WEST VIRGINIA CODE: §64-11-4

§64-11-4. Division of environmental protection, office of water resources.

(a) The legislative rule relating to the Division of Environmental Protection, office of water resources (underground injection control fee schedule, 47 CSR 9), effective June 1, 1994, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

On page 1, in the title of the rule, by inserting the words >BUREAU OF ENVIRONMENT' on the third line, by striking out the word >DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES', and by striking out the words >WATER RESOURCES - WASTE MANAGEMENT' and inserting in lieu thereof the words >OFFICE OF WATER RESOURCES';

Beginning on page 1, and continuing throughout the text of the rule, by striking out the code reference >§20-5A-5', and inserting in lieu thereof >§22-11-8';

Beginning on page 1, and continuing throughout the text of the rule, by striking out the code reference >§22B-1-6', and inserting in lieu thereof >§22-6-6';

On page 1, subsection 1.2, by striking out the code reference >§20-5A-6a', and inserting in lieu thereof the code reference >§22-11-10';

On page 1, subsection 2.2, by striking out the words >Department of Commerce, Labor and Environmental Resource' and inserting in lieu thereof the words >Bureau of Environment';

Beginning on page 1, subsection 2.3, and continuing throughout the text of the rule, by striking out the words >46 C.S.R.9' and inserting in lieu thereof the words >47CSR13';

On page 1, subsections 2.3, 2.4, 2.5, 2.6 and 2.7, by striking out the word >paragraphs' and inserting in lieu thereof the word >subdivisions';

On page 3, subdivision 3.4.a., by striking out the words >46 C.S.R. 2' and inserting in lieu thereof the words >46CSR10';

Beginning on page 3, subsection 4.2 and continuing throughout the text of the rule, by striking out the code reference >§22B-1-1', and inserting in lieu thereof the code reference >§22-6-1';

On page 5, subdivisions 8.5.a. and 8.5.e., by striking out the word >Section' and inserting in

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lieu thereof the word >subsection';

On page 5, subdivision 8.5.a., by striking out the reference >4.5.3. and inserting in lieu thereof the words >subdivision 4.5.c.';

On page 5, subdivision 8.5.b., by striking out the words >Subsection 8.5.1' and insert in lieu thereof the words >subdivision 8.5.a';

On page 5, subdivision 8.5.c., by striking out the words >Subsection 8.5.1' and insert in lieu thereof the words >subdivision 8.5.a.';

And,

On page 5, subdivision 8.5.e., by striking out the reference >7.5.3' and inserting in lieu thereof the words >subdivision 7.5.c.';"

(b) The legislative rule relating to the Division of Environmental Protection, office of water resources (national pollutant discharge elimination system (NPDES) program, 47 CSR 10), effective August 25, 1993, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

On page 1, in the title of the rule, by inserting the words >BUREAU OF ENVIRONMENT' on the third line, and by striking out the words >WATER RESOURCES - WASTE MANAGEMENT' and inserting in lieu thereof the words >OFFICE OF WATER RESOURCES' on the fifth line;

On page 1, in the title of the rule, by striking out the word >ELIMIATION' and inserting in lieu thereof the word >ELIMINATION';

Beginning on page 1, subsection 1.2, and continuing throughout the rule where applicable, by striking the code reference >§20-5A' and inserting in lieu thereof >§22-11';

Beginning on page 1, subsection 1.5, and continuing throughout the text of the rule, by striking out the word >regulations' and inserting in lieu thereof the word >rule';

Beginning on page 1, first sentence in section 2, and continuing throughout the text of rule, by striking out the words >Chapter 20, Article 5A, Section 2 of the Code of West Virginia' and inserting in lieu thereof the words >W.Va. Code §22-11-3';

On page 2, subdivision 2.12.b, by striking out the word >worker' and inserting in lieu thereof the word >work';

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Beginning on page 5, subdivision 2.51, and continuing throughout the text of the rule, by striking out the words >West Virginia Code, Chapter 20, Article 5A, Section 1', and inserting in lieu thereof the words >W.Va. Code §22-11-1';

On page 6, paragraph 3.2.D, by striking out the word >operatings' and inserting in lieu thereof the word >operations';

Beginning on page 7, subdivision 3.5.b, and continuing throughout the text of the rule, by striking out the words >these rules' and inserting in lieu thereof the words >this rule';

