



STATE OF WEST VIRGINIA
 DEPARTMENT OF ENERGY
 DIVISION OF MINES AND MINERALS
 1615 Washington Street, East
 Charleston, West Virginia 25311
 Telephone: 348-3500

FILED
 1985 SEP -9 PM 3:38

SECRETARY OF STATE

ARCH A. MOORE, JR.
 Governor

NOTICE OF PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
 PUBLIC HEARING

AGENCY: DEPARTMENT OF ENERGY

RULE TYPE: Legislative

RULE TITLE: Section 3E.02(b), Series VII, West Virginia Surface Mining Reclamation Regulations.

A PUBLIC HEARING ON THE ABOVE PROPOSED RULE WILL BE HELD AT 10:00 a.m., Friday, October 11, 1985, at the West Virginia Department of Energy Building, 1615 Washington Street, East, Charleston, West Virginia 25311.

COMMENTS ARE LIMITED TO: ORAL _____ WRITTEN _____ BOTH X

COMMENTS MAY BE MAILED TO: William Chambers, Assistant Chief, West Virginia Department of Energy, 694 Winfield Road, St. Albans, West Virginia 25177.

THE DEPARTMENT REQUESTS THAT PERSONS WISHING TO MAKE COMMENTS AT THE HEARING MAKE AN EFFORT TO SUBMIT WRITTEN COMMENTS IN ORDER TO FACILITATE A REVIEW OF THESE COMMENTS.

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THE PROPOSED RULE.

K.R. Faerber

KENNETH R. FAERBER
 ACTING COMMISSIONER
 DEPARTMENT OF ENERGY

By Robert [Signature]

FISCAL NOTE FOR PROPOSED RULES

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Chapter 22A, Series VII
 Rule No. Section 3E 02(b) Subject Approved Persons

Type of Rule: Legislative Interpretive ~~Procedural~~

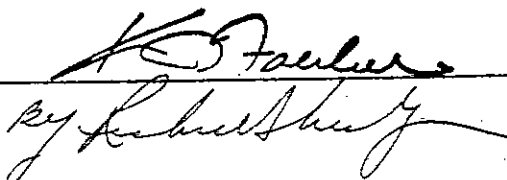
Agency Department of Energy Address 1615 Washington St., E.
Charleston, WV 25305

Authorized Representative Kenneth R. Faerber Phone 348-3500

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$	\$	\$
Personal Services					
Current Expense	0	0	0	0	0
Repairs and Alterations					
Equipment					
Others					

2. Explanation of above estimates.
 No additional costs are anticipated to implement this amended regulation.

3. Date September 9, 1985 Agency Department of Energy

Signature of Agency Head


Signature of Authorized Representative



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ARCH A. MOORE, JR.
Governor

June 17, 1986

The Honorable Ken Hechler
Secretary of State
Capitol Complex
Charleston, West Virginia 25305

Dear Secretary Hechler:

It has come to my attention that the West Virginia Surface Mining Reclamation Regulations, Series VII, Section 3E.02(b), filed with your office September 9, 1985 should be withdrawn. This proposed rule was never filed with the Legislative Rule-Making Review Committee and in the interim has been preempted and superseded by the Federal Office of Surface Mining Reclamation and Enforcement.

In view of the above, I respectfully request that the proposed rule be withdrawn by your office. Your cooperation in this matter is very much appreciated.

Sincerely,

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

Roger T. Hall

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OFFICE OF THE SECRETARY OF STATE
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