



FILED

2005 FEB -9 A 9:41 WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Senator Mike Ross, Cochair
Delegate Virginia Mahan, Cochair
Debra A. Graham, Counsel
Joseph A. Altizer, Associate Counsel

Rita A. Pauley, Associate Counsel
Connie A. Bowling, Associate Counsel
Brian Skinner, Associate Counsel
Felisha N. Sutherland, Administrative Assistant

February 7, 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
Division of Air Quality
7012 MacCorkle Avenue, S.E.
Charleston, WV 25304

FROM: Legislative Rule-Making Review Committee

Proposed Rule: Permits for Construction and Major Modifications of Major Stationary Sources of Air Pollution Which Cause or Contribute to Nonattainment, 45CSR19

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 Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached.