



west virginia department of environmental protection

Executive Office
601 57th Street
Charleston, WV 25304
Phone: (304) 926-0440
Fax: (304) 926-0447

Joe Manchin III, Governor
Stephanie R. Timmermeyer, Cabinet Secretary
www.wvdep.org

January 12, 2006

The Honorable Betty Ireland
West Virginia Secretary of State
Bldg. 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

FILED
2006 JAN 18 A 10:12
OFFICE WEST VIRGINIA
SECRETARY OF STATE

RE: Request to Repeal Procedural Rules CSR's 38-02E, 47-30A and 38-19

Dear Honorable Ireland:

The Department of Environmental Protection (DEP) has conducted a review of its rules and has determined that two of its procedural rules are no longer applicable. The rules are: (1) CSR38-02E, Environmental Protection Agency Article 3 Forms, which was filed on August 30, 1993 and became effective on September 29, 1993; (2) CSR47-30A, WV/NPDES Coal and Quarry Mining Forms, which was filed on February 17, 1998 and became effective on March 19, 1998 and (3) CSR39-19, Hearing and Appeals Procedures (Oil and Gas), which was filed on September 30, 1987 and became effective on October 30, 1987. By this letter, DEP respectfully requests that the above referenced procedural rules be repealed in accordance with the guidelines established by the State Administrative Procedures Act.

If you have any questions, please contact Charles Sturey at (304) 926-0499, ext. 1526 or Karen Watson at (304) 926-0499, ext. 1547.

Sincerely,

Stephanie R. Timmermeyer
Cabinet Secretary

C: Judy Cooper, Manager, Administrative Law