



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
Daniel E. Kimble, Associate Counsel
Teri Anderson, Administrative Assistant

January 14, 2004

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

TO: Joe Manchin, Secretary of State, State Register
TO: Charlie Sturey
DEP-Mining & Reclamation, Office of
#10 McJunkin Road
Nitro, WV 25143
FROM: Legislative Rule-Making Review Committee
Proposed Rule: **Surface Mining Reclamation Rule, 38CSR2**

FILED
2004 JAN 19 A 9:19
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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 Recommends that the Legislative rule be withdrawn; a statement of reasons for such recommendation is attached.