WEST VIRGINIA CODE CHAPTER 64 ARTICLE 11

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§64-11-1. Division of environmental protection, office of oil and gas.

(a) The legislative rule filed in the state register on July 1, 1993, authorized under the authority of section two, article six, chapter twenty-two of this code, relating to the Division of Environmental Protection (abandoned wells, 38 CSR 22, renumbered as 35 CSR 6), is authorized 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);"

(b) The legislative rule filed in the state register on June 1, 1996, authorized under the authority of section two, article six, chapter twenty-two of this code, relating to the Division of Environmental Protection (coal bed methane wells, 38 CSR 23, renumbered as 35 CSR 3), is authorized 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);"

(c) The legislative rule filed July 1, 1993, authorized under the authority of section two, article six, chapter twenty-two of this code, relating to the Division of Environmental Protection (designation of future use and inactive status for oil and gas wells, 38 CSR 21, renumbered as 35 CSR 5), is authorized 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);"

(d) The legislative rule filed in the state register on July 1, 1993, authorized under the authority of section two, article six, chapter twenty-two of this code, relating to the Division of Environmental Protection (oil and gas wells and other wells, 38 CSR 18, renumbered as 35 CSR 4), is authorized 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);"

(e) The legislative rule filed in the state register on June 12, 1987, authorized under the authority of section two, article six, chapter twenty-two of this code, relating to the Division of Environmental Protection (oil and gas operations - solid waste, 38 CSR 12, renumbered as

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35 CSR 2), is authorized with the following amendment:

"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);"

(f) The legislative rule filed in the state register on June 1, 1991, authorized under the authority of section two, article six, chapter twenty-two of this code, relating to the Division of Environmental Protection (miscellaneous Water Pollution Control, 38 CSR 11, renumbered as 35 CSR 1), is authorized with the following amendment:

"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);"

(g) The legislative rule filed in the state register on July 31, 1997, authorized under the authority of section two, article six, chapter twenty-two of this code, relating to the Division of Environmental Protection (dam control, 38 CSR 14), is repealed.

(h) The legislative rule filed in the state register on July 31, 1997, authorized under the authority of section two, article six, chapter twenty-two of this code, relating to the Division of Environmental Protection (certification of gas wells, 38 CSR 16), is repealed.

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§64-11-2. Division of environmental protection, office of mining and reclamation and office of abandoned mine lands and reclamation.

(a) The legislative rule relating to the Division of Environmental Protection, office of mining and reclamation (regulations for mining and reclamation of minerals other than coal, 38 CSR 2B), effective January 1, 1983, 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);

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';

Beginning on page 1, in the first sentence of section 2, 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 2, subsection 2.16, and continuing throughout the text of the rule, by striking out the words >Department of Natural Resources' and inserting in lieu thereof >Division of Environmental Protection', and by striking out the words >Division of Reclamation' and inserting in lieu thereof, >Office of Mining and Reclamation';

Beginning on page 6, subdivision 5.3.a, and continuing throughout the text of the rule, by striking out the words >Article six-D (6d), Chapter twenty (20), Code of West Virginia', and inserting in lieu thereof the words >W.Va. Code Chapter 22, Article 4';

Beginning on page 8, subsection 6A.2., 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 1, in the title of the rule, by inserting the words >BUREAU OF ENVIRONMENT' on the third line, and by striking out the words >MINING AND RECLAMATION' and inserting in lieu thereof the words >OFFICE OF MINING AND RECLAMATION' on the fifth line;

On page 1, subsection 1.2, by striking out the words >W.Va. Code §20-1-7 and §20-6D' and inserting in lieu thereof the words >W.Va. Code §22-1-3 and §22-4-1';

On page 1, in the first sentence of section 2, by striking out the words >Article Six (6), Chapter twenty (20), Code of West Virginia' and inserting in lieu thereof the words >W.Va. Code Chapter 22, Article 4';

On page 3, subsection 2.45, by striking out the words >Water Resources' and inserting in lieu thereof the words >Environmental Protection';

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On page 5, subsection 4.1, by striking out the words >Section eleven A (11a), Article six d (6d), Chapter twenty (20) of the Code of West Virginia' and inserting in lieu thereof >W.Va. Code §22-4-11';

On page 6, subdivision 5.5.a., by striking out the words >Reclamation Division' and inserting in lieu thereof the words >Office of Mining and Reclamation';

On page 9, subsection 6A.3, after the words >State Department of Health', by inserting the words >and Human Resources';

On page 9, subsection 6B.2, by striking the words >section six D (6d) or six E (6e)' and inserting in lieu thereof >section 6D or 6E';

On page 15, subparagraph 7B.a.2.B, by deleting >section >7B.1 (a), (2)' and inserting in lieu thereof >paragraph 7B.1.a.2';

On page 17, subsection 8.6, in the first sentence, by striking out the words >Article six (D) (6d), Chapter twenty (20), Section nine (9), Code of West Virginia', and inserting in lieu thereof, >W.Va. Code §22-4-9';

And,

On page 17, subdivision 9.2.c, by striking out the words >Section sixteen (16), Article six D (6d), Chapter twenty (20), Code of West Virginia', and inserting in lieu thereof >W.Va. Code §22-4-16'."

