



STATE OF WEST VIRGINIA  
OFFICE OF THE SECRETARY OF STATE  
CHARLESTON 25305

A. JAMES MANCHIN  
SECRETARY OF STATE

STATE REGISTER FILING

I, Carl G. Beard, II, Secretary,  
Title or Position

Air Pollution Control Commission, hereby submit to record in  
Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- ( ) proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- ( ) proposed rules and regulations superseding rules and regulations already on file;
- ( ) notice of hearing;
- ( ) findings and determinations;
- (x) **Temporary** rules and regulations; or, including effective date, September 20, 1977  
statement of facts and circumstances pur-  
suant to Chapter 29A, Article 3, Section 14).
- (x) other - specify ( of the Code of West Virginia of 1931, as amended.

This filing pertains to

Chapter 29E  
Article 1  
Series \_\_\_\_\_  
Section 3(5)  
Page No. \_\_\_\_\_

- ( ) proposed rules and regulations are required to go to Legislative Rule Making Committee;
- ( ) proposed rules and regulations are excluded from Legislative Rule Making Committee;

September 20, 1977  
Date Submitted

Carl G. Beard, II  
Signature of Person Authorizing  
this Filing - **Carl G. Beard, II**  
Secretary

## STATEMENT OF FACTS AND CIRCUMSTANCES

### III. MISCELLANEOUS RULES

Miscellaneous Rule No. 1 was adopted by the West Virginia Air Pollution Control Commission on September 20, 1977, pursuant to Chapter 29A, Article 3, Section 14 of the Code of West Virginia of 1931, as amended, due to the numerous requests for copies of writings being made pursuant to the new West Virginia Freedom of Information Act, Chapter 29B, Article 1 of said Code. Many of the requests that have been submitted are quite extensive in numbers and would require considerable expense to the agency in the form of copying expense and manpower.

In accordance with Chapter 29B, Article 3, Section 3(5), this Commission determined that a fee was necessary and adopted the enclosed fee schedule in the form of Miscellaneous Rule No. 1. Because of the immediacy of a number of the requests, the Commission determined that these requests must be complied with as soon as possible. Secondly, since Chapter 29A, Article 3 provides that notice must be given in the State Register and a hearing must be held to promulgate a permanent regulation on this matter, the Commission determined, based on the immediacy and necessity of certain requests, that an emergency does exist with respect to this issue and consequently promulgated this temporary regulation pursuant to Section 14 of the Article 3, Chapter 29A.

WEST VIRGINIA AIR POLLUTION CONTROL  
COMMISSION

  
Secretary

Dated: September 20, 1977



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Article 1  
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**WEST VIRGINIA  
AIR POLLUTION CONTROL COMMISSION**

**III. MISCELLANEOUS RULES**

**RULE NO. 1. FREEDOM OF INFORMATION**

Any person, firm, corporation, partnership or association has the right to inspect and request a copy of public records of this agency pursuant to Chapter 29B, Article 1 of the Code of West Virginia of 1931, as amended. In accordance with said Code, the Commission hereby adopts the following fee schedule:

	<u>Document Size</u>	<u>Fee</u>
(1)	All writings except computer print-out sheets, maps, larger than 8 $\frac{1}{2}$ " x 14", photographs or recording tapes	\$0.50 per copy page
(2)	Reserved	

There shall be no fee for copies made for the United States of America or any federal agency thereof or the State of West Virginia or any governmental agency of the State of West Virginia.

**EFFECTIVE DATE: September 20, 1977**



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- ( ) other - specify (

This filing pertains to

Chapter 29B  
Article 1  
Series \_\_\_\_\_  
Section \_\_\_\_\_  
Page No. \_\_\_\_\_

FILE IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

DATE 11-17-77

- ( ) proposed rules and regulations are required to go to Legislative Rule Making Committee;
- is
- (X) proposed rule ~~and regulations~~ excluded from Legislative Rule Making Committee;

November 17, 1977  
Date Submitted

Carl G. Beard, II  
Signature of Person Authorizing  
this Filing

PROPOSED RULE

WEST VIRGINIA  
AIR POLLUTION CONTROL COMMISSION

III. MISCELLANEOUS RULES

RULE NO. 1. FREEDOM OF INFORMATION

Any person, firm, corporation, partnership or association has the right to inspect and request a copy of public records of this agency pursuant to Chapter 29B, Article 1 of the Code of West Virginia of 1931, as amended. In accordance with said Code, the Commission hereby adopts the following fee schedule:

