



FILED

1987 AUG 13 PM 2:48

WEST VIRGINIA LEGISLATURE  
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Room M-438, State Capitol  
Charleston, West Virginia 25305  
(304) 340-3286

SECRETARY OF STATE

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

August 10, 1987

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

NOTICE OF ACTIONS TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Ken Hechler, Secretary of State, State Register

TO: Mr. Roger T. Hall, Administrator  
Department of Energy  
1615 Washington Street, East  
Charleston, WV 25311

FROM: Legislative Rule-Making Review Committee

PROPOSED RULE: Rules and Regulations Governing Performance Standards  
for Blasting on Surface Mines

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 Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached.

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



ARCH A. MOORE, JR.  
GOVERNOR

STATE OF WEST VIRGINIA  
DEPARTMENT OF ENERGY  
1615 WASHINGTON STREET, EAST  
CHARLESTON, WEST VIRGINIA 25311  
TELEPHONE: 348-3500

July 12, 1988

KENNETH R. FAERBER  
COMMISSIONER

Mr. Rich Hartman  
Office of the Secretary of State  
Administrative Law Division  
State Capitol Building  
Charleston, West Virginia 25305

Dear Mr. Hartman:

The West Virginia Department of Energy, on August 29, 1987, filed proposed legislative rules which amended Title 38, Series 2, of the Surface Mining and Reclamation Regulations. These proposed legislative rules were filed with the Office of Secretary of State on the same date.

No action was taken by the Legislative Rulemaking Review Committee on the proposed legislative rules. The federal Office of Surface Mining is now requiring the Department of Energy to modify the proposed regulations. Therefore, the Department wishes to withdraw the proposed legislative rule, and incorporate the rule with required amendments in a subsequent filing for consideration by the Committee in forthcoming interim meetings.

Your cooperation in processing this request for withdrawal is very much appreciated.

Sincerely yours,

Roger T. Hall  
Administrator

RTH:cc

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1988 JUL 14 AM 9:01  
OFFICE OF THE SECRETARY OF STATE



ARCH A. MOORE, JR.  
GOVERNOR

STATE OF WEST VIRGINIA  
DEPARTMENT OF ENERGY  
1615 WASHINGTON STREET, EAST  
CHARLESTON, WEST VIRGINIA 25311  
TELEPHONE: 348-3500

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1077 APR -9 AM 2:49

SECRETARY OF STATE

KENNETH R. FAERBER  
COMMISSIONER

April 9, 1987

The Honorable Ken Hechler  
Secretary of State  
State Capitol Building  
Charleston, West Virginia

Dear Secretary Hechler:

Enclosed please find proposed legislative rules to Section 4C of the Department of Energy regulations promulgated under authority of Chapter 22A, Article 3, Section 4 of the Code of West Virginia.

These proposed legislative regulations are respectfully submitted for your review, approval, and filing.

Your cooperation in this matter is very much appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Roger T. Hall".

Roger T. Hall  
Administrator

RTH/ba

Enclosure