(b) The legislative rule relating to the Division of Environmental Protection, office of mining and reclamation (standards for certification of blasters - surface coal mines, 38 CSR 2C), 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 1, in the title of the rule, by inserting the words >BUREAU OF ENVIRONMENT' on the third line, and by inserting the words >OFFICE OF MINING AND RECLAMATION' on the fifth line;

And,

On page 3, section 4, in the second sentence, by striking out the first appearance of the words >subparagraph a-k, paragraph 1,' and inserting in lieu thereof the words >paragraphs 5.1.a.1 through 5.1.a.11 of', and by striking out the words >subparagraph a-k, paragraph 1,' and inserting in lieu thereof the words >paragraphs 5.2.a.1 through 5.2.a.11 of'."

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(c) The legislative rule relating to the Division of Environmental Protection, office of mining and reclamation (abandoned mine lands reclamation rule, 38 CSR 2D), effective June 26, 1995, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of rule, by striking out the title reference >38' and inserting in lieu thereof the title reference >59';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series reference >2D' and inserting in lieu thereof the series reference >1';

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 inserting the words >OFFICE OF ABANDONED MINE LANDS AND RECLAMATION' on the fifth line;

On page 3, subparagraph 3.3.b.4.E, by striking out the words >paragraph (b), (2) of this section' and inserting in lieu thereof the words >paragraph 3.3.b.2 of this section';

On page 3, paragraph 4.3.b.1, by striking out the words >paragraph a of this section' and inserting in lieu thereof the words >subdivision 4.3.a of this section';

On page 6, subparagraph 4.5.a.7.E, by striking out the words >subsection (b) or (c)' and inserting in lieu thereof the words >subparagraph 4.5.a.7.B or 4.5.a.7.C';

On page 7, in the first sentence of subdivision 4.5.b., by striking out the words >subsection (a) of this section' and inserting in lieu thereof the words >subdivision 4.5.a of this subsection';

On page 7, in the second sentence of subdivision 4.5.b, by striking out the words >subsection (a) of this section' and inserting in lieu thereof the words >subdivision 4.5.a of this subsection';

On page 8, subdivision 5.3.e, by striking out the reference >2D-5' and inserting in lieu thereof the reference >5';

On page 12, paragraph 6.5.e.2, by striking out the words >paragraph (e) of this section' and inserting in lieu thereof the words >subdivision 6.5.e of this subsection';

On page 12, paragraph 6.5.e.4, by striking out the words >paragraph (e) of this section' and adding in lieu thereof the words >subdivision 6.5.e of this subsection';

On page 12, subsection 7.1, by adding the prefix >sub' before the word >section';

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On page 12, subdivision 7.2.b, by striking out the words >paragraph (a) of this section' and inserting in lieu thereof the words >subdivision 7.2.a of this subsection';

On page 13, subdivision 7.2.d, by striking out the words >7.3(a)(1),(2), or (3) of this section' and inserting in lieu thereof the words >paragraphs 7.3.a.1, 2, or 3 of this section';

And,

On page 14, subdivision 8.4.c, by striking out the words >section 8.4(b) of this rule' and inserting in lieu thereof the words >subdivision 8.4.b of this subsection'."

(d) The legislative rule relating to the Division of Environmental Protection, office of mining and reclamation (groundwater protection regulations coal mining operations, 38 CSR 2F), 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, and by striking out the words >MINING AND RECLAMATION' and inserting in lieu thereof the words >OFFICE OF MINING AND RECLAMATION' on the fifth line;

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';

Beginning on page 1, subsection 1.1., and continuing throughout the text of the rule, by striking out the words >Chapter 22A, Article 3' and inserting in lieu thereof the words >Chapter 22, Article 3', and by striking out the words >Chapter 20, Article 5A' and inserting in lieu thereof the words >Chapter 22, Article 11';

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 code reference >20-5M-5' and inserting in lieu thereof the code reference >§22-12-5';

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

On page 1, subsection 2.2, by striking out the words >subsection (w), Section (3), Article 3, Chapter 22A (the West Virginia Surface Coal Mining and Reclamation Act) of the Code of West Virginia, 1931' and inserting in lieu thereof the words >W.Va. Code §22-3-3(u)';

On page 2, subsection 2.12., by striking out the code reference >20-5M-5(h)' and inserting in

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lieu thereof >22-12-5(h)';

On page 2, subsection 3.2., by striking out the code reference >20-5A-1' and inserting in lieu thereof the code reference >22-11-1', and by striking out the code reference >22A-3-1' and inserting in lieu thereof the code reference >22-3-1';

And,

On page 2, subsection 3.2, by striking out the words >Water Resources Board' and inserting in lieu thereof the words >Environmental Quality Board'."