On page 7, subdivision 3.5.b, by striking out the word >filing' in the third sentence, and inserting in lieu thereof the words >permit application';

On page 7, subdivision 3.5.b, by striking out the words >West Virginia legislative rules, State Water Resources Board Series 3, Section 7,' and inserting in lieu thereof >47CSR26';

On page 8, subdivision 4.1.a, by striking out the words >Series 3, Section 7' and inserting in lieu thereof the words >47CSR26';

Beginning on page 9, subsection 4.3, by striking out the code reference >Chapter 20-5A-5(b)(6) of the state Act' and inserting in lieu thereof >W.Va. Code §22-11-8(b)(6)';

On page 9, paragraph 4.4.b.2, by striking out the word >operatings' in the first sentence and inserting in lieu thereof the word >operations';

On page 11, part 4.4.b.7.B.1., by striking out the words >chromotography/mass' and inserting in lieu thereof the words >chromatography/mass';

On page 11, part 4.4.b.7.C.2., by striking out the word >quantitataives' and inserting in lieu thereof the word >quantitative';

On page 13, subsection 4.7, by striking out the words >Series III, Section 8' and inserting in lieu thereof the words >47CSR26';

On page 16, subsection 5.5, by striking out the words >State Health Department Regulations' and inserting in lieu thereof the words >State Division of Health Rules';

On page 17, subdivision 5.10.a., by striking out the word >conduced' and inserting in lieu thereof the word >conducted';

Beginning on page 18, paragraph 5.12.e.1, and continuing throughout the text of the rule, by striking out the words >Division of Water Resources' and inserting in lieu thereof the words >Office of Water Resources';

On page 18, paragraph 5.12.e.4, by striking out the words >Series 3, Section 1 of the board's rules' and inserting in lieu thereof the words >47CSR11-1';

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On page 24, subdivision 7.2.b (previously 7.2.c), by striking >Section 2 and 3 of Series 3 of the Legislative Rules' and inserting in lieu thereof >the Division of Environmental Protection's legislative rule, 47CSR10, sections 3 and 4';

On page 24, subsection 7.3, by striking out the words >Series 1' and inserting in lieu thereof the words >46CSR1';

On page 28, part 9.2.b.3.A.2, by striking out the word >withdraw' and inserting in lieu thereof the word >withdrawn';

On page 29, paragraph 9.2.b.13, by striking out the word >being' on first line and inserting in lieu thereof the word >begin';

On page 30, paragraph 9.4.a.4, by striking out the word >required' and inserting in lieu thereof the word >requires';

Beginning on page 30, subdivision 9.4.b., and continuing throughout the text of the rule, by striking out the words >Section 8', and inserting in lieu thereof the words >Section 12';

On page 32, subdivision 11.3.b, by striking out the word >They' and inserting in lieu thereof the word >The';

On page 33, paragraph 12.1.a.2., by striking out the word >section' and inserting in lieu thereof the word >action';

On page 34, subparagraph 12.1.c.1.C, by striking out the word >Department' and inserting in lieu thereof the word >Division';

On page 35, subsection 12.2, in the first sentence, by striking out the word >not' and inserting in lieu thereof the word >no';

On page 36, subdivision 12.5.a, by striking out the word >permits' and inserting in lieu thereof the word >permit';

On page 43, paragraph 14.1.a.1, by striking out the word >Farrenheit' and inserting in lieu thereof the word >Fahrenheit';

On page 44, subsection 14.5, after the word >Chief', by striking out the word >to' and inserting in lieu thereof the word >for';

On page 45, subdivision 16.1.a., by striking out the words >7, 8, 10 and 12a' and inserting in lieu thereof the words >11, 12, 15, and 19';

On Page 45, subdivision 16.1.b., after the word >Section', by striking out the number >17' and inserting in lieu thereof the number >22';

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On Page 45, subdivision 16.1.c., after the word >Section', by striking out the number >19' and inserting in lieu thereof the number >24';

On page 45, subsection 17.1, by striking out the words >Chapter 20, Article 5, Section 3(b)' and inserting in lieu thereof the words >Chapter 22B, Article 1';

And,

On page 45, section 18, by striking out the words >Series 3' and inserting in lieu thereof the words >47CSR11'."

