



**WEST VIRGINIA LEGISLATURE**  
**Legislative Rule-Making Review Committee**

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January 07, 2002

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FILED  
2002 JAN 11 A 9 52  
OFFICE WEST VIRGINIA  
SECRETARY OF STATE

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

TO: Joe Manchin, Secretary of State, State Register

TO: Rita Pauley  
DEP-Water Resources, Office of  
1356 Hansford Street  
Charleston, WV 25301

FROM: Legislative Rule-Making Review Committee

Proposed Rule: **WV/NPDES Rules for Coal Mining Facilities, 47CSR30**

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 Recommends that the Legislative rule be withdrawn; a statement of reasons for such recommendation is attached.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

Office of Water Resources  
WV/NPDES Rules for Coal Mining Facilities  
47CSR30

The coal industry would be required to pay approx 5 million dollars a year in additional fees, and their representative, Chris Hamilton, objected to the rule. Various members also expressed concern with this large assessment and objected to the rule. Chairman Ross directed the agency to work with the industry and if a compromise is reached, then that would be considered by the Legislature.