



FILED

WEST VIRGINIA LEGISLATURE  
Legislative Rule-Making Review Committee

2008 NOV 18 AM 10: 57

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November 16, 2008

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

TO: Betty Ireland, Secretary of State, State Register

TO: Michael Zeto  
DEP - Waste Management  
601 57th Street, SE  
Charleston, WV 25304

FROM: Legislative Rule-Making Review Committee

Proposed Rule: Assessment of Civil Administrative Penalties, 33CSR22

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 Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached.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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

*Rule Governing Assessment of Civil Administrative Penalties  
under the Solid Waste Management Act and Hazardous Waste  
Management Act, 33CSR22.*

**AMENDMENT**

On page 2, subsection 2.9, by striking out the words  
"within thirty (30) calendar days of the date of inspection or  
receipt of sample analyses or other information reflecting a  
violation";

And,

On page 2, by striking out subdivision 3.2.d.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WASTE MANAGEMENT**

*Rule Governing Assessment of Civil Administrative Penalties  
under the Solid Waste Management Act and Hazardous Waste  
Management Act, 33CSR22.*

**STATEMENT OF REASON**

The rule was amended to comply with the West Virginia  
Code.