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WEST VIRGINIA LEGISLATURE OFFICE WEST VIRGINIA
Legislative Rule-Making Review Committee SECRETARY OF STATE

Senator Joseph Minard, Cochair
Delegate Virginia Mahan, Cochair
Debra A. Graham, Counsel
Joseph A. Altizer, Associate Counsel

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Connie A. Bowling, Associate Counsel
Brian Skinner, Associate Counsel
Felisha N. Sutherland, Administrative Assistant

December 12, 2006

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Betty Ireland, Secretary of State, State Register

TO: John A. Benedict, Director
DEP - Division of Air Quality
610 57th Street, SE
Charleston, WV 25304

FROM: Legislative Rule-Making Review Committee

Proposed Rule: Control of Nitrogen Oxides Emissions, 45CSR39

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature:

- 1. Authorize the agency to promulgate the Legislative rule: _____
- 2. a. as originally filed _____
- b. as modified by the agency X
- 3. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. _____
- 4. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
- 5. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
- 6. Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached. _____