



WEST VIRGINIA LEGISLATURE  
Legislative Rule-Making Review Committee

Senator Joseph Minard, Cochair  
Delegate Virginia Mahan, Cochair  
Debra A. Graham, Counsel  
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Connie A. Bowling, Associate Counsel  
Brian Skinner, Associate Counsel  
Felisha N. Sutherland, Administrative Assistant

January 9, 2006

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

TO: Betty Ireland, Secretary of State, State Register

TO: Charlie Sturey, Environmental Program Manager II  
DEP - Division of Mining and Reclamation  
610 57<sup>th</sup> Street  
Charleston, WV 25304

FROM: Legislative Rule-Making Review Committee

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 Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached.

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 FILED  
 GEORGE WEST VIRGINIA  
 SECRETARY OF STATE