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west virginia department of environmental protection

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Joe Manchin III, Governor  
Stephanie R. Timmermeyer, Cabinet Secretary  
[www.wvdep.org](http://www.wvdep.org)

February 5, 2008

Ms. Judy Cooper, Director  
Administrative Law Division  
Office of the Secretary of State  
Capitol Complex, Building 1  
Charleston, West Virginia 25305

2008 FEB -16 AM 10:23  
OFFICE OF THE SECRETARY OF STATE

Re: Withdrawal of Proposed Legislative Rule 47CSR5A

Dear Ms. Cooper:

In accordance with W.Va. Code §29A-3-14, the State Department of Environmental Protection (DEP) is hereby withdrawing its proposed rule, 47CSR5A. The agency-approved rule was filed with your office on July 27, 2007, and a modified rule was filed on December 19, 2007.

The DEP requests that this notice be included in the State Register. Thank you for your cooperation in this matter.

Sincerely,

Stephanie R. Timmermeyer  
Cabinet Secretary

cc: Honorable Joseph M. Minard, Co-chair, LRMRC  
Honorable Bonnie Brown, Co-chair, LRMRC  
Honorable Jon Blair Hunter, Chair, EIM Committee

Jay Lazell, Counsel