(c) The legislative rule relating to the Division of Environmental Protection, office of water resources (special rules, 47 CSR 11), effective July 1, 1987, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

On page 1, in the title of the rule, by inserting the words >BUREAU OF ENVIRONMENT' on the third line, and by striking out the words >WATER RESOURCES - WASTE MANAGEMENT' on the fifth line and inserting in lieu thereof the words >OFFICE OF WATER RESOURCES';

On page 1, subsection 1.1, by striking out the words >Series 1 and 2 of the state Water Resources Board's Legislative Rules' and inserting in lieu thereof the words >46CSR1 and 47CSR10';

Beginning on page 1, subsection 1.2, and continuing throughout the text of the rule, by striking out the code reference >§20-5A' and inserting in lieu thereof the code reference >§22-11 et seq';

Beginning on page 1, subsection 2.2, and continuing throughout the text of the rule, by striking out the words >State Water Resources' and inserting in lieu thereof the words >Environmental Quality';

Beginning on page 1, subdivision 2.2.a, and continuing throughout the text of the rule, by striking out the words >Division of Water Resources' and inserting in lieu thereof the words >Office of Water Resources';

On page 2, subsection 2.4, by striking out the words >section nine, article five A, chapter twenty of the West Virginia Code shall be punishable under section nine, article five-A, chapter twenty of the West Virginia Code' and inserting in lieu thereof the words >W.Va. Code §22-11-14 shall be punishable under W.Va. Code §22-11-24';

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On page 3, subdivision 3.3.c, by striking out the words >see Section 8, Series 2' and inserting in lieu thereof the words >See 46CSR1, section 8';

On page 3, section 4, by striking out the word >care' and inserting in lieu thereof the word >car';

On page 5, subsection 6.6, by striking out the word >of' and inserting in lieu thereof the word >or';

And,

On page 6, by striking out section 8 in its entirety, and inserting in lieu thereof the words >(THIS SECTION IS SUPERSEDED BY 47CSR26)', and by renumbering the following section 9 as section 8."

(d) The legislative rule relating to the Division of Environmental Protection, office of water resources (underground injection control, 47 CSR 13), effective August 25, 1993, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

On page 1, in the title of the rule, by inserting the words >BUREAU OF ENVIRONMENT' on the third line, and by striking out the words >- WASTE MANAGEMENT' on the fifth line;

Beginning on page 1, in the Editor's Note, and continuing throughout the text of the rule, by striking out the words >Water Resources Board' and inserting in lieu thereof the words >Environmental Quality Board';

Beginning on page 1, subsection 1.1, and continuing throughout the text of the rule, by striking out the words >these regulations' and inserting in lieu thereof the words >this rule';

Beginning on page 1, subdivision 1.1.a., and continuing throughout the text of the rule, by striking out the word >regulations' and inserting in lieu thereof the word >rule';

Beginning on page 1, paragraph 1.1.e.4., and continuing throughout the text of the rule, by striking out the words used to describe the cross-references to sections, subsections, subdivisions, paragraphs, subparagraphs, parts, subparts, items or subitems, and inserting in lieu thereof the corresponding reference as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

On page 1, subsection 1.2, by striking the code reference >§20-5A-3(b)(2)' and inserting in lieu thereof >§22-11-4(a)(16)';

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On page 1, section 2, by striking out the code reference >§20-5A-2' and inserting in lieu thereof the code reference >§22-11-3';

On page 3, subsection 2.24, by striking out the word >orifc' and inserting in lieu thereof the word >orifice';

On page 3, subsection 2.28, by striking out the words >Title 47, Legislative Rules, Division of Natural Resources, Series 35' and inserting in lieu thereof the words >33CSR20';

On page 3, subsection 2.30, by striking out the words >Title 47, Legislative Rules, Division of Natural Resources, Series 35, Hazardous Waste Management Regulations, Section 47-35-2.68' and inserting in lieu thereof the words >the Hazardous Waste Management Rule, 33CSR20-2.68';

On page 4, subsection 2.51, by striking out the code reference >§20-5A-1' and inserting in lieu thereof the code reference >§22-11-1';

On page 5, subdivision 2.58.c. , by striking out the word >aquifier' and inserting in lieu thereof the word >aquifer';

On page 7, subdivision 5.3.b., in the second paragraph, by striking out the word >multipled' and inserting in lieu thereof the word >multiplied';

On page 7, subdivision 5.3.b., in the second paragraph, by striking out the word >mulipled' and inserting in lieu thereof the word >multiplied';

