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WEST VIRGINIA LEGISLATURE  
*Legislative Rule-Making Review Committee*

OFFICE WEST VIRGINIA  
SECRETARY OF STATE  
*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*

December 13, 2005

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

TO: Betty Ireland, Secretary of State, State Register

TO: John A. Benedict, Director  
Office of Air Quality  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304

FROM: Legislative Rule-Making Review Committee

Proposed Rule: Control of Annual Sulfur Dioxide Emissions to Mitigate Interstate Transport of Fine Particulate Matter and Sulfur Dioxide, 45CSR41

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   X
  - (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 Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached.