

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

A. RENEE COE
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

Telephone: (304) 558-6000
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STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

DONALD R. WALKES
Director, Corporations

(Plus all the volunteer
help we can get)

FAX: (304) 558-0900

March 29, 1995

Libby Chatfield
DEP-Environmental Quality
1615 Washingto St. E.
Suite 301
Nitro, WV 25311

HB 2134 authorizing, Title 46, Series 1, Requirements governing water quality standards, passed the Legislature on **March 10, 1995**. It was signed by the Governor on March 24, 1995.

You have sixty (60) days after the Governor signs HB 2134, to final file the legislative rule with the Secretary of State's office. To final file your legislative rule, fill in the blanks on the enclosed form #6, the "Final Filing" form and file the form with our office with a promulgation history of the rule. Authorization for your legislative rule is cited in **HB 2134** section **64-3-2(a)**. The agency may set the effective date of the legislative rule up to ninety (90) days from the date the legislative rule is final filed with the Secretary of State's office. Please have an authorized signature on the bottom line.

*****IMPORTANT: YOUR AGENCY MUST SUBMIT A CLEAN COPY OF THE LEGISLATIVE RULE ON DISK, WITH ALL UNDERLINING, STRIKE-THROUGHS AND HEADERS/FOOTERS TAKEN OUT, TO OUR OFFICE WHEN FINAL FILING THE RULE. THE DISK MUST BE ON A WORD PERFECT (5.1 OR 5.2 VERSION) OR WORD PERFECT COMPATIBLE COMPUTER SYSTEM 3 1/2" DOUBLE DENSITY DISK. STATE ON THE DISK THE FORMAT THE RULE IS IN AND THE TITLE IT IS FILED UNDER. THIS WILL ENABLE US TO ENTER YOUR RULES ON THE LEGISLATIVE DATA BASE. REMEMBER THE TEXT OF THE COMPUTER FILED RULE MUST BE IDENTICAL - WORD FOR WORD, COMMA FOR COMMA, WITH ALL UNDERLINING, STRIKE-THROUGHS AND HEADERS/FOOTERS TAKEN OUT, AS THE HARD COPY AUTHORIZED BY THE LEGISLATURE.**

After the final rule is entered into the legislative data base, the rule will be sent to the agency for review and proofing. Following confirmation or corrections, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records.

If you have any questions or need any assistance, please do not hesitate to call our office.

Thank You
Administrative Law Division

Promulgation History

46 CSR 1, Requirements Governing Water Quality Standards

1. Notice of Rulemaking filed: June 1, 1994
2. Public Hearing Held: July 7, 1994
3. Agency Approved Rule filed: August 15, 1994
4. Modified Rule filed: January 12, 1995
5. Final filing: May 23, 1995



BUREAU OF ENVIRONMENT
10 McJUNKIN ROAD
NITRO, WV 25143-2506

GASTON CAPERTON
GOVERNOR

DAVID C. CALLAGHAN
COMMISSIONER

May 23, 1995

Ms. Judy Cooper
Director, Administrative Law Division
Secretary of State's Office
Building 1, Suite 157K
Charleston, West Virginia 25305

RE: 46 CSR 1 - Water Quality Standards

Dear Ms. Cooper:

This is to advise you that I am giving approval for the filing of the above-captioned rule as a final filing and adoption of a legislative rule authorized by the West Virginia Legislature.

Your cooperation in this regard is very much appreciated. If you have any questions or require additional information, please feel free to contact Roger T. Hall at 759-0515.

Sincerely yours,

David C. Callaghan
Commissioner
Bureau of Environment

DCC;RTH:cc

Attachment

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

MAY 23 1 46 PM '95

FILED

100

SENATE BILL NO. 100

(By Senators Manchin, Anderson, Bailey, Crabb and Macnaughtan)

Introduced January 20, 1995; referred to the Committee on Natural Resources; then to the Judiciary

46-1

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10 A BILL to amend chapter sixty-four of the code of West Virginia, one
11 thousand nine hundred thirty-one, as amended, by adding thereto
12 a new article, designated article three-b, relating to
13 authorizing the environmental quality board to promulgate
14 legislative rules relating to the requirements governing water
15 quality standards.

16 Be it enacted by the Legislature of West Virginia:

17 That chapter sixty-four of the code of West Virginia, one
18 thousand nine hundred thirty-one, as amended, be amended by adding
19 thereto a new article, designated article three-b, to read as
20 follows:

21 **ARTICLE 3B. AUTHORIZATION FOR BUREAU OF ENVIRONMENT TO PROMULGATE**
22 **LEGISLATIVE RULES.**

23 **§64-3B-1. Environmental quality board.**

24 The legislative rules filed in the state register on the

1 fifteenth day of August, one thousand nine hundred ninety-four,
2 modified by the environmental quality board to meet the objections of
3 the legislative rule-making review committee and refiled in the state
4 register on the twelfth day of January, one thousand nine hundred
5 ninety-five, relating to the environmental quality board
6 (requirements governing water quality standards), are authorized.

7
8 NOTE: The purpose of this bill is to authorize the
9 Environmental Quality Board to promulgate legislative rules relating
10 to requirements governing water quality standards.
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12 This section is new; therefore, strike-throughs and underscoring
13 have been omitted.
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Bill-EQB, Water Quality

46-1

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H. B. 2164

(By Delegates Gallagher, Douglas, Compton,
Linch, Faircloth and Riggs)

(Introduced January 23, 1995 ; referred to the
Committee on the Judiciary .)

A BILL to amend chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article three-b, relating to authorizing the environmental quality board to promulgate legislative rules relating to the requirements governing water quality standards.

Be it enacted by the Legislature of West Virginia:

That chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article three-b, to read as follows:

ARTICLE 3B. AUTHORIZATION FOR BUREAU OF ENVIRONMENT TO PROMULGATE LEGISLATIVE RULES.

§64-3B-1. Environmental quality board.

The legislative rules filed in the state register on the

1 fifteenth day of August, one thousand nine hundred ninety-four,
2 modified by the environmental quality board to meet the objections of
3 the legislative rule-making review committee and refiled in the state
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5 ninety-five, relating to the environmental quality board
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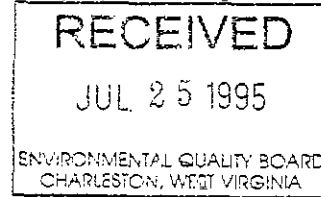
(Plus all the volunteer
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STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770



TO: Libby Chatfield

AGENCY: DEP, Environmental Quality

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: July 21, 1995

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 1 TITLE: 46 DEP, Environmental Quality

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

OFFICE OF WEST VIRGINIA
 SECRETARY OF STATE
 Aug 9 2 04 PM '95
 FILED

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: Libby Chatfield

TITLE OF PERSON SIGNING: Technical Advisor

DATE: August 9, 1995

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.