On page 7, subdivision 5.3.b., after the last sentence in the subdivision, by inserting the words >(See Table 13.5-A at end of this rule)';

On page 8 subparagraph 5.3.b.2.D., by striking out the word >infintesimal' and inserting in lieu thereof the word >infinitesimal';

On page 9, subdivision 7.3.a., by striking out the words >Title 47, Legislative Rules, Division of Natural Resources, Series 35, Hazardous Waste Management Regulations, Section 47-35-4. (Chapter 20-5E)' and inserting in lieu thereof the words >the Hazardous Waste Management Rule, 33CSR20-4 (W.Va. Code Chapter 22, Article 18)';

On page 9, subdivision 7.3.b., by striking out the words >Title 47, Legislative Rules, Division of Natural Resources, Series 35, Hazardous Waste Management Regulations, Section 47-35-8.2.2.(Chapter 20-5E)' and inserting in lieu thereof the words >the Hazardous Waste Management Rule, 33CSR20-8.22 (W.Va. Code Chapter 22, Article 18)';

On page 9, subdivision 7.3.c., by striking out the words >Title 47, Legislative Rules, Division of Natural Resources, Series 35, Hazardous Waste Management Regulations, Section 47-35-8.5. (Chapter 20-5E)' and inserting in lieu thereof the words >the Hazardous Waste Management Rule, 33CSR20-8.5 (W.Va. Code Chapter 22, Article 18)';

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On page 9, subdivision 7.3.d., by striking out the words >Title 47, Legislative Rules, Division of Natural Resources, Series 35, Hazardous Waste Management Regulations, Section 47-35-8.5.3. (Chapter 20-5E)' and inserting in lieu thereof the words >the Hazardous Waste Management Rule, 33CSR20-8.5.3 (W.Va. Code Chapter 22, Article 18)';

On page 9, subdivision 7.3.e., by striking out the words >Title 47, Legislative Rules, Division of Natural Resources, Series 35, Hazardous Waste Management Regulations, Section 47-35-8.54.(Chapter 20-5E)' and inserting in lieu thereof the words >the Hazardous Waste Management Rule, 33CSR20-8.5.4 (W.Va. Code Chapter 22, Article 18)';

On page 9, subdivision 7.3.f., by striking out the words >Title 47, Legislative Rules, Division of Natural Resources, Series 35, Hazardous Waste Management Regulations, Section 47-35-8.5.6. (Chapter 20-5E)' and inserting in lieu thereof the words >the Hazardous Waste Management Rule, 33CSR20-8.5.6 (W.Va. Code Chapter 22, Article 18)';

On page 9, subdivision 7.3.g., by striking out the words >Title 47, Legislative Rules, Division of Natural Resources, Series 35, Hazardous Waste Management Regulations, Section 47-35-8.5.6. (Chapter 20-5E)' and inserting in lieu thereof the words >the Hazardous Waste Management Rule, 33CSR20-8.5.6 (W.Va. Code Chapter 22, Article 18)';

On page 9, subdivision 7.3.h., by striking out the words >Title 47, Legislative Rules, Division of Natural Resources, Series 35, Hazardous Waste Management Regulations, Section 47-35-8.2.7. (Chapter 20-5E)' and inserting in lieu thereof the words >the Hazardous Waste Management Rule, 33CSR20-8.2.7 (W.Va. Code Chapter 22, Article 18)';

On page 19, subparagraph 10.5.a.6.B., by striking out the word >Qualitive' and inserting in lieu thereof the word >Qualitative';

On page 20, subsection 11.2 and subdivisions 11.2.a. and 11.2.b., by striking out the second occurrence of subsection 11.2 and subdivisions 11.2.a. and 11.2.b., so as to the duplicated language;

On page 20, paragraph 11.4.a.1., and on page 22, paragraph 13.2.d.3, by striking out the words >Chapter 20-5E of the West Virginia Code' and inserting in lieu thereof the words >W.Va. Code Chapter 22, Article 18';

On page 22, subdivision 13.1.f., by striking out the words >Section 12a of the state Act' and inserting in lieu thereof the words >W.Va. Code §22-11-19';

On page 22, subparagraph 13.10.d.5.A., by striking out the words >§20-5E-1' and inserting in lieu thereof the words >§22-18-1';

On page 32, paragraph 13.13.l.6., by striking out the word >reoccurance' and inserting in lieu thereof the word >reoccurrence';

