

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #6

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MAY 13 3 43 PM '94

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE.**

AGENCY: Division of Environmental Protection TITLE NUMBER: 38

AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: N/A

TITLE OF RULE BEING AMENDED: N/A

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 2F

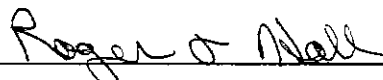
TITLE OF RULE BEING PROPOSED: Groundwater Protection Regulations -
Coal Mining Operations

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) SB - 1005

SECTION 17, PASSED ON March 16, 1994

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON
THE FOLLOWING DATE: June 1, 1994



Authorized Signature
Roger T. Hall
Special Assist. to Director

PROMULGATION HISTORY ABSTRACT

CSR 38 - 2F

DIVISION OF ENVIRONMENTAL PROTECTION

Groundwater Protection Regulations Coal Mining Operations

- Sept. 16, 1992 Proposed rule filed with Secretary of State announcing public comment period.
- Feb. 8, 1993 Agency approved rule filed with Secretary of State and Legislative Rule Making Review Committee.

1994 REGULAR LEGISLATIVE SESSION

- Jan. 31, 1994 Introduced into Senate (SB - 168)
- Jan. 31, 1994 Introduced into the House (HB - 4293)
- Jan. 31, 1994 Referred to Senate Committee on Natural Resources
- Feb. 11, 1994 Passed Natural Resources, referred to Senate Committee on Finance
- Feb. 23, 1994 Passed Finance with amendments, referred to Senate Committee on the Judiciary.
- Mar. 3, 1994 Judiciary incorporated all rules into SB-147 which passed with amendments to SB- 168.
- Mar. 3, 1994 First reading in the Senate
- Mar. 4, 1994 Second reading in the Senate - Floor Amendments
- Mar. 4, 1994 Third reading in the Senate.
- Mar. 4, 1994 Passed the Senate
- Mar. 5, 1994 Senate Bill introduced to the House
- Mar. 5, 1994 Referred to House Judiciary

Mar. 8, 1994	Passed House Judiciary with amendments.
Mar. 8, 1994	First reading in House
Mar. 9, 1994	Second reading in House - Floor amendments.
Mar. 10, 1994	Third reading in House.
Mar. 10, 1994	Passed the House
Mar. 10, 1994	Communicated to Senate
Mar. 11, 1994	Senate refused to concur with House amendments.
Mar. 12, 1994	House refused to recede
Mar. 12, 1994	To joint conference
Mar. 12, 1994	Conference report filed - both houses
Mar. 12, 1994	Senate adopted conference report - Passed Senate. House failed to act - Senate Bill 147 died.

1994 EXTENDED LEGISLATIVE SESSION

Mar. 14, 1994	Senate Bill - 147 with amendments was renumbered SB - 1005 and introduced into Senate
Mar. 14, 1994	Committee reference was dispensed with - Bill put on first reading.
Mar. 14, 1994	Read second time in Senate - Held over.
Mar. 15, 1994	Read third time in Senate and passed
Mar. 16, 1994	Senate Bill - 1005 introduced into House.
Mar. 16, 1994	Committee reference dispensed with - Bill placed on first reading in House.
Mar. 16, 1994	Bill put on second and third reading - Passed House.
Mar. 16, 1994	Legislative action complete.

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MAY 13 3 43 PM '94

TITLE 38
LEGISLATIVE RULES
DIVISION OF ENVIRONMENTAL PROTECTION

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SERIES 2F
GROUNDWATER PROTECTION REGULATIONS
COAL MINING OPERATIONS

1. General.

1.1 Scope and Purpose. These regulations establish a series of practices for the protection of groundwater which are to be followed by any person who conducts coal mining operations subject to the provisions of Chapter 20-5M-1 et seq. of the West Virginia Code and subject to regulation under Chapter 22A, Article 3 of the Code of West Virginia, and/or under Chapter 20, Article 5A of the Code of West Virginia, as it relates to coal mining operations.

