

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #4

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FILED IN THE OFFICE OF  
THE SECRETARY OF STATE  
THIS DATE April 6, 1989 2:54 p.m.  
ADMINISTRATIVE LAW DIVISION

**NOTICE OF RULE MODIFICATION OF A PROPOSED RULE**

AGENCY: West Virginia Department of Energy TITLE NUMBER: 38

CITE AUTHORITY W. Va. Code 22-1-15, 22-1-16, 22A-3-4 and 29A

AMENDMENT TO AN EXISTING RULE: YES  NO

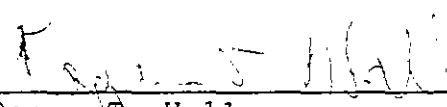
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2, 2A and 2C

TITLE OF RULE BEING AMENDED: West Virginia Surface Mining  
Reclamation Regulations (Repealer)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: N/A

TITLE OF RULE BEING PROPOSED: N/A

THE ABOVE PROPOSED LEGISLATIVE RULE, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

  
\_\_\_\_\_  
Roger T. Hall  
Energy Administrator III



WEST VIRGINIA LEGISLATURE  
 LEGISLATIVE RULE-MAKING REVIEW COMMITTEE  
 Room M-438, State Capitol  
 Charleston, West Virginia 25305  
 (304) 340-3286

FILED  
 1989 FEB 23 AM 10:33  
 OFFICE OF WEST VIRGINIA  
 SECRETARY OF STATE

Senator Larry A. Tucker, Co-Chairman  
 Delegate Thomas A. Knight, Co-Chairman

M. E. Mowery, Counsel  
 Debra A. Graham, Associate Counsel  
 Marie Nickerson, Receiving Clerk

NOTICE OF ACTIONS TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

February 22, 1989

TO: Ken Hechler, Secretary of State, State Register

TO: Mr. Roger Hall, Administrator  
 Department of Energy  
 1516 Washington Street, East  
 Charleston, WV 25305

FROM: Legislative Rule-Making Review Committee

PROPOSED RULE: West Virginia Surface Mining Reclamation Regulations

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 rule be withdrawn; a statement of reasons for such recommendation is attached.  X

Pursuant to Code 29A-3-11(c), this notice has been filed in the State Register and with the agency proposing the rule.

Attachment - Department of Energy - WV Surface Mining Reclamation Regulations

Legislative Rule-Making Review Committee Reasons for Recommendation that rule be withdrawn:

The rule proposed by the Department of Energy - WV Surface Mining Reclamation Regulations (Repealer) - which was approved by the Committee encompasses this subject matter.