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§64-11-3. Division of environmental protection, office of air quality.

(a) The legislative rule relating to the office of air quality (to prevent and control air pollution from coal refuse disposal areas, 45 CSR 1), effective January 1, 1965, is reauthorized with the following amendments:

"Beginning on page 1, in the title of the rule, by inserting the words 'OFFICE OF' immediately before the words 'AIR QUALITY';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5' and inserting in lieu thereof the code reference '§22-5-1 et seq.';

On page 1, subsection 2.1, by striking out the words '-- The term' and inserting in lieu thereof the word 'or';

On page 1, subsection 2.1, and continuing throughout the text of the rule, by striking out the code reference 'section two of chapter sixteen, article twenty of the Code of West Virginia, 1931' and inserting in lieu thereof the code reference 'W.Va. Code §22-5-2';

On page 1, subsection 2.2, by striking through the period immediately following the words 'Coal Refuse';

On page 1, subsection 2.3, by striking through the period immediately following the words 'Coal Refuse Pile';

On page 1, subsection 2.3, by striking through the period immediately following the words 'Coal Refuse Disposal Area';

Beginning on page 1, subsection 2.2, and continuing throughout the text of the rule, by striking out the words '-- Any', and inserting in lieu thereof the words 'means any';

On page 1, subsection 2.5, by striking out the words '-- The' and inserting in lieu thereof the words 'means the';

Beginning on page 1, subsection 2.6, second paragraph, and continuing throughout the text of the rule, by striking out the word 'regulation' and inserting in lieu thereof the word 'rule';

And,

Beginning on page 2, subsection 3.1, and continuing throughout the text of the rule, by striking out the word 'Commission' and inserting in lieu thereof the word 'Director'."

(b) The legislative rule relating to the office of air quality (to prevent and control particulate air pollution from combustion of fuel in indirect heat exchangers, 45 CSR 2), effective May 1, 1995, is reauthorized with the following amendments:

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"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, subsection 2.6, by striking out the code reference 'sections six or eight, article one, chapter twenty-two of the West Virginia Code', and inserting in lieu thereof the code reference 'W.Va. Code §22-1-6 or §22-1-8';

On page 2, subdivision 2.12.a, by striking out the apostrophes enclosing the words 'design heat input (dhi)', and inserting in lieu thereof quotation marks;

On page 2, subdivision 2.12.b, by striking out the apostrophes enclosing the words 'total design heat input (tdhi)', and inserting in lieu thereof quotation marks;

On page 2, subdivision 2.12.c, by striking out the apostrophes enclosing the words 'normal maximum operating load (nmol)', and inserting in lieu thereof quotation marks;

On page 2, subsection 2.16, by striking out the word 'the' immediately preceding the words '45CSR2';

On page 4, subdivision 3.4.g, by striking out the word 'regulations', and inserting in lieu thereof the word 'rules';

On page 5, subsection 7.1, by striking out the words 'Code of West Virginia', and inserting in lieu thereof the words 'West Virginia Code';

On page 7, subsection 12.1, by striking through the word 'regulation' and inserting in lieu thereof the word 'rule'."

And,

On page 7, subsection 12.1, by striking out the words 'rule or regulation', and inserting in lieu thereof the words 'or rule'."

(c) The legislative rule relating to the office of air quality (to prevent and control air pollution from the operation of hot mix asphalt plants, 45 CSR 3), effective October 27, 1979, 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 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

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On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq.';

On page 1, subsection 2.1, by striking out the code reference 'section two of chapter sixteen, article twenty of the Code of West Virginia', and inserting in lieu thereof the words 'W.Va. Code §22-5-2';

On page 1, subsection 2.2, by striking out the words '"Commission" shall mean the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

Beginning on page 1, subsection 2.3 and continuing throughout the text of the rule, by striking out the words 'shall mean', and inserting in lieu thereof the word 'means';

On page 1, subsection 2.3, by striking out the words 'Air Pollution Control Commission', and inserting in lieu thereof the words 'Division of Environmental Protection';

