



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

*Senator Dave Sybolt, 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  
From: Legislative Rule-Making Review Committee  
Proposed Rule: To Prevent and Control Air Pollution from the Operation of Hot Mix Asphalt Plant, 45-03

**SEP 13 2023**

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 Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached.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

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**X**  
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