



WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

FILED

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February 10, 2009

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

TO: Betty Ireland, Secretary of State, State Register
TO: John Benedict, Director
DEP - Air Quality
601 - 57th Street, SE
Charleston, WV 25304
FROM: Legislative Rule-Making Review Committee
Proposed Rule: Control and Reduction of Nitrogen Oxides from Non-Electric
Generating Units as a Means of Mitigate Transport of Ozone
Precursors, 45CSR1

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

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 Recommends that the Legislature rule be withdrawn; a statement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