1.2 Authority. West Virginia Code 20-5M-5.

1.3 Filing Date. May 13, 1994.

1.4 Effective Date. June 1, 1994

2. Definitions. As used in these regulations, unless used in a context that clearly requires a different meaning, the term:

2.1 Act means the West Virginia Groundwater Protection Act, West Virginia Code 20-5M-1 et seq.

2.2 Coal Mining Operation means any facility or activity which falls within the definition of "surface mine," "surface mining," or "surface mining operations" set forth in subsection (w), Section (3), Article 3, Chapter 22A (the West Virginia Surface Coal Mining and Reclamation Act) of the Code of West Virginia, 1931 as amended.

2.3 Contaminant means any material in a solid, liquid or gaseous state that has the potential to cause contamination.

2.4 Contamination means any man-made or man-induced alteration of the chemical, physical, biological, or radiological integrity of the groundwater, resulting from activities regulated under this rule, in excess of existing groundwater quality, unless that activity or site has: (1) been exempted pursuant to subsection 5(h) of the Act; (2) has been granted a deviation or variance from existing quality as provided for in the Act; or (3) is subject to an order, permit, or other regulatory action that requires restoration or maintenance of groundwater quality at a different concentration level.

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2.5 Director means the Director of the Division of Environmental Protection of the Department of Commerce, Labor, and Environmental Resources or the Director's authorized designee.

2.6 Groundwater means the water occurring in the zone of saturation beneath the seasonal high water table, or any perched water zones.

2.7 Impoundment means an area which is a natural topographic depression, man-made excavation, or diked area that is designed or improved in such a manner so as to hold an accumulation of contaminated surface runoff, process wastewater, product, or sewage, or any other liquid substance that could contaminate groundwater.

2.8 Liner means a continuous layer of natural or man-made materials beneath and on the sides of an area which restricts the downward or lateral escape of contaminants.

2.9 Permit means any license, certification, registration, permit, or any other approval granted by an agency authorized to regulate coal mining facilities or activities which may have an impact on groundwater.

2.10 Practice means any action which is protective of groundwater.

2.11 Secondary Containment means utilizing dikes, berms, synthetic or natural liner systems, double-walled containment vessels, or any combination thereof to prevent contaminants from accidentally discharging into the environment.

2.12 Exempted coal mining operations means those operations subject to the exemption set forth in West Virginia Code, §20-5M-5(h), and which are of an earth disturbing nature resulting from and directly related to coal extraction. Exempted coal mining operations include: coal and slurry impoundments; refuse areas and on-site haulways.

3. Groundwater Protection Plans and Practices for Coal Mining Operations.

3.1 Hydrologic and water quality protection practices established under the authority of Chapter 20, Article 5A, or Chapter 22A, Article 3 of the Code of West Virginia and the legislative rules promulgated thereunder, were enacted in part to

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protect groundwater and are hereby incorporated by reference into this rule.

3.2 All coal mining operations which are not subject to the exemption set forth in subsection (h), Section 5 of the Act, shall conduct groundwater protection practices, and prepare and implement groundwater protection plans, as set forth in this regulation. All exempted coal mining operations must conduct groundwater protection practices consistent with West Virginia Code, §20-5A-1 et seq, and West Virginia Code, §22A-3-1 et seq. Exempted operations are not subject to the existing quality or to the related provisions of subsections (f) and (g), Section 5 of the Act. Further, exempted operations are not subject to water quality standards promulgated by the Water Resources Board pursuant to the Act. Such operations shall nonetheless be designed, constructed, operated, maintained, and closed in such manner as to reasonably protect groundwater from contamination.

3.3 Groundwater Protection Plans.

3.3.1 Each groundwater protection plan shall at a minimum contain the following:

3.3.1.a An inventory of all operations and activities that are not exempted operations and may reasonably be expected to contaminate groundwater, and an indication of the current existence of and the potential for groundwater contamination. These include, but are not limited to, evaluation of materials handling areas, loading and unloading areas, equipment cleaning, maintenance activities, pipelines carrying contaminants, sumps and tanks containing contaminants.

