



**WEST VIRGINIA LEGISLATURE**  
*Legislative Rule-Making Review Committee*

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

*Adair Burgess, Director*

September 10, 2023

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

To: Mac Warner, Secretary of State, State Register

To: Laura Jennings  
DEP - Air Quality  
WV DEP - Division of Air Quality  
601 57th Street, SE,  
Charleston, WV 25304

SEP 13 2023

From: Legislative Rule-Making Review Committee

Proposed Rule: To Prevent and Control Particulate Air Pollution from Combustion of Fuel in Indirect Heat Exchanges, 45-02

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

            
**X**  
          

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 Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached.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.