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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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January 20, 2000

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NOTICE OF ACTION TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Ken Hechler, Secretary of State, State Register

TO: Edward L. Kropp
Office of Air Quality
1558 Washington St, East
Charleston, WV 25311

FROM: Legislative Rule-Making Review Committee

Proposed Rule: **Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits, and Procedures for Evaluation, 45CSR13**

The Legislative Rule-Making Review Committee recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative Rule
(a) as originally filed _____
(b) as modified by the agency _____
2. Authorize the agency to promulgate part of the Legislative rule;
a statement of reasons for such recommendation is attached. _____
3. Authorize the agency to promulgate the Legislative rule with
certain amendments; amendments and a statement of reasons
for such recommendation is attached. _____
4. Authorize the agency to promulgate the Legislative rule as
modified with certain amendments; amendments and a
statement of reasons for such recommendation is attached. _____ ✓
5. Recommends that the rule be withdrawn; a statement of
reasons for such recommendation is attached. _____

Amendment for subsection 12.1 of 45 CSR 13.

By amending the rule on page 18, subsection 12.1, after the words "section 3 of 45 CSR 22 by adding the following: "provided that the application fee for a source applying/registering under the general permit for natural gas compressor stations shall be five hundred dollars (\$500)".

§§64-3-1. Division of environmental protection.

(c) The legislative rule filed in the state register on the seventeenth day of December, one thousand nine hundred ninety-nine, authorized under the authority of section four, article five, chapter twenty-two, of this code, modified by the division of environmental protection to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-fifth day of January, two thousand, relating to the division of environmental protection (permits for construction, modification, relocation and operation of stationary sources of air pollutants, notification requirements, administrative updates, temporary permits, general permits and procedures for evaluation, 45 CSR 13), is authorized with the following amendments: On page 5, paragraph 2.17.f.6, by striking out the words ""Upon written request, the Director may determine that a physical change results in"";

And,

On page 5, paragraph 2.17.f.6, at the end of the paragraph, by changing the period to a colon and inserting the words ""provided that the owner or operator of the source shall notify the Director of such replacement and the emissions reduction within ten (10) working days of the replacement.""