On page 2, subsection 2.11, by striking out the words 'shall be', and inserting in lieu thereof the word 'means';

Beginning on page 2, subsection 2.11 and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

On page 2, subsection 2.14, by striking out the word 'is';

Beginning on page 2, subsection 2.14 and continuing throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

On page 2, subsection 2.15, by striking out the code reference 'section two of chapter sixteen, article twenty of the Code of West Virginia, 1931', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq';

On page 3, subsection 6.3, by striking out the code reference 'chapter sixteen, article twenty, section 11(b) of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-11';

On page 3, subsection 6.3, by striking out the reference 'Regulation 13', and inserting in lieu thereof the reference '45CSR13';

And,

On page 3, subsection 8.1, by striking out the code reference 'section five of chapter sixteen, article twenty, paragraph seventeen, of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-4'."

(d) The legislative rule relating to the office of air quality (to prevent and control the

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discharge of air pollutants into the open air which causes or contributes to an objectionable odor or odors, 45 CSR 4), effective October 1, 1967, is reauthorized with the following amendments:

"Beginning on page 2, 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 'OFFICE OF ' immediately prior to the words AIR QUALITY';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 1, subsection 2.3, by striking out the words '"Commission" shall mean the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

On page 1, subsection 2.1, and continuing throughout the text of the rule, by striking out the words 'shall mean' and inserting in lieu thereof the word 'means';

On page 1, subsection 2.6, by striking out the words 'Air Pollution Control Commission' and inserting in lieu thereof the word 'Director';

Beginning on page 1, subsection 2.7, and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

Beginning on page 1, subsection 2.7, and continuing throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

And,

On page 1, subsection 2.7, by striking out the code reference 'chapter sixteen, article twenty, section two of the Code of West Virginia, 1931,', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq'."

(e) The legislative rule relating to the office of air quality (to prevent and control air pollution from the operation of coal preparation plants and coal handling operations, 45 CSR 5), 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);

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On page 1, subsection 1.2, by striking out the code reference '§§22-1-3, 22-5-4', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 1, subsection 2.2, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]'; On page 2, subsection 2.20, by striking out the words 'Department of Commerce, Labor, and Environmental Resources', and by inserting in lieu thereof the words 'Division of Environmental Protection';

On page 4, subsection 6.3.c.5, by striking out the words 'Section 6.3.c.A', and inserting in lieu thereof the words 'paragraph 6.3.c.1';

On page 8, subsection 11.3, by striking out the word 'Commission', and inserting in lieu thereof the words 'Air Quality Board';

And,

On page 8, subdivision 12.1.a, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director'."

(f) The legislative rule relating to the office of air quality (to prevent and control air pollution from combustion of refuse, 45 CSR 6), 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 1, subsection 2.1, by striking out the code reference 'section two, article twenty, chapter sixteen of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-2';

Beginning on page 1, subsection 2.6, and throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

And,

On page 2, subsection 2.18, by striking out the code reference '§22-5-2', and inserting in lieu thereof the code reference '§22-5-1 et seq'."

(g) The legislative rule relating to the office of air quality (to prevent and control particulate air pollution from manufacturing process operations, 45 CSR 7), effective April 27, 1994, is reauthorized with the following amendments:

"Beginning on page 1, and continuing throughout the text of the rule, by renumbering the

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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 'AIR POLLUTION CONTROL COMMISSION', and inserting in lieu thereof the words 'DIVISION OF ENVIRONMENTAL PROTECTION' on one line and 'OFFICE OF AIR QUALITY' on the next line;

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 1, subsection 2.1, by striking out the code reference '§16-20-2', and inserting in lieu thereof the code reference '§22-5-2';

On page 1, subsection 2.2, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

On page 1, subsection 2.3, by striking out the words 'shall mean', and inserting in lieu thereof the word 'means';

Beginning on page 1, subsection 2.8, and continuing throughout the text of the rule, by striking out the word 'Chief', and inserting in lieu thereof the word 'Director';

On page 4, subsection 2.44, by striking out the words '"Quality" or "Chief" means the Chief of the Office of Air Quality or his or her designated representative appointed by the Director of the Division of Environmental Protection pursuant to the provisions of W.Va. Code §22-1-1, et seq., as amended.', and inserting in lieu thereof the words '[RESERVED]';

On page 4, subsection 2.45, by striking out the words 'Department of Commerce, Labor, and Environmental Resources', and inserting in lieu thereof the words 'Division of Environmental Protection';

On page 5, paragraph 3.3.e.3, by striking out the references '3.3.e.A. or 3.3.e.B' and inserting in lieu thereof the references '3.3.e.1 or 3.3.e.2';

On page 6, paragraph 3.4.e.3, by striking out the references '3.4.e.A. and 3.4.e.B', and inserting in lieu thereof the references '3.4.e.1 and 3.4.e.2';

On page 11, section 7, by striking through the code reference '§16-20-1, et, seq.', and inserting in lieu thereof the code reference '§22-5-1, et seq.';

And,

On page 11, section 7, by striking through the words 'this agency', and inserting in lieu thereof the reference 'Title 45'."

