



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

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 Emission of Sulfur Oxides, 45-10

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 Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached.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

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