



State of West Virginia
DEPARTMENT OF COMMERCE

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

May 1, 2020

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25301

Secretary Warner:

RE: Repeal of Series 7 and 11 of Title 36 of the Code of State Rules

The Board of Coal Mine Health and Safety (hereinafter, the "Board") organized under the West Virginia Department of Commerce has voted to authorize the repeal of **SERIES 7 AND 11 OF TITLE 36 OF THE CODE OF STATE RULES** pursuant to the regulatory review and reform initiatives established in West Virginia Code § 29A-3-20 (2016) and Executive Order No. 3-18. The Board has determined that both Series 7 and Series 11 of Title 36 of the Code of State Rules are outmoded, unnecessary and duplicative of the West Virginia Code.

W. Va. 36 CSR 7: Rules and Regulation Governing Shortwall Mining within the State of West Virginia; effective May 4, 2010; repeal effective July 23, 2020.

W. Va. 36 CSR 11: Rules and Regulations Governing When Underground Mine Foreman-Fire Boss Required; Assistants; Certification; the Reopening of Abandoned Mines and the Deenergization of Self-Propelled Electric Coal Feeders; Performance Requirements; effective May 4, 2010; repeal effective July 23, 2020.

As the Cabinet Secretary with authority to grant or withhold consent to this repeal (W. Va. Code § 5F-2-2(a)(13)) I respectfully request that the repeal of these series be effected on **Thursday, July 23, 2020** pursuant to W. Va. Code R. § 153-1-5.17.

Please let me know if you have any questions or require further information.

Best Regards,

C. Edward Gaunch
Cabinet Secretary