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(h) The legislative rule relating to the office of air quality (ambient air quality standards for sulfur oxides and particulate matter, 45 CSR 8), effective April 25, 1990, 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, subsection 2.3, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission', and inserting in lieu thereof the words '[RESERVED]';

Beginning on page 1, subsection 1.1, and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

On page 1, subsection 1.2, by striking out the code references '§§16-20-5 and 16-20-1 through 13', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 1, subsection 2.2, by striking out the code reference 'WV Code 16-20-2', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-2';

Beginning on page 2, section 5, and continuing throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

And,

On page 2, section 5, immediately following the word 'method', by striking out the word 'rule'."

(i) The legislative rule relating to the office of air quality (regulations pertaining to ambient air quality standards for carbon monoxide, nonmethane hydrocarbons, and ozone, 45 CSR 9), effective October 22, 1980, 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 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

On page 1, in the title of the rule, by striking out the word 'REGULATIONS', and by inserting in lieu thereof the word 'RULES';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq.';

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On page 1, subsection 3.3, by striking out the words '"Commission" shall mean the West Virginia Air Pollution Control Commission', and by inserting in lieu thereof the words '[RESERVED]';

Beginning on page 1, subsection 2.1, and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

Beginning on page 1, subsection 3.1, and continuing throughout the text of the rule, by striking out the words 'shall mean', and inserting in lieu thereof the word 'means';

On page 1, subsection 3.2, by striking out the code reference 'section two of chapter sixteen, article twenty of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-2';

On page 2, subsection 3.7, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

And,

Beginning on page 2, subsection 5.1, and continuing throughout the text of the rule, by striking out the words 'West Virginia Air Pollution Control Commission', and inserting in lieu thereof the word 'Director'."

(j) The legislative rule relating to the office of air quality (to prevent and control air pollution from the emission of sulfur oxides, 45 CSR 10), effective April 27, 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 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

On page 1, subsection 2.3, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.", and inserting in lieu thereof the words '[RESERVED]';

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

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 1, subsection 2.1, by striking out the code reference '§16-20-2', and inserting in lieu thereof the code reference '§22-5-2';

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On page 2, subsection 2.17, by striking out the words '"Chief of Air Quality" or "Chief" means the Chief of the Office of Air Quality or his or her designated representative appointed by the Director of the Division of Environmental Protection pursuant to the provisions of W.Va. Code §22-1-1, et seq, as amended.', and inserting in lieu thereof the words '[RESERVED]';

On page 2, subsection 2.18, by striking out the words 'that Division of the West Virginia Department of Commerce, Labor, and Environmental Resources', and inserting in lieu thereof the words 'the Division of Environmental Protection';

Beginning on page 4, subdivision 3.4.b, and continuing throughout the text of the rule, by striking out the word 'Chief', and inserting in lieu thereof the word 'Director';

On page 4, subdivision 3.8.a, by striking out the words 'paragraphs (b), (c), (d), (e), and (f) following', and inserting in lieu thereof the words 'subdivisions 3.8.b through 3.8.f';

And,

On page 6, subsection 5.1, by striking out the words '§16-20-1, et seq., as amended, and Series 13 of this agency', and inserting in lieu thereof the words '§22-5-1 et seq., as amended, and 45CSR13'."

(k) The legislative rule relating to the office of air quality (prevention of air pollution emergency episodes, 45 CSR 11), effective April 25, 1990, is reauthorized with the following amendments:

"On page 1, in the title of the rule, by inserting the words 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

On page 1, subsection 1.2, by striking out the code references '§§16-20-5 and 16-20-1-13', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 1, subsection 2.2, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

On page 1, subsection 2.3, by striking out the words 'West Virginia Air Pollution Control Commission', and inserting in lieu thereof the words 'Division of Environmental Protection';

Beginning on page 1, subsection 2.6, and continuing throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

Beginning on page 1, subsection 3.1, and continuing throughout the text of the rule, by striking out the words 'and/or Commission';

Beginning on page 2, subdivision 3.1.a, and continuing throughout the text of the rule, by striking out the words 'West Virginia Air Pollution Control Commission', and inserting in lieu thereof the word 'Director';

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Beginning on page 1, subsection 1.1, and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

On page 3, subsection 3.2, striking out the reference >WV Code §45-11-6', and inserting in lieu thereof the words 'Section 6 of this rule';

On page 4, subsection 6.2, and continuing throughout the text of the rule, by striking out the reference 'W.Va. Code §45-11-5', and inserting in lieu thereof the words 'Section 5 of this rule';

On page 5, subsection 7.1, by striking out the code reference 'W.Va. Code §16-20-10', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-8';

On page 5, section 8, in the heading, by striking out the word 'Regulations', and inserting in lieu thereof the word 'Rules';

And,

On page 5, subsection 8.1, by striking out the words 'rule' immediately preceding the words 'or rule'."

