



**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: Emission Standards for Hazardous Air Pollutants, 45-34

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

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 Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached.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