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West Virginia Department of Environmental Protection

Bob Wise
Governor

Michael O. Callaghan
Secretary

December 28, 2001

The Honorable Joe Manchin
Secretary of State
Building 1, Suite 157K
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0770

Re: Withdrawal of Proposed Legislative Rule 45CSR17

Dear Mr. Secretary:

Please be advised that the Department of Environmental Protection hereby withdraws proposed legislative rule 45CSR17. I have chosen to take this action in light of the comments and recommendations received from the public, the regulated community and the West Virginia Department of Environmental Protection's Advisory Council.

It is my sincere belief that this rule would benefit from more in depth discussion with the concerned parties than is possible under the existing rule-making time frames, certainly in light of the confusion generated over the applicability and enforcement provisions currently proposed.

If you have any questions, please contact Stephanie Timmermeyer, Director, Division of Air Quality at 926-3647.

Very truly yours,


Michael O. Callaghan, Secretary

cc: Senator Robert H. Plymale
Delegate K. Steven Kominar
William Adams, Deputy Secretary, WVDEP
Stephanie Timmermeyer, Director, Division of Air Quality

"To use all available resources to protect and restore West Virginia's environment in concert with the needs of present and future generations."



West Virginia
Department of
Environmental Protection

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