



FILED IN THE OFFICE OF
THE SECRETARY OF STATE
THIS DATE 11-15-06 2:45pm
ADMINISTRATIVE LAW DIVISION *sl*

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

*Senator Joseph Minard, Cochair
Delegate Virginia Mahan, Cochair
Debra A. Graham, Counsel
Joseph A. Altizer, Associate Counsel*

*Rita A. Pauley, Associate Counsel
Connie A. Bowling, Associate Counsel
Brian Skinner, Associate Counsel
Felisha N. Sutherland, Administrative Assistant*

November 14, 2006

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

TO: Betty Ireland, Secretary of State, State Register

TO: John A. Benedict, Director
DEP - Division of Air Quality
601 57th Street, S.E.
Charleston, WV 25304

FROM: Legislative Rule-Making Review Committee

Proposed Rule: Control of Ozone Season Nitrogen Oxides Emissions, 45CSR40

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative rule: _____
2.
 - a. as originally filed _____
 - b. as modified by the agency X
3. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. _____
4. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
5. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
6. Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached. _____