



STATE OF WEST VIRGINIA  
DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES  
DIVISION OF NATURAL RESOURCES

State Capitol Complex  
Building 3, Room 812  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0664  
TDD 558-1439 TDD 1-800-354-6087  
Telephone (304) 558-2771 Fax (304) 558-3147

GASTON CAPERTON  
Governor

CHARLES B. FELTON, JR.  
Director

JOHN M. RANSON  
Cabinet Secretary

January 27, 1994

Ms. Judy Cooper  
Administrative Law Division  
Secretary of State's Office  
1900 Kanawha Boulevard, East  
Building 1, Suite 157K  
Charleston, West Virginia 25305-0771

Dear Ms. Cooper:

The Division of Natural Resources is hereby requesting to withdraw the attached Proposed Emergency Amended Rule, Title 47, Series 21, Special Fishing Rule, that was filed with the West Virginia Secretary of State's Office on December 23, 1993.

If you need any additional information, please let me know.

Sincerely,

Robert L. Miles, Chief  
Wildlife Resources Section

RLM/bds

Attachment

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

JAN 27 1 54 PM '94

FILED



STATE OF WEST VIRGINIA  
DEPARTMENT OF NATURAL RESOURCES

Capitol Complex, Building 3  
1900 Kanawha Boulevard, East  
Charleston, WV 25305

GASTON CAPERTON  
Governor

September 5, 1989

J. EDWARD HAMRICK III  
Director

LARRY W. GEORGE  
Deputy Director

The Honorable Ken Hechler  
Secretary of State  
Suite 157-K, Building 1  
State Capitol Complex  
Charleston, West Virginia

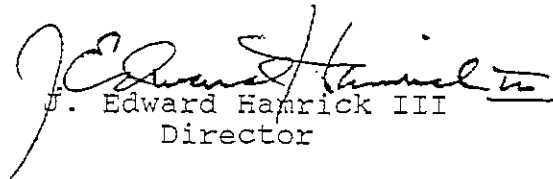
Dear Mr. Hechler:

The Department of Natural Resources is today repealing its Commercial Fishing Regulations (47 C.S.R. 21) and asks that you remove this rule from the Code of State Rules effective immediately. This action is exempt from State APA rule-making procedures under W. Va. Code §29A-1-3(c) and is necessary due to concerns about health risks associated with eating fish that are caught in the State's commercial fishery, the Ohio River.

On June 14, 1989, the West Virginia Health Department and the West Virginia Department of Natural Resources issued a fish consumption advisory for channel catfish and carp caught from the Ohio River. This advisory was based upon the results of tests conducted by the Ohio River Valley Sanitation Commission which found that edible portions of channel catfish and carp from several Ohio River locations contained levels of polychlorinated biphenyls (PCBs) and chlordane in excess of the limits for safe consumption set by the U.S. Food and Drug Administration.

Channel catfish, the predominant species in the State's commercial fishery, are frequently sold to private fee-fishing ponds in surrounding states. Consequently, anglers may unknowingly be consuming contaminated fish. Because frequent consumption of fish contaminated with PCBs and chlordane may increase an individual's long-term health risks, the Department of Natural Resources has decided to close the State's commercial fishery. This closure will remain in effect indefinitely.

Sincerely,

  
J. Edward Hamrick III  
Director

JEH/jeh

FILED  
1989 SEP -5 AM 10:40  
OFFICE OF THE SECRETARY OF STATE