3.3.1.b A description of new and/or existing controls or activities to protect groundwater from the identified potential contamination sources.

3.3.1.c Schedules and procedures for employee training addressing the prevention of groundwater contamination.

3.3.1.d Provisions for inspections to be conducted by the operator at least every six (6) months to ensure that all elements of the coal mining operation's groundwater protection program are in place, properly functioning, and appropriately managed.

3.3.1.e Groundwater monitoring procedures as deemed appropriate for the facility and/or as required by the Director.

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3.3.1.f A discussion of all information reasonably available to the facility/activity regarding existing groundwater quality at, or which may be affected by, the site.

3.3.2 Within one year of the effective date of these regulations all existing non-exempt coal mining operations shall complete and implement a groundwater protection plan; provided, that the groundwater protection plan shall be included with any new permit application submitted under Chapter 22A, Article 3, or Chapter 20, Article 5A of the Code of West Virginia, ninety (90) days or later after the effective date of these regulations or with any permit renewal application submitted one (1) year or more after the effective date of these regulations; provided, further, that the Director may waive the requirement for a groundwater protection plan for an operation which has been granted Phase II bond release in accordance with Chapter 22A, Article 3, of the Code of West Virginia, if he finds that such is not necessary for the purposes of the Act.

3.3.3 The groundwater protection plan may be integrated with the statement of probable hydrologic consequences and the hydrologic reclamation plan required by Chapter 22A, Article 3 of the Code of West Virginia and regulations promulgated pursuant thereto.

3.3.4 A copy of the groundwater protection plan shall be kept on-site, or at the operator's nearest readily accessible office, and shall be made available for review by the Director upon request. A copy or copies of the plan shall be provided for Division review and/or files upon request by the Director.

3.3.5 The Director may require modification to groundwater protection plans to assure adequate protection of groundwater. Further, the Director may during review of a groundwater protection plan require such other information as he reasonably needs to evaluate the plan.

3.3.6 In addition to the basic groundwater protection plan requirements, each plan shall address the specific requirements set forth in subsections 5 and 6 of this section to the extent the operation includes such areas or features.

3.3.7 Adherence to a groundwater protection plan does not relieve the facility/activity of any obligation to comply with any other state, federal or local rule, regulation, law or act.

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3.4 Groundwater Protection Practices for Non-Coal Loading and Unloading Areas; Distribution and Bulk Facilities.

3.4.1 Loading and unloading stations including but not limited to areas used to load and unload drums, trucks, and railcars shall have spill prevention and control facilities and procedures, as well as secondary containment if appropriate or if otherwise required. Spill containment and cleanup equipment shall be readily accessible.

3.4.2 Distribution facilities and bulk containers shall be designed/installed in such a manner so as to prevent spills and leaks from contaminating groundwater.

3.5 Groundwater Protection Practices for Pipelines, Ditches, Pumps, and Drums.

3.5.1 Pipelines conveying materials which have the potential to contaminate groundwater shall preferentially be installed above ground.

3.5.2 Ditches shall not be installed as primary conveyances for materials which have the potential to contaminate groundwater unless provided with appropriate liners.

3.5.3 Pumps and ancillary equipment (e.g., valves, flanges, filters, condensate lines and instrumentation) handling materials that have the potential to contaminate groundwater shall be selected and installed to prevent or contain any spills or leaks.

3.5.4 Drums, containing materials that have the potential to contaminate groundwater, shall be stored so that spills and leaks are contained. Measures shall be taken to control drum deterioration and/or damage due to handling.

3.6 Groundwater Protection Practices for Sumps and Tanks.

3.6.1 Above-ground storage tanks shall have secondary containment that is appropriate considering the potential to contaminate groundwater. Such secondary containment shall be adequately designed and constructed to contain the materials for a time sufficient to allow removal and disposal without additional contamination of groundwater, but in no case will that time be less than seventy-two (72) hours.

3.6.2 Underground tanks containing materials which have the potential to contaminate groundwater shall be designed, constructed, and operated utilizing leak detection or secondary

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containment, or other appropriate controls that are capable of preventing groundwater contamination.

