



WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Joseph Minard, Cochair
Delegate Virginia Mahan, Cochair
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November 14, 2005

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

TO: Betty Ireland, Secretary of State, State Register

TO: John A. Benedict, Director
Office of Air Quality - DEP
601 57th Street, S.E.
Charleston, WV 25304

FROM: Legislative Rule-Making Review Committee

Proposed Rule: Standards of Performance for New Stationary Sources Pursuant to 40 CFR part 60, 45CSR16

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 X
 - (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 Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached.

FILED
2005 NOV 16 A 10:44
OFFICE WEST VIRGINIA
SECRETARY OF STATE