



---

west virginia department of environmental protection

---

Executive Office  
601 57<sup>th</sup> Street  
Charleston, WV 25304  
Phone: (304) 926-0440  
Fax: (304) 926-0447

Joe Manchin III, Governor  
Stephanie R. Timmermeyer, Cabinet Secretary  
www.wvdep.org

January 12, 2006

FILED  
2006 JAN 18 A 10:12  
OFFICE OF THE WEST VIRGINIA  
SECRETARY OF STATE

The Honorable Betty Ireland  
West Virginia Secretary of State  
Bldg. 1, Suite 157-K  
1900 Kanawha Blvd. East  
Charleston, WV 25305-0770

RE: Request to Repeal Procedural Rules CSR's 38-02E, 47-30A and 38-19

Dear Honorable Ireland:

The Department of Environmental Protection (DEP) has conducted a review of its rules and has determined that two of its procedural rules are no longer applicable. The rules are: (1) CSR38-02E, Environmental Protection Agency Article 3 Forms, which was filed on August 30, 1993 and became effective on September 29, 1993; (2) CSR47-30A, WV/NPDES Coal and Quarry Mining Forms, which was filed on February 17, 1998 and became effective on March 19, 1998 and (3) CSR39-19, Hearing and Appeals Procedures (Oil and Gas), which was filed on September 30, 1987 and became effective on October 30, 1987. By this letter, DEP respectfully requests that the above referenced procedural rules be repealed in accordance with the guidelines established by the State Administrative Procedures Act.

If you have any questions, please contact Charles Sturey at (304) 926-0499, ext. 1526 or Karen Watson at (304) 926-0499, ext. 1547.

Sincerely,

Stephanie R. Timmermeyer  
Cabinet Secretary

C: Judy Cooper, Manager, Administrative Law