3.6.3 New tanks containing materials that have the potential to contaminate groundwater may only be installed underground for overriding safety, legal, security, or fire protection concerns.

3.6.4 Sumps containing materials which have the potential to contaminate groundwater shall be designed, constructed, and operated utilizing leak detection or secondary containment, or other appropriate controls that are capable of preventing groundwater contamination.

3.6.5 Secondary containment is not required for sumps and tanks used only as secondary containment for other facilities.

4. Monitoring.

4.1 Pursuant to Chapter 22A, Article 3, and Chapter 20, Article 5A of the Code of West Virginia, the Director may require placement and maintenance of a reasonable number of groundwater monitoring stations (such as piezometers, monitoring wells, or springs) at coal mining operations in order to monitor for groundwater contamination and water levels. Existing facilities not currently monitoring groundwater shall do so if required by the Director.

4.2 In addition to the base line groundwater information required by CSR 38-2-3.22 and monitoring required by CSR 38-2-14.7, the Director may require such other base line data and monitoring as he determines appropriate to meet the requirements of these regulations or the Act. A waiver of groundwater monitoring granted under CSR 38-2-14.7(c) may operate as a waiver for the purposes of these regulations and the Act if, in addition to the demonstration required by CSR 38-2-14(c), the applicant demonstrates and the Director finds in writing that monitoring is not necessary for the purposes of the Act or these regulations.

4.3 Groundwater monitoring stations shall be located and maintained, or drilled, constructed, and maintained in a manner that allows accurate determination of groundwater quality and levels, and prevents contamination of groundwater through the finished well hole or casing.

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4.4 Groundwater monitoring stations shall be designed and installed in accordance with applicable rules promulgated pursuant to the Act.

4.5 All groundwater monitoring stations shall be accurately located, utilizing latitude and longitude, by surveying or other acceptable means, and the coordinates shall be included with all data collected.

4.6 Data Management - The Director may at his discretion require submittal of any or all groundwater monitoring data collected in association with a regulated activity, and may further specify an electronic format in which the data is to be submitted.

5. Fees.

5.1 Coal mining operations shall be subject to the fee schedule and fee payment requirements as set forth in CSR 47-55-1 et seq. Failure to remit fees when and as due is a violation of these regulations.

6. Prohibitions.

It shall be unlawful for any person, unless an authorization has been issued by a groundwater regulatory agency, to deliberately allow crude oil, or any petroleum product derived from crude oil, or septage, or natural gas, or salt water, or any chemical mixture which may contaminate groundwater to escape from any well, pipeline, impoundment, storage tank, treatment unit, equipment, or storage container, or to deliberately allow such materials to flow onto or under the land surface in a manner that could contaminate groundwater.

Note: 46 C.S.R. 3 requires all spills and accidental discharges to be reported by calling 1-800-642-3074.

7. Enforcement.

7.1 Any person who violates the Act or these regulations shall be subject to applicable civil and criminal penalties, injunctive relief, enforcement orders, and procedures as set forth in Section 10 of the Act.

7.2 The appeal and review procedures set forth in Section 11 of the Act shall be applicable to actions arising under these regulations.

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7.3 Civil penalties for violations of these regulations shall be assessed by the Director in accordance with CSR 47-56.

7.4 Violations by a coal operator, arising from acts or omissions subject solely to these regulations or the Act, shall not be counted toward a pattern of violations or in determining the history of violations pursuant to Chapter 22A, Article 3 of the Code of West Virginia, and regulations pursuant thereto.

8. Remediation.

8.1 For all non-exempt coal mining operations, The Director may conduct or order other persons to conduct remedial actions which are appropriate to the type and extent of contamination, and which are subject to applicable permit conditions and variances and deviations from existing water quality and water quality standards that are allowed under the Act. The Director encourages agreements for investigation and cleanups in appropriate cases.

8.2 The use of permanent solutions to the maximum extent practical to correct groundwater contamination is preferred.

8.3 Cleanup actions shall not rely primarily on dilution and dispersion of the substance if active remedial measures are technically and economically feasible, as determined by the Director. Natural attenuation of groundwater contamination may be an appropriate remediation response.

