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WEST VIRGINIA LEGISLATURE  
*Legislative Rule-Making Review Committee*

OFFICE WEST VIRGINIA  
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*Connie A. Bowling, Associate Counsel  
Rita A. Pauley, Associate Counsel  
Brian Skinner, Associate Counsel  
Charles Roskovensky, Associate Counsel*

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 - Water Resources  
601 - 57th Street, SE  
Charleston, WV 25304  
FROM: Legislative Rule-Making Review Committee

Proposed Rule: Assessment of Civil Administrative Penalties, 47CSR56

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 Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached.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 Groundwater Protection Act, 47CSR56.*

**AMENDMENT**

On page 2, subsection 2.8, 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 Groundwater Protection Act, 47CSR56.*

**STATEMENT OF REASON**

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