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## West Virginia Bureau of Environment

Cecil H Underwood  
 Governor

Michael C. Castle  
 Commissioner

November 2, 1999

Ms. Judy Cooper  
 Director, Administrative Law  
 Division  
 Secretary of State's Office  
 Capitol Complex  
 Charleston, WV 25305

OFFICE OF THE COMMISSIONER  
 WEST VIRGINIA BUREAU OF ENVIRONMENT  
 1000 MARKET STREET, SUITE 1000  
 CHARLESTON, WV 25305  
 759-0515

RE: 47CSR9A - "Class 5 Injection Well Type Descriptions"

Dear Ms. Cooper:

I am requesting that the above-referenced Office of Water Resources' (OWR) Interpretative Rule be repealed and removed from the Code of State Rules for the following reasons. This Interpretative Rule is inconsistent with OWR's Legislative Rule, 47CSR13 - "Underground Injection Control", which is the prevailing rule. Secondly, the US Environmental Protection Agency has promulgated new federal regulations governing Class 5 injection wells. These new regulations combine the thirty-two (32) different categories of Class 5 injection wells into a more manageable set of wells, which consist of only five (5) categories, while also eliminating a number of Class 5 wells by reclassifying them as either Class 2 or Class 3 wells.

Your cooperation in the above request is very much appreciated. If you should have any questions or require additional information, please call Carrie Chambers in my office at 759-0515.

Sincerely,

Michael C. Castle  
 Commissioner

MCC:cc

cc: Barbara S. Taylor  
 David P. Watkins  
 Bill Brannon  
 Carrie Chambers