8.4 Adequate groundwater monitoring shall be conducted to demonstrate control and containment of the substance. The Director shall specify which parameters should be monitored in a remedial operation. The groundwater monitoring must continue until results assure adequate remedial action was taken.

8.5 In addition to any required remediation, the Director may order the facility or activity to mitigate or compensate for the loss of beneficial use of groundwater, or for any significant adverse impact to groundwater.

9. Applicability of Requirements.

The Director may, to the extent authorized by the Act, waive some or all of the requirements of this rule upon determining in writing that such requirements are not necessary to protect groundwater from contamination.

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10. Appropriateness Study.

The Environmental Protection Advisory Council shall conduct a study and report back to the Joint Committee on Government and Finance on or before November 1, 1995. The study shall be an evaluation of the appropriateness and effectiveness of these rules and shall include any recommendations, modifications, or alternatives thereto.

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H. B. ~~4293~~

(By ~~Delegates Gallagher, Douglas, Compton,~~
~~Huntwork, Burk and Faircloth~~
(Introduced ~~January 31, 1994~~ ; referred to the
Committee on ~~the Judiciary~~)

10 A BILL to amend and reenact section seventeen, article three,
11 chapter sixty-four of the code of West Virginia, one thousand
12 nine hundred thirty-one, as amended, relating to authorizing
13 the division of environmental protection to promulgate
14 legislative rules relating to groundwater protection, coal
15 mining operations.

16 Be it enacted by the Legislature of West Virginia:

17 That section seventeen, article three, chapter sixty-four of
18 the code of West Virginia, one thousand nine hundred thirty-one,
19 as amended, be amended and reenacted, to read as follows:

20 ARTICLE 3. AUTHORIZATION FOR DEPARTMENT OF COMMERCE, LABOR AND
21 ENVIRONMENTAL RESOURCES TO PROMULGATE LEGISLATIVE RULES.

22 §64-3-17. Division of environmental protection.

23 (a) The legislative rules filed in the state register on the
24 eleventh day of October, one thousand nine hundred ninety-one,

4293

1 modified by the division of environmental protection to meet the
2 objections of the legislative rule-making review committee and
3 refiled in the state register on the ninth day of November, one
4 thousand nine hundred ninety-two, relating to the division of
5 environmental protection (operator's designation of bona fide
6 future use of oil and gas wells - qualification for inactive
7 status), are authorized.

8 (b) The legislative rules filed in the state register on the
9 third day of September, one thousand nine hundred ninety-two,
10 modified by the division of environmental protection to meet the
11 objections of the legislative rule-making review committee and
12 refiled in the state register on the nineteenth day of February,
13 one thousand nine hundred ninety-three, relating to the division
14 of environmental protection (oil and gas wells and other wells),
15 are authorized.

16 (c) The legislative rules filed in the state register on the
17 third day of September, one thousand nine hundred ninety-two,
18 modified by the division of environmental protection to meet the
19 objections of the legislative rule-making review committee and
20 refiled in the state register on the nineteenth day of February,
21 one thousand nine hundred ninety-three, relating to the division
22 of environmental protection (abandoned wells), are authorized.

23 (d) The legislative rules filed in the state register on the
24 eighteenth day of September, one thousand nine hundred
25 ninety-two, modified by the division of environmental protection

1 to meet the objections of the legislative rule-making review
2 committee and refiled in the state register on the nineteenth day
3 of February, one thousand nine hundred ninety-three, relating to
4 the division of environmental protection (underground storage
5 tank assessment fees), are authorized.

6 (e) The legislative rules filed in the state register on the
7 eighteenth day of September, one thousand nine hundred
8 ninety-two, relating to the division of environmental protection
9 (underground storage tanks), are authorized.

