

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #4

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1998 SEP 15 PM 1:28

OFFICE OF THE SECRETARY OF STATE

**NOTICE OF RULE MODIFICATION OF A PROPOSED RULE**

AGENCY: Board of Health TITLE NUMBER: 64

CITE AUTHORITY §16-1-9a

AMENDMENT TO AN EXISTING RULE: YES  NO

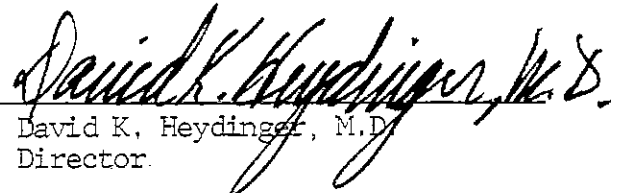
IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 57

TITLE OF RULE BEING PROPOSED: Plumbing Requirements

THE ABOVE PROPOSED LEGISLATIVE RULE, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

  
David K. Heydinger, M.D.  
Director

Modifications to Proposed Plumbing Requirements  
Approved by Legislative Rule-Making Review Committee  
August 29, 1988

§64-57-4. Use of Lead Pipes, Fittings, Solder and Flux  
Prohibited, Exemption

4.1. Only lead free solder, flex, pipe and fittings may be utilized in the installation or repair of a public water supply system. This provision shall not require the replacement of existing plumbing which is connected to a public water system as of ~~the effective date of the emergency filing of this rule, except for such plumbing as is repaired after such date.~~ June 22, 1988, provided repairs made after June 22, 1988 shall comply with the provisions of this rule.

5.1. By June 19, 1988, each public water supply system shall issue notice as described herein to consumers that may be affected by lead contamination of drinking water where such contamination results from lead content in the construction materials of the public water distribution system or from corrosivity of the water supply sufficient to cause leaching of lead.

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[PROPOSED]

TITLE 64

LEGISLATIVE RULES  
DEPARTMENT OF HEALTH

PLUMBING REQUIREMENTS

SERIES 57

19\_\_

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Modifications Requested by the Legislative  
Rule-making Review Committee  
August 29, 1988

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SECRETARY OF STATE



WEST VIRGINIA LEGISLATURE  
 LEGISLATIVE RULE-MAKING REVIEW COMMITTEE  
 Room M-438, State Capitol  
 Charleston, West Virginia 25305  
 (304) 340-3286

FILED  
 1988 SEP -6 AM 9:23

OFFICE OF PUBLIC AFFAIRS  
 SECRETARY OF STATE

M. E. Mowery, Counsel  
 Debra A. Graham, Associate Counsel  
 Marie Nickerson, Receiving Clerk

Senator Larry A. Tucker, Co-Chairman  
 Delegate Thomas A. Knight, Co-Chairman

August 31, 1988

NOTICE OF ACTIONS TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: ✓ Ken Hechler, Secretary of State, State Register

TO: David K. Heydinger, M.D., Director  
 Department of Health  
 1800 Washington Street, East  
 Charleston, WV 25305

FROM: Legislative Rule-Making Review Committee

PROPOSED RULE: Plumbing Requirements

The 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 part of the Legislative rule; a statement of reasons for such recommendation is attached. \_\_\_\_\_
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. \_\_\_\_\_
4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. \_\_\_\_\_
5. Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached. \_\_\_\_\_

Pursuant to Code 29A-3-11(c), this notice has been filed in the State Register and with the agency proposing the rule.

cc: Kay Howard  
 Regulatory Development Section  
 Robert Paul  
 Div. Environmental Engr.