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(Plus all the volunteer
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STATE OF WEST VIRGINIA
SECRETARY OF STATE
Charleston 25305

NOTICE OF EXPIRATION OF EMERGENCY RULES

THE FOLLOWING EMERGENCY LEGISLATIVE RULES FILED BY THE DEPARTMENT OF NATURAL RESOURCES HAVE EXPIRED. THESE RULES WERE NOT FILED WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE WITHIN THE TIME REQUIRED BY WV CODE §29A-3-15(a)(2).

1. Amendment to Section 1.02 of the WV Surface Mining Reclamation Regulations, Series 7.

Filed as an Emergency Rule Amendment - April 19, 1985
Expired - October 16 1985



2. Hazardous Waste Emergency Response Regulations, Subpart III, Concerning Fee Assessment, Series 20.

Filed as an Emergency Rule - May 9, 1985
Expired - November 6, 1985

1985 NOV - 7 AM 9:08
FILED
Department of State



STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25305

ARCH A. MOORE, JR.
Governor

July 8, 1985

RONALD R. POTESTA
Director

MICHAEL A. FOTOS
Deputy Director

The Honorable Ken Hechler
Secretary of State
State Capitol, Suite 157-K
Charleston, West Virginia 25305

Dear Mr. Hechler:

Re: Filing of Emergency Rules

Enclosed please find for your filing are a copy of amendments to emergency legislative rules with the necessary ancillary filings.

The amendments to our emergency rules will be effective upon filing and remain in effect for fifteen months or until final regulations are promulgated.

Please file these amended regulations at your earliest convenience.

Sincerely,

Ronald R. Potesta
Director

RRP/rsb

Enclosure

FILED

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SECRETARY OF STATE

- (c) Cement kiln dust waste;
- (d) Drilling fluids, produced waters and other wastes associated with the exploration, development or production of crude oil or natural gas or geothermal energy;
- (e) Sludge from any publicly owned treatment works in the State;
- (f) Any discharge to waters of the State of hazardous waste pursuant to a valid water pollution control permit issued under federal or state law.
(Note: This exclusion applies only when the point of generation is the actual point of discharge specified for such valid permit.):
- (g) Any hazardous wastes beneficially used or reused or legitimately recycled or reclaimed;
- (h) Hazardous wastes created or retrieved pursuant to an emergency or remedial action;
- (i) Hazardous wastes which are hazardous wastes based solely on the characteristic of corrosivity and which are subjected to on-site elementary neutralization in containers or tanks.

Section 4.00 Information and Reporting Requirements

4.01 Requirement

(a) Hazardous Waste Measurement Plan

All generators shall submit a plan for measuring the quantity of hazardous waste generated to the department by July 1, 1985. Such measurement plan shall be employed to measure the quantity of hazardous waste generated by the generator beginning on January 1, 1986.

changed by amend to Enact rule

(b) Annual Reporting

All generators shall provide the following information to the department in the Annual Report required under Section 6.04.02 of the DNR Hazardous Waste Regulations for the applicable calendar year;

- (1) Total amount of hazardous waste generated, excluding non-hazardous constituents, in tons;
- (2) The amount (in tons) of that quantity of hazardous waste reported for Section 4.01(b)(1) which was disposed or treated off-site;
- (3) The amount (in tons) of that quantity of hazardous waste reported for Section 4.01(b)(1) which was treated or disposed on-site;

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

CHAPTER 20-5G

1985

SERIES XX

HAZARDOUS WASTE EMERGENCY RESPONSE REGULATIONS

SUBPART III

LEGISLATIVE RULE

REGULATIONS CONCERNING

FEE ASSESSMENT



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Charleston 25305

Dec. 26, 1985

NOTICE OF WITHDRAWAL OF PROPOSED PROCEDURAL RULE

HAZARDOUS WASTE EMERGENCY RESPONSE REGULATIONS SUBPART III FILED AS A PROCEDURAL RULE ON MAY 9, 1985 FOR A PUBLIC HEARING ON JUNE 26, 1985 IS DEEMED WITHDRAWN. THIS IS A RESULT OF THE FAILURE OF THE DEPARTMENT OF NATURAL RESOURCES TO ADOPT THIS PROCEDURAL RULE WITHIN SIX MONTHS AFTER THE CLOSE OF PUBLIC COMMENT AS REQUIRED BY WV CODE 29A-3-8.

RICH O. HARTMAN

FILED IN THE OFFICE OF
THE SECRETARY OF STATE
THIS DATE Dec 26, 1985
ADMINISTRATIVE LAW DIVISION