	<u>Document</u>	<u>Fee</u>
(1)	Papers, maps, cards or other documentary materials in sheet form no larger than $8\frac{1}{2}$ x 14	\$ 0.50 per copy page
(2)	Books	\$ 0.50 per page if copied or actual cost of book plus 25% procurement and handling fee
(3)	Photographs	Actual cost of copy plus 25% handling fee
(4)	Tapes and other magnetic recordings	\$ 50.00 per 600 feet reel, both sides; \$ 50.00 per 60 minute cassette, both sides
(5)	All other writings	\$ 0.50 per copy page or actual cost of copy if cost exceeds \$0.50 per copy page, plus 25% handling fee

If copies of the requested information must be shipped prepaid, actual cost of shipping shall also be assessed.

Where, in the opinion of the Director, the estimated fee exceeds the amount of five dollars (\$5.00), the Director may require payment in advance.

EFFECTIVE DATE: January 30, 1978

PROPOSED RULE

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

DATE 11-17-77

WEST VIRGINIA  
AIR POLLUTION CONTROL COMMISSION

NOTICE OF PUBLIC HEARING

A public hearing will be held by the West Virginia Air Pollution Control Commission concerning the adoption of a rule to establish the fees and charges for reproductions of records of the West Virginia Air Pollution Control Commission.

Pursuant to the provision of Chapter 29A of the Code of West Virginia, notice is hereby given that the public hearing will be held on Monday, December 19, 1977, at 9:00 a.m. in the Conference Room of the West Virginia Air Pollution Control Commission located at 1558 Washington Street, East, Charleston, Kanawha County, West Virginia.

The hearing is open to the public and comments from any person, written or oral, will be received and made part of the record.

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Carl G. Beard, II  
Secretary  
West Virginia Air Pollution  
Control Commission

November 17, 1977

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

THIS DATE 11-17-77





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- ( ) findings and determinations;
- ( ) rules and regulations; or
- ( ) other - specify ( )).

This filing pertains to

Chapter 16  
Article 20  
Series \_\_\_\_\_  
Section \_\_\_\_\_  
Page No. \_\_\_\_\_

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November 17, 1977  
Date Submitted

[Signature]  
Signature of Person Authorizing  
this Filing

PROPOSED RULE  
**WEST VIRGINIA**  
**AIR POLLUTION CONTROL COMMISSION**

I. ADMINISTRATIVE HEARINGS

RULE NO. 13

Any person who desires to submit exhibits or other documents as evidence into the record of a public hearing held pertaining to the promulgation or amendment of a rule or regulation of the Commission shall submit the exhibits or other documentary evidence and twenty-five (25) copies thereof.

EFFECTIVE DATE: January 30, 1978

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

THIS DATE 11-17-77

PROPOSED RULE

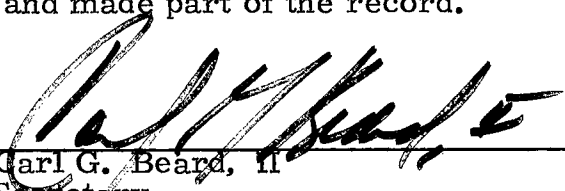
**WEST VIRGINIA  
AIR POLLUTION CONTROL COMMISSION**

**NOTICE OF PUBLIC HEARING**

A public hearing will be held by the West Virginia Air Pollution Control Commission concerning the adoption of a rule to establish the number of copies of exhibits or other documentary evidence to be submitted along with the original exhibit or other documentary evidence at hearings held pertaining to the promulgation or amendment of a rule or regulation of the West Virginia Air Pollution Control Commission.

Pursuant to the provision of Chapter 29A of the Code of West Virginia, notice is hereby given that the public hearing will be held on Monday, December 19, 1977, at 9:00 a.m. in the Conference Room of the West Virginia Air Pollution Control Commission located at 1558 Washington Street, East, Charleston, Kanawha County, West Virginia.

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Carl G. Beard, II  
Secretary  
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November 17, 1977

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