(l) The legislative rule relating to the office of air quality (ambient air quality standard for nitrogen dioxide, 45 CSR 12), effective March 15, 1972, 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 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 1, subsection 3.3, by striking out the words '"Commission shall mean the West Virginia Air Pollution Control Commission', and by inserting in lieu thereof the words '[RESERVED]';

On page 2, subsection 5.1, by striking out the words 'West Virginia Air Pollution Control Commission', and inserting in lieu thereof the word 'Director';

Beginning on page 1, subsection 2.1, and continuing throughout the text of the rule, by striking out the word "Commission", and inserting in lieu thereof the word 'Director';

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Beginning on page 1, subsection 3.1, and continuing throughout the text of the rule, by striking out the words 'shall mean', and inserting in lieu thereof the word 'means';

On page 1, subsection 3.2, by striking out the code reference '§16-20-2', and inserting in lieu thereof the code reference '§22-5-2';

And,

On page 1, subsection 3.5, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule'."

(m) The legislative rule relating to the office of air quality (permits for construction, modification, relocation and operation of stationary sources of air pollutants, notification requirements, temporary permits, general permits, and procedures for evaluation, 45 CSR 13), effective April 27, 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 'OFFICE OF' immediately prior to the words 'AIR QUALITY';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 2, subsection 2.4, by striking out the words '"Chief of Air Quality" or "Chief" means the Chief of the Office of Air Quality or his or her designated representative appointed by the Director of the Division of Environmental Protection pursuant to the provisions of W.Va. Code §22-1-1, et seq.', and by inserting in lieu thereof the words '[RESERVED]';

Beginning on page 1, subdivision 2.1.a, and continuing throughout the text of the rule, by striking out the word 'Chief', and inserting in lieu thereof the word 'Director';

On page 1, subsection 2.3, by striking out the code reference 'article twenty, chapter sixteen of the W.Va. Code', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-2';

On page 2, subsection 2.7, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission', and inserting in lieu thereof the words '[RESERVED]';

On page 2, subsection 2.10, by striking out the words 'that division of the Department of Commerce, Labor and Environmental Resources', and inserting in lieu thereof the words 'the Division of Environmental Protection';

On page 3, paragraph 2.17.b.2, by striking out the words 'subparagraph 2.13.b.A', and

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inserting in lieu thereof the words 'paragraph 2.17.b.1';

On page 3, subdivision 2.17.c, by striking out the words 'subparagraph 2.13.b.A', and inserting in lieu thereof the words 'paragraph 2.17.b.1';

On page 10, subsection 11.2, by striking out the words 'Commission rules', and inserting in lieu thereof the words 'rules of the Director';

Beginning on page 4, subdivision 2.21.d, and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

On page 5, subsection 2.28, by striking out the code reference 'chapter sixteen, article twenty, section two of the Code of West Virginia, 1931', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq.';

And,

Beginning on page 6, subsection 4.4, and continuing throughout the text of the rule, by striking out the code reference '§16-20-1', and inserting in lieu thereof the code reference '§22-5-1'."

(n) The legislative rule relating to the office of air quality (permits for construction and major modification of major stationary sources of air pollution for the prevention of significant deterioration, 45 CSR 14), effective May 1, 1995, is reauthorized with the following amendment:

"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 3, subsection 2.11, by striking out the words '"Chief of the Office of Air Quality" or "Chief" means the principal administrative officer of the Office of Air Quality or other designated representative appointed by the Director of the Division of Environmental Protection pursuant to the provisions of W.Va. Code §22-1-1 et seq.', and inserting in lieu thereof the words '[RESERVED]'."