10 (f) The legislative rules filed in the state register on the
11 eighteenth day of September, one thousand nine hundred
12 ninety-two, modified by the division of environmental protection
13 to meet the objections of the legislative rule-making review
14 committee and refiled in the state register on the nineteenth day
15 of February, one thousand nine hundred ninety-three, relating to
16 the division of environmental protection (hazardous waste
17 management), are authorized.

18 (g) The legislative rules filed in the state register on the
19 third day of March, one thousand nine hundred ninety-two,
20 modified by the division of environmental protection to meet the
21 objections of the legislative rule-making review committee and
22 refiled in the state register on the eighteenth day of February,
23 one thousand nine hundred ninety-three, relating to the division
24 of environmental protection (groundwater protection act fee
25 schedule), are authorized.

1 (h) The legislative rules filed in the state register on the
2 eighth day of February, one thousand nine hundred ninety-three,
3 relating to the division of environmental protection (groundwater
4 protection, coal mining operations), are authorized.

5

6 NOTE: The purpose of this bill is to authorize the Division
7 of Environmental Protection to promulgate legislative rules
8 relating to groundwater protection, coal mining operations.

9

10 Strike-throughs indicate language that would be stricken from
11 the present law, and underscoring indicates new language that
12 would be added.

SENATE BILL NO. 168

1 (By Senators Anderson, Crubb, Macaughtan and
2 ~~and~~)

3 ~~(As introduced January 31, 1994; referred to the~~
4 ~~Committee on NATURAL RESOURCES~~

5

James

6

James

7

8

9

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7 status), are authorized.

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11 the present law, and underscoring indicates new language that
12 would be added.



KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

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Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

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Chief of Staff

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Director, Administrative Law

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(Plus all the volunteer
help we can get)

FAX: (304) 558-0900

STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

RECEIVED
Director's Office
AUG 01 94

WV Division of
Environmental Protection
OFFICE OF THE
SECRETARY OF STATE
AUG 4 8 56 AM '94

FILED

TO: Roger Hall

AGENCY: Environmental Protection

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: July 26, 1994

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 2F TITLE: 38 Environmental Protection

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: Roger Hall

TITLE OF PERSON SIGNING: Special Asst to Director

DATE: Aug 2, 1994

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.



KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

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help we can get)

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STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

March 18, 1994

Stephen C. Keen
Environmental Protection
10 McJunkin Road
Nitro, WV 25143-2506

SB 1005 authorizing, Title 38, Series 2F, Groundwater Protection Regulations, Coal Mining Operations, passed the Legislature on March 16, 1994. It is now awaiting the Governor's signature.

You have sixty (60) days after the Governor signs SB 1005, to final file the legislative rule with the Secretary of State's office. To final file your legislative rule, fill in the blanks on the enclosed form #6, the "Final Filing" form and file the form with our office with a promulgation history of the rule. Authorization for your legislative rule is cited in **SB 1005** section 64-3-8(k). The agency may set the effective date of the legislative rule up to ninety (90) days from the date the legislative rule is final filed with the Secretary of State's office. Please have an authorized signature on the bottom line.

*****IMPORTANT: IF YOUR AGENCY HAS COMPLETED THE LEGISLATIVE RULE ON A WORD PERFECT OR WORD PERFECT COMPATIBLE COMPUTER SYSTEM THAT USES A 3 1/2" OR 5 1/4" DISK, YOU MUST SUBMIT A CLEAN COPY, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, TO OUR OFFICE WHEN FINAL FILING THE RULE. STATE ON THE DISK THE FORMAT THE RULE IS IN AND THE TITLE IT IS FILED UNDER. THIS WILL MAKE IT QUICKER FOR US TO ENTER YOUR RULES ON THE LEGISLATIVE DATA BASE. REMEMBER THE TEXT OF THE COMPUTER FILED RULE MUST BE IDENTICAL - WORD FOR WORD, COMMA FOR COMMA, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, AS THE HARD COPY AUTHORIZED BY THE LEGISLATURE.**

After the final rule is entered into the legislative data base, the rule will be sent to the agency for review and proofing. Following confirmation or corrections, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records.

If you have any questions or need any assistance, please do not hesitate to call our office.

Thank You
Administrative Law Division