304-2599

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Karen H. Watson, Attorney

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

## NOTICE OF EXTENSION OF PUBLIC COMMENT PERIOD

The West Virginia Division of Environmental Protection, Office of Air Quality, hereby provides notice of the extension of the public comment period previously established for proposed revisions to the following legislative rules:

- 45CSR1 "NO<sub>x</sub> Budget Trading Program as a Means of Control and Reduction of Nitrogen Oxides" (New Rule)
- 45CSR15 "Emission Standards for Hazardous Air Pollutants Pursuant to 45 CFR Part 61"
- 45CSR16 "Standards of Performance for New Stationary Sources Pursuant to 40 CFR Part 60"
- 45CSR34 "Emission Standards for Hazardous Air Pollutants for Source Categories Pursuant to 40 CFR Part 63"

Upon authorization and promulgation of new 45CSR1, the rule will be submitted to the U.S. Environmental Protection Agency for its approval as part of the State Implementation Plan pursuant to the Clean Air Act.

Upon authorization and promulgation of revisions to 45CSR15, 45CSR16 and 45CSR34, the Office of Air Quality will seek federal delegation of authority from the U.S. Environmental Protection Agency to implement and enforce the revised standards.

The public comment period, previously set to expire at the close of the public hearing on August 14, 2000 will be extended up to and including August 21, 2000, at 5:00 p.m. to permit the receipt of written comments which will be made a part of the rule-making record. The public hearing set for August 14, 2000, at 6:00 p.m. will be held as previously noticed. The public may submit written comments by mail, facsimile (304-926-3637) or other delivery to the Office of Air Quality **if received by** the Office by August 21, 2000, at 5:00 p.m. at the following address:

Edward L. Kropp, Chief  
Office of Air Quality  
7012 MacCorkle Avenue, SE  
Charleston, WV 25304-2943

If comments are delivered by U.S. mail, they must be postmarked in time to permit receipt by August 21, 2000. Comments will also be accepted by e-mail if transmitted by 5:00 p.m. on August 21, 2000, to the following address:

E-mail - [jwhite@mail.dep.state.wv.us](mailto:jwhite@mail.dep.state.wv.us)

Copies of the proposed legislative rules are available for public review at the Office of Air Quality's Charleston office at the above address or may be made available electronically upon request made to [jwhite@mail.dep.state.wv.us](mailto:jwhite@mail.dep.state.wv.us).