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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

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Charles Roskovensky, Associate Counsel
Jay Lazell, Associate Counsel

February 10, 2009

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

TO: Betty Ireland, Secretary of State, State Register
TO: Charles Sturey
DEP - Mining and Reclamation
601 - 57th Street, SE
Charleston, WV 25304
FROM: Legislative Rule-Making Review Committee
Proposed Rule: West Virginia Surface Mining Reclamation Rule, 38CSR2

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 Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached. _____