



STATE OF WEST VIRGINIA
 OFFICE OF THE SECRETARY OF STATE
 CHARLESTON 25305

A. JAMES MANCHIN
 SECRETARY OF STATE

STATE REGISTER FILING

I, David C. Callaghan, Director,
 Title or Position

Department of Natural Resources, hereby submit to record in
 Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- () proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- () proposed rules and regulations superseding rules and regulations already on file;
- () notice of hearing;
- () findings and determinations;
- () rules and regulations; or
- (x) other - specify (Emergency

This filing pertains to

Chapter 20
 Article 6
 Series 8
 Section I, et seq.
 Page No. _____

FILED IN THE OFFICE OF
 A. JAMES MANCHIN,
 SECRETARY OF STATE
 THIS DATE 6/17/82

- (x) proposed rules and regulations are required to go to Legislative Rule Making Committee;
- () proposed rules and regulations are excluded from Legislative Rule Making Committee;

June 17, 1982

Date Submitted

See attached sheet

Signature of Person Authorizing
 this Filing



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
CHARLESTON 25305

CHAUNCEY H. BROWNING, JR.
ATTORNEY GENERAL

June 17, 1982

The Honorable A. James Manchin
Secretary of State
Capitol Complex
Charleston, West Virginia 25305

Dear Secretary Manchin:

The following is submitted to you pursuant to the requirements of Chapter 29A, Article 3, Section 15 of the Code of West Virginia, as amended.

DECLARATION OF EMERGENCY

Pursuant to the provisions of West Virginia Code 29A-3-15, the Reclamation Commission, established by West Virginia Code 20-6-7, promulgates the attached change in the coal refuse disposal regulations.

This change in regulation is promulgated as part of the State of West Virginia's effort to take over the regulation of surface mining in the State of West Virginia from the United States Department of the Interior. On May 11, 1982, the United States Department of Interior published in the Federal Register required program amendments concerning coal refuse disposal regulations for the West Virginia program. Among the amendments is a requirement that West Virginia make a change in one of the regulations concerning water quality and place that changed regulation into effect by June 15, 1982.

Conditional approval of the coal refuse regulations by the United States Department of the Interior will terminate unless this change is made. This change is, therefore, being made to comply with the time limitations established by federal regulation. This change is required to maintain State compliance with the requirements of the federal Surface Mining Control and Reclamation Act of 1977, P. L. 95-87.

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