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WEST VIRGINIA LEGISLATURE OFFICE WEST VIRGINIA  
Legislative Rule-Making Review Committee SECRETARY OF STATE

Senator Joseph Minard, Cochair  
Delegate Virginia Mahan, Cochair  
Debra A. Graham, Counsel  
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Connie A. Bowling, Associate Counsel  
Brian Skinner, Associate Counsel  
Felisha N. Sutherland, Administrative Assistant

December 12, 2006

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Betty Ireland, Secretary of State, State Register

TO: John A. Benedict, Director  
DEP - Division of Air Quality  
610 57<sup>th</sup> Street, SE  
Charleston, WV 25304

FROM: Legislative Rule-Making Review Committee

Proposed Rule: Standards of Performance for New Stationary Sources, 45CSR16

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

1. Authorize the agency to promulgate the Legislative rule:
2.
  - a. as originally filed   X
  - b. as modified by the agency
3. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached.
4. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached.
5. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached.
6. Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached.