



WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

FILED

2024 NOV 13 A 10:04

Senator Jack Woodrum, Co-Chair
Delegate Doug Smith, Co-Chair

Adair Burgess, Director

November 13, 2024

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

To: Mac Warner, Secretary of State, State Register

To: Johnsely Cyrus
DEP
WV DEP
601 57th Street, SE,
Charleston, WV 25304

From: Legislative Rule-Making Review Committee

Proposed Rule: Underground Injection Control, 47-13

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 Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached.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

On page 82, by striking out the entirety of 14.13. and inserting in lieu thereof a new subsection 14.13. to read as follows:

14.13. Duration of Permits. UIC permits for Class 1 and 5 wells shall be effective for a fixed term not to exceed 10 years. UIC permits for Class 2 and 3 wells shall be issued for a period up to the operating life of the facility. UIC permits for Class 6 wells shall be issued for the operating life of the facility and the post-injection site care period. The Director shall review each issued Class 2, 3, and 6 well UIC permit at least once every 5 years to determine whether it should be modified, revoked and reissued, terminated or a minor modification made.

Statement of Reason for Amendment on 47 CSR 13: The committee was notified that there was one section of 47 CSR 13 that did not align with federal statute. This amendment only updates that one section to align with federal regulations.