WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Patricia Rucker, Co-Chair
Delegate Jonathan Kyle, Co-Chair

Jennifer McPherson, Director

October 13, 2026

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

OFFICE OF WEST VIRGINIA SECRETARY OF STATE
2026 OCT 13 P 2:25
FILED

To: Kris 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: Control of Air Pollution from the Operation of Hot Mix Asphalt Plants, 45-03

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 Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached.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

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