On page 37, paragraph 13.22.e.1., by striking out the word >occured' and inserting in lieu

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thereof the word >occurred',"

And,

At the end of the rule, by inserting a table, as follows:

TABLE 13-5A

Zone of Endangering Influence

where:

(e) The legislative rule relating to the Division of Environmental Protection, office of water resources (water pollution control permit fee schedules, 47 CSR 26), effective July 1, 1993, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

On page 1, in the title of the rule, by inserting the words >BUREAU OF ENVIRONMENT' on the third line, and by striking out the words >WATER RESOURCES - WASTE MANAGEMENT' on the fifth line and inserting in lieu thereof the words >OFFICE OF WATER RESOURCES';

On page 1, subsection 1.1, by striking out the word >Section' and inserting in lieu thereof the word >Office';

Beginning on page 1, subsection 1.1, and continuing throughout the text of the rule, by striking out the code reference >20-5A-5' and inserting in lieu thereof the code reference >22-11-8';

On page 1, subsection 1.2, by striking the code reference >§20-5A-6a' and inserting in lieu thereof >§22-11-10';

Beginning on page 1, subsection 1.5, and continuing throughout the text of the rule, by striking out the words >these regulations' and inserting in lieu thereof the words >this rule';

On page 1, subdivision 2.2.b, by striking out the words >46 C.S.R. 2 §4.4.b.3' and inserting in lieu thereof the words >47CSR10, paragraph 4.4.b.3.';

On page 1, subsection 2.3, by striking out the words >Section of Water Resources of the Division of Natural Resources of the West Virginia Department of Commerce, Labor and Environmental Resources' and inserting in lieu thereof the words >Office of Water Resources of the Division of Environmental Protection of the West Virginia Bureau of

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Environment';

Beginning on page 2, subsection 2.5, and continuing throughout the text of the rule, by striking out the code reference >20-5A' and inserting in lieu thereof the code reference >22-11';

On page 2, subsection 2.10, by striking out the words >46 C.S.R.2 §9.2.b' and inserting in lieu thereof the words >47CSR10, subdivision 9.2.b';

On page 2, subsection 2.11, by striking out the words >46 C.S.R. 2 §9.2.a' and inserting in lieu thereof the words >47CSR10, subdivision 9.2.a';

On page 3, subdivision 2.23.a and 2.23b, by striking out the words >47 C.S.R. 35' in both instances and inserting in lieu thereof the words >33CSR20';

On page 3, subsection 3.3, by striking out the words >West Virginia Division of Natural Resources' and inserting in lieu thereof >West Virginia Division of Environmental Protection, Office of Water Resources';

On page 3, subdivision 3.4.a, by striking out the words >46 C.S.R. 2 §4.3' and inserting in lieu thereof the words >47CSR10, subsection 4.3';

And,

"Beginning on page 6, subsection 4.4, and continuing throughout the text of the rule, by striking out the words >47 C.S.R. 38' and inserting in lieu thereof the words >33CSR1'."

(f) The legislative rule relating to the Division of Environmental Protection, office of water resources (dam safety rules, 47 CSR 34), effective May 1, 1995, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

On page 13, subparagraph 6.4.e.2.D., by striking out the words 'Building 9', and inserting in lieu thereof the words 'Cultural Center';

On page 13, subparagraph 6.4.e.2.D., by inserting the word 'East' immediately following the words 'Kanawha Boulevard';

On page 14, part 7.1.b.1.A.1., by striking out the words 'Class 3 dams must be designed with either an open channel spillway only or a combination of principal and emergency spillways. A Class 3 dam shall be capable of passing that portion of the design storm that cannot be safely stored in the impoundment. The design of a Class 3 dam must assure that ninety

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percent (90%) of the stored volume of the design storm will be discharged within ten (10) days after the storm event.' and inserting in lieu thereof the words 'Class 1 dams designed with either an open channel spillway only or with an emergency spillway and a principal spillway together must be capable of discharging that portion of the design storm that cannot be safely stored in the impoundment. Class 1 dams designed with a decant or principal spillway only must be capable of storing the volume of water generated by a PMP rainfall event of six (6) hours in duration. The design of a Class 1 dam must assure that ninety percent (90%) of the stored volume of the design storm will be discharged within ten (10) days after the storm event.';

