



Executive Office  
 #10 McJunkin Road  
 Nitro, WV 25143-2506  
 Telephone No: (304)759-0575  
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## West Virginia Bureau of Environment

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Cecil H Underwood  
 Governor

Michael C. Castle  
 Commissioner

January 25, 2000

Ms. Judy Cooper, Director  
 Administrative Law  
 Secretary of State  
 Building 1, Suite 157-K  
 1900 Kanawha Boulevard, East  
 Charleston, West Virginia 25305-0770

OFFICE OF WEST VIRGINIA  
 SECRETARY OF STATE

JAN 25 2 56 PM '00

FILED

RE: 45CSR4 - "To Prevent and Control the Discharge of Air Pollutants Into the Open Air Which Causes or Contributes to an Objectionable Odor or Odors"

Dear Ms. Cooper:

The Division of Environmental Protection, Office of Air Quality (OAQ), hereby withdraws proposed rule 45CSR4, "To Prevent and Control the Discharge of Air Pollutants Into the Open Air Which Causes or Contributes to an Objectionable Odor or Odors," which was filed as an agency-approved rule on August 5, 1999. OAQ is withdrawing this rule since it has been rendered significantly less effective than the existing rule due to legislative amendment.

Also, please find enclosed a copy of a letter to the Legislative Rule-Making Review Committee informing the Committee of the rule's withdrawal.

Your cooperation in this matter is appreciated. If you have any questions, please feel free to contact my office.

Sincerely,

Michael C. Castle  
 Commissioner

Enclosure



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January 25, 2000

Honorable Michael Ross, Co-Chair  
Legislative Rule-Making Review Committee  
Room MB49 - State Capitol  
Charleston, West Virginia 25305

Honorable Mark Hunt, Co-Chair  
Legislative Rule-Making Review Committee  
Room MB49 - State Capitol  
Charleston, West Virginia 25305

RE: 45CSR4 - "To Prevent and Control the Discharge of Air Pollutants Into the Open Air Which Causes or Contributes to an Objectionable Odor or Odors"

Dear Chairman Ross and Chairman Hunt:

Please find enclosed a copy of the letter filed this date with the Secretary of State requesting that the above-referenced proposed rule be withdrawn from the Legislature's consideration this session.

We appreciate your time and cooperation in this matter.

Sincerely,

Michael C. Castle  
Commissioner

cc: Joseph A. Altizer, Counsel  
LRMRC

Enclosure