



WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

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

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

December 8, 2004

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

TO: Joe Manchin, Secretary of State, State Register
TO: Charlie Sturey, Environmental Program Manager II
West Virginia Division of Mining and Reclamation
#10 McJunkin Road
Nitro, WV 25143

FROM: Legislative Rule-Making Review Committee

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 Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached.

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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FILED