On page 14, part 7.1.b.1.A.3., by striking out the words 'Class 1 dams designed with either an open channel spillway only or with an emergency spillway and a principal spillway together must be capable of discharging that portion of the design storm that cannot be safely stored in the impoundment. Class 1 dams designed with a decant or principal spillway only must be capable of storing the volume of water generated by a PMP rainfall event of six (6) hours in duration. The design of a Class 1 dam must assure that ninety percent (90%) of the stored volume of the design storm will be discharged within ten (10) days after the storm event.' and inserting in lieu thereof the words 'Class 3 dams must be designed with either an open channel spillway only or a combination of principal and emergency spillways. A Class 3 dam shall be capable of passing that portion of the design storm that cannot be safely stored in the impoundment. The design of a Class 3 dam must assure that ninety percent (90%) of the stored volume of the design storm will be discharged within ten (10) days after the storm event.';

On page 15, part 7.1.b.1.C.1., by striking out the words 'Class 3 and Class 4 Dams - Once in twenty-five (25) years.' and inserting in lieu thereof the words 'Class 1 Dams - Once in one hundred (100) years.';

On page 15, part 7.1.b.1.C.3., by striking out the words 'Class 1 Dams - Once in one hundred (100) years.' and inserting in lieu thereof the words 'Class 3 and Class 4 Dams - Once in twenty-five (25) years.';

On page 33, subsection 13.2., by inserting the words 'or her' immediately following the word 'his';

On page 38, subsection 18.3., by striking out the words 'W.Va. Code §22-14-17' and inserting in lieu thereof the words 'W.Va. Code §22-14-7';

And,

On page 41, subdivision 19.5.a., by inserting the words 'Calculation -' immediately following the citation '19.5.a.'."

(g) The legislative rule relating to the Division of Environmental Protection, office of water resources (groundwater protection act fee schedule, 47 CSR 55), effective June 1, 1994, is

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reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

On page 1, in the title of the rule, by striking out the words >DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES' and inserting in lieu thereof the words >BUREAU OF ENVIRONMENT', and by striking out the words >WATER RESOURCES - WASTE MANAGEMENT' and inserting in lieu thereof the words >OFFICE OF WATER RESOURCES';

Beginning on page 1, and continuing throughout the text of the rule, by striking out the code reference >§20-5M-1 et seq.', and inserting in lieu thereof the code reference >§22-12-1 et seq.';

Beginning on page 1, and continuing throughout the text of the rule, by striking out the code reference >§20-5M-9 subsection (a)' and inserting in lieu thereof the code reference >§22-12-9(a)';

On page 1, subsection 1.5, by striking out the word >Section' and inserting in lieu thereof the word >subsection';

On page 1, subsection 2.3, by striking out the words >Solid Waste Management Regulation 47 C.S.R. 38' and inserting in lieu thereof the words >Solid Waste Management Rule 33CSR1';

On page 1, subsection 2.4, by striking out the words >Division of Environmental Protection of the Department of Commerce, labor and environmental resources' and inserting in lieu thereof the words >Division of Environmental Protection of the Bureau of Environment';

On page 1, subsection 2.5, by striking out the code reference >§20-5G-1 et seq.', and inserting in lieu thereof the words >§22-19-1 et seq.';

On page 1, subsection 2.8, by striking out the code reference >§20-5M-9(c)(1)' and inserting in lieu thereof the code reference >§22-12-9(c)(1)';

On page 1, subsection 2.9, by striking out the words >section 3.1.3' and inserting in lieu thereof the words >subdivision 3.1.c', and by striking out the word >regulations' and inserting in lieu thereof the word >rule', and by striking out the words >47 C.S.R.35' and inserting in lieu thereof the words >33CSR20';

On page 2, subsection 2.11, by striking out the words >Section 2.22' and inserting in lieu thereof the words >subsection 2.24', and by striking out the code reference >46 C.S.R. 2' and inserting in lieu thereof the words >47CSR10';

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On page 2, subsection 2.17, by striking the code reference >§20-5F-2(k)' and inserting in lieu thereof >§22-15-2(27)';

On page 2, subdivision 3.3.a., by striking out the code reference >§20-5M-10' and inserting in lieu thereof the code reference >§22-12-10';

On page 3, paragraph 3.3.a.2., by striking out the words >subsection 3.4.1' and inserting in lieu thereof the words >subdivision 3.4.a.';

On page 3, subdivision 3.3.b., by striking out the words >§20-5M-8(c) et seq.' and inserting in lieu thereof the words >§22-12-8(c) et seq.';

