



WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

FILED

2022 OCT -3 P 4: 41

OFFICE OF WEST VIRGINIA SECRETARY OF STATE Adair Sankoff, Director

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair

October 03, 2022

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

To: Mac Warner, Secretary of State, State Register
To: Sandra Adkins
DEP - Air Quality
WV Department of Environmental Protection, DAQ
601 57th Street, SE
Charleston, WV 25304
From: Legislative Rule-Making Review Committee
Proposed Rule: Requirements for Operating Permits, 45-30

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 the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached.
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached.
4. Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached.
5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached.

Legislative Rule Making Review Committee

Casto 3264

CSR # 45 CSR 30

Date: 10/3/22

Chairman Foster of the Legislative Rule Making Review Committee moved to amend the rule as modified on page 41, section 8, subsection 8.4, by striking "150%" and inserting in lieu thereof "110%"

AND

On page 41, section 8, by striking out the text of section 8.6 in its entirety and inserting in lieu thereof the following text:

"8.6. The Secretary shall transition the base fee components under subdivision 8.1.a in accordance with the following, which shall apply when the rule becomes effective.

8.6.a. The Permitted Source Base Fee (PSBF) is \$ 5000.

8.6.b. The Deferred Source Base Fee (DSBF) is \$ 0.

8.6.c. These base fee components shall remain in effect until revised or superseded."

Adopted

Rejected