(o) The legislative rule relating to the office of air quality (emission standards for hazardous air pollutants pursuant to 40 CFR part 61, 45 CSR 15), effective May 1, 1995, is reauthorized with the following amendment:

"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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(p) The legislative rule relating to the office of air quality (to prevent and control particulate air pollution from materials handling, preparation, storage and sources of fugitive particulate matter, 45 CSR 17), effective May 1, 1979, is reauthorized with the following amendments:

"On page 1, in the title of the rule, by inserting the words 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

On page 1, subsection 3.2, by striking out the words '"Commission" shall mean the West Virginia Air Pollution Control Commission.'; and inserting in lieu thereof the words '[RESERVED]';

On page 1, subsection 3.3, by striking out the words 'Air Pollution Control Commission', and inserting in lieu thereof the words 'Division of Environmental Protection';

Beginning on page 1, subsection 1.1, and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

On page 3, section 12, by striking out the words 'or regulation';

Beginning on page 1, subsection 1.1, and continuing throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

On page 1, subsection 1.2, by striking out the code reference 'W.Va. Code §16-20-5', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq';

On page 1, subsection 3.1, by striking out the code reference 'section two of chapter sixteen, article twenty of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-2';

Beginning on page 1, subsection 3.4, and continuing throughout the text of the rule, by striking out the words 'shall mean', and inserting in lieu thereof the word 'means';

On page 2, subsection 3.11, by striking out the words 'shall include, but not be', and inserting in lieu thereof the words 'includes, but is not';

On page 2, subsection 3.12, by striking out the code reference 'section two of chapter sixteen, article twenty of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq';

And,

On page 3, subsection 9.1, by striking out the code reference 'chapter sixteen, article twenty, section five, subsection seventeen of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-4'."

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(q) The legislative rule relating to the office of air quality (to prevent and control particulate air pollution from direct meat-firing devices, 45 CSR 18), effective May 1, 1979, is reauthorized with the following amendments:

"On page 1, in the title of the rule, by inserting the words 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 1, subsection 2.1, by striking out the code reference 'Section Two of Chapter Sixteen, Article Twenty of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-2';

On page 1, subsection 2.3, by striking out the words '"Commission" shall mean the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

Beginning on page 1, subsection 2.2, and continuing throughout the text of the rule, by striking out the words 'shall mean', and inserting in lieu thereof the word 'means';

On page 1, subsection 2.4, by striking out the words 'Air Pollution Control Commission', and inserting in lieu thereof the words 'Division of Environmental Protection';

On page 1, subsection 2.8, by striking out the words 'shall be', and inserting in lieu thereof the word 'means';

Beginning on page 1, subsection 2.8, and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

Beginning on page 2, subsection 2.15, and continuing throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

On page 2, subsection 2.15, by striking out the code reference 'Chapter Sixteen, Article Twenty, Section Two of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq';

On page 2, subsection 5.1, by striking out the code reference 'Section Five of Chapter Sixteen, Article Twenty, Paragraph Seventeen of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-4';

On page 2, section 6, by striking out the code reference 'Section Two of Chapter Sixteen, Article Twenty, Paragraph 11b of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-11';

And,

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On page 2, section 6, by striking out the word 'Regulation 13 of this agency', and inserting in lieu thereof the reference '45CSR13'."

(r) The legislative rule relating to the office of air quality (requirements for preconstruction review, determination of emission offsets for proposed new or modified stationary sources of air pollutants and emission trading for intrasource pollutants, 45 CSR 19), effective July 7, 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 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

On page 2, subsection 2.9, by striking out the words '"Chief of Air Quality" or "Chief" means the Chief of the Office of Air Quality or his or her designated representative appointed by the Director of the Division of Environmental Protection pursuant to the provisions of §22-1-1, et seq., of the West Virginia Code.', and inserting in lieu thereof the words '[RESERVED]';

On page 2, subsection 2.11, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

On page 2, subsection 2.2, by striking out the words 'Commission or Chief', and inserting in lieu thereof the word 'Director';

Beginning on page 1, subsection 1.1, and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

Beginning on page 1, subsection 1.1, and continuing throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

On page 1, subsection 1.1, by striking out the code reference 'Chapter 16, Article 20, of the Code of West Virginia, of 1931, as amended, (the Code)', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq., as amended';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq.';

On page 1, subsection 1.5, by striking out the words >1.5 Type. This regulation is a legislative rule as defined in West Virginia Code, Chapter 29A, Article 2';

Beginning on page 1, subdivision 2.1.a, and continuing throughout the text of the rule, by striking out the word 'Chief', and inserting in lieu thereof the word 'Director';

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On page 2, subsection 2.3, by striking out the words 'the West Virginia Administrative Regulations of the Air Pollution Control Commission', and inserting in lieu thereof the words 'rules of the Director';

On page 2, subsection 2.3, by striking out the words 'the Code of West Virginia, of 1931', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq.';

On page 2, subsection 2.6, by striking out the code reference 'Section Two of the West Virginia Code 16-20, as amended', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-2';