On page 3, subsection 3.5., by striking out the words >paragraph 3.5.3' and inserting in lieu thereof the words >subdivision 3.5.c.';

On page 3, subdivision 3.5.f., by striking out the words >§20-5F-5a' and inserting in lieu thereof the words >§22-15-11';

On page 3, subdivision 3.5.h., by striking out the code reference >§22A-3-1 et seq.' and inserting in lieu thereof the code reference >§22-3-1 et seq.', by striking out the code reference >§20-5A-5(b)(6)' and inserting in lieu thereof the code reference >§22-11-8(b)(6)', and by striking out the code reference >§22A-4-1 et seq' and inserting in lieu thereof the code reference >§22-4-1 et seq.';

On page 3, subdivision 3.5.i., by striking out the code reference >§20-5A-5(b)(1 through 6)' and inserting in lieu thereof the code reference >§22-11-8(b)(1 through 6)';

On page 3, subdivision 3.5.j., by striking out the code reference >§20-5A-5(b)(1 through 6)' and inserting in lieu thereof the code reference >§22-11-8(b)(1 through 6)', and by striking out the words >paragraphs 3.5.11, 3.5.12 or 3.5.13' and inserting in lieu thereof the words >subdivisions 3.5.k, 3.5.l, or 3.5.m';

And,

On page 4, subdivision 3.5.t., by striking out the words >paragraphs 3.5.1 through 3.5.19' and inserting in lieu thereof the words >subdivisions 3.5.a. through 3.5.s.'."

(h) The legislative rule relating to the Division of Environmental Protection, office of water resources (assessment of civil administrative penalties, 47 CSR 56), effective June 1, 1994, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

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On page 1, in the title of the rule, by striking out the words >DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES' and inserting in lieu thereof the words >BUREAU OF ENVIRONMENT', and by striking out the words >WATER RESOURCES - WASTE MANAGEMENT' and inserting in lieu thereof the words >OFFICE OF WATER RESOURCES';

Beginning on page 1, subsection 1.2, and continuing throughout the text of the rule, by striking out the code reference >§20-5M-10 et seq.', and inserting in lieu thereof the code reference >§22-12-10 et seq.';

On page 1, subsection 2.1, by striking out the code reference >§20-5M-1 et seq.' and inserting in lieu thereof the code reference >§22-12-1 et seq.';

On page 3, subsection 5.5, by striking out the words >State Water Resources Board', and inserting in lieu thereof the words >Environmental Quality Board';

And,

On page 3, subsection 6.3, by striking out the word >Section' and inserting in lieu thereof the word >subsection'."

(i) The legislative rule relating to the Division of Environmental Protection, office of water resources (groundwater quality standard variances, 47 CSR 57), effective June 1, 1994, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

On page 1, in the title of the rule, by striking out the words >DIVISION OF NATURAL RESOURCES' and inserting in lieu thereof the words >BUREAU OF ENVIRONMENT', by striking out the words >DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES' and inserting in lieu thereof the words >DIVISION OF ENVIRONMENTAL PROTECTION', and by striking out the words >WATER RESOURCES - WASTE MANAGEMENT' and inserting in lieu thereof the words >OFFICE OF WATER RESOURCES';

Beginning on page 1, subsection 1.2, and continuing throughout the text of the rule, by striking out the code reference >§20-5M-1 et seq.', and inserting in lieu thereof the code reference >§22-12-1 et seq.';

On page 1, subsection 1.2, by striking out the code reference >§20-5M-1 through 6', and inserting in lieu thereof the code reference >§§22-12-1 through 6';

On page 1, section 2.0, by striking out the code reference >§20-5M-3' and inserting in lieu thereof the code reference >§22-12-3';

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Beginning on page 1, subsection 2.7, and continuing throughout the text of the rule, by striking out the words >Department of Commerce, Labor and Environmental Resources' and inserting in lieu thereof the words >Bureau of Environment';

On page 2, subsection 2.10, by striking out the words >State Water Resources Board' and inserting in lieu thereof the words >Environmental Quality Board';

On page 2, subsection 3.1, by striking out the words >Article 3, Chapter 22A of the W.Va. Code or Article 5A, Chapter 20 of the W.Va. Code', and inserting in lieu thereof the words >W.Va. Code §§22-3-1 et seq. or 22-11-1 et seq.';

On page 2, subsection 3.2, by striking out the words >Chapter 22B of the W.Va. Code', and inserting in lieu thereof >W.Va. Code §22-6-1 et seq.';

On page 2, subsection 3.3, by striking out the words >Article 4, Chapter 22A of the W.Va. Code', and inserting in lieu thereof the words >W.Va. Code §22-4-1 et seq.';

On page 2, subsection 4.2, by striking out the code reference >§20-5M-4(b)' and inserting in lieu thereof the code reference >§22-12-4(b)';

On page 3, subdivisions 5.2.a. through 5.2.g., on page 4, subdivisions 6.2.a. through 6.2.k. and subdivisions 6.3.a. through 6.3.b., and on page 5, subdivisions 6.3.c. through 6.3.d. and subdivisions 6.7.a. through 6.7.d., by striking the first letter of the beginning word in these subdivisions, and inserting the appropriate capital letter for the word;

On page 5, subsection 6.6, and continuing throughout the text of the rule, by striking out the words >Water Resources Board' and inserting in lieu thereof the words >Environmental Quality Board';

And,

On page 5, subdivision 6.7.a., by striking out the code reference >§20-5M-5(g)' and inserting in lieu thereof >§22-12-5(g)'."

(j) The legislative rule relating to the Division of Environmental Protection, office of water resources (groundwater protection rules, 47 CSR 58), effective June 1, 1994, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

On page 1, in the title of the rule, by striking out the words >DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES' and inserting in lieu thereof the words >BUREAU OF ENVIRONMENT', and by striking out the words >WATER

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RESOURCES - WASTE MANAGEMENT' and inserting in lieu thereof the words >OFFICE OF WATER RESOURCES';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the word >regulations' and inserting in lieu thereof the word >rule';

On page 1, subsection 1.1, by striking out the words >chapter 20-5M-1 et seq. of the West Virginia Code' and inserting in lieu thereof the words >W.Va. Code §22-12-1 et seq.';

On page 1, subsection 1.2, by striking out the words >West Virginia Code 20-5M-5(d)' and inserting in lieu thereof the words >W.Va. Code §22-12-5(d)';

On page 1, subsection 2.3, by striking out the words >Department of Commerce, Labor and Environmental Resources' and inserting in lieu thereof the words >Bureau of Environment', and by inserting the words >or her' immediately following the word >him';

On page 2, in the note immediately following subdivision 4.3.b., by striking out the words >46 C.S.R. 3', and inserting in lieu thereof the words >47CSR11';

On page 3, paragraph 4.6.c.1., by striking out the words >20-5D-1' and inserting in lieu thereof the words >22-14-1', and by striking out the words >Articles (Chapter 20-5M and 20-5D)' and inserting in lieu thereof the words >Chapter 22, Article 12 and Chapter 22, Article 14';

On page 6, subsection 5.1, in two occurrences, by striking out the words >Chapter 20, Article 5M', and inserting in lieu thereof the words >Chapter 22, Article 12';

On page 6, subsection 7.2, by striking out the words >sections(s) 20-5M-5 (f) through (l) of the W.Va. Code', and inserting in lieu thereof the words >W.Va. Code §22-12-5 (f) through (l)';

And,

On page 7, subsections 12.1 and 12.2, by striking out the words >Water Resources Board', and inserting in lieu thereof the words >Environmental Quality Board', and by striking out the words >§20-5M-11' and inserting in lieu thereof the words >§22-12-11'."

(k) The legislative rule relating to the Division of Environmental Protection, office of water resources (monitoring well rules, 47 CSR 59), effective June 1, 1994, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of State relating to format (standard size and format for rules and procedures for publication of the state register or parts of the state register, 153 CSR 6);

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On page 1, in the title of the rule, by striking out the words >DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES' and inserting in lieu thereof the words >BUREAU OF ENVIRONMENT', and by striking out the words >WATER RESOURCES - WASTE MANAGEMENT' and inserting in lieu thereof the words >OFFICE OF WATER RESOURCES';

On page 1, in the title, by striking out the word >regulations' and inserting in lieu thereof the word >rule';

On page 3, subsection 1.2, by striking out the code reference >§20-5M-5(d)', and inserting in lieu thereof the code reference >§22-12-5(d)';

And,

On page 3, subsection 7.5 and section 8, by striking out the code reference >§20-5M-11' and inserting in lieu thereof the code reference >§22-12-11'."

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