On page 2, subsection 2.10, by striking out the code reference 'Chapter 16, Article 20, of the Code of West Virginia of 1931', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq.';

On page 2, subsection 2.10, by striking out the code reference 'Chapter 20, Article 5E of the Code of West Virginia of 1931', and inserting in lieu thereof the code reference 'W.Va. Code §22-18-1 et seq';

On page 3, subsection 2.15, by striking out the words 'that Division of the Department of Commerce, Labor and Environmental Resources', and inserting in lieu thereof the words 'the Division of Environmental Protection';

On page 8, subsection 2.47, by striking out the code reference 'Chapter 16, Article 20, Section 2, of the Code of West Virginia, 1931', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq';

On page 9, paragraph 4.1.a.2, by striking out the code reference 'Chapter 16, Article 20, of the Code of West Virginia, 1931', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq.';

On page 9, paragraph 4.1.a.4, by striking out the words 'Subparagraph 4.1.a.C', and inserting in lieu thereof the words 'paragraph 4.1.a.3';

On page 10, subdivision 6.1.a, by striking out the words 'Subparagraphs 4.1.a.C and D', and inserting in lieu thereof the words 'paragraphs 4.1.a.3 and 4.1.a.4';

On page 10, paragraph 6.1.b.1, by striking out the words 'Subparagraphs 4.1.a.C and D', and inserting in lieu thereof the words 'paragraphs 4.1.a.3 and 4.1.a.4';

On page 12, paragraph 8.2.d.1, by striking out the words 'Subparagraph 4.1.a.D', and inserting in lieu thereof the words 'paragraph 4.1.a.4';

On page 12, paragraph 8.2.d.2, by striking out the words 'Subparagraphs 4.1.a.C and 8.2.a.A', and inserting in lieu thereof the words 'paragraphs 4.1.a.3 and 8.2.a.1';

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And,

Beginning on page 13, subsection 9.3, and continuing throughout the text of the rule, by striking out the code reference 'Chapter 16, Article 20, Section 5 (17) of the Code', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-4'."

(s) The legislative rule relating to the office of air quality (good engineering practice as applicable to stack heights, 45 CSR 20), effective July 14, 1989, 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 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

Beginning on page 1, subsection 1.1, and continuing throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 3, subdivision 2.6.a, by striking out the words 'APCC Regulation XIV', and inserting in lieu thereof the words '45CSR14';

On page 3, subdivision 2.6.a, by striking out the words 'Regulation XVI', and inserting in lieu thereof the words '45CSR16';

On page 4, subsection 2.8, by striking out the words 'West Virginia Air Pollution Control Commission', and inserting in lieu thereof the words 'Division of Environmental Protection';

On page 4, subsection 2.12, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

Beginning on page 3, paragraph 2.6.b.1, and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

On page 3, subdivision 2.7.a, by striking out the words 'APCC Regulation XV', and inserting in lieu thereof the words '45CSR15';

On page 4, subdivision 2.7.a, by striking out the words 'APCC Regulation XVI', and inserting in lieu thereof the words '45CSR16';

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On page 4, subsection 2.11, by striking out the code reference '§16-20-2, 1931', and inserting in lieu thereof the code reference '§22-5-2';

On page 4, subsection 2.14, by striking out the code reference '§16-20-2, 1931', and inserting in lieu thereof the code reference '§22-5-1, et seq';

On page 4, subdivision 3.2.b, by striking out the words 'APCC Regulation XIV', and inserting in lieu thereof the words '45CSR14';

On page 4, subsection 4.1, by striking out the words 'Sub-section 2.4.c.', and inserting in lieu thereof the words 'subdivision 2.4.c.';

On page 4, subsection 4.1, by striking out the words 'Section 2.4.b.A and B', and inserting in lieu thereof the words 'paragraphs 2.4.b.1 and 2.4.b.2';

On page 5, section 5, in the heading of the section, by striking out the word 'Regulations', and inserting in lieu thereof the word 'Rules';

And,

On page 5, subsection 5.1, by striking out the word 'rule' immediately following the words 'provision, term, condition, method,'."

(t) The legislative rule relating to the office of air quality (air quality management fee program, 45 CSR 22), effective May 6, 1991, is reauthorized with the following amendments:

"Beginning on page 2, 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 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

Beginning on page 1, subsection 1.1, and continuing throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

On page 1, subsection 1.1, by striking out the words 'Air Pollution Control Commission's', and inserting in lieu thereof the word 'Director's';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1, et seq';

On page 1, subsection 2.1, by striking out the code reference '§16-20', and inserting in lieu thereof the code reference '§22-5-2';

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On page 1, subsection 2.3, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

On page 1, subsection 2.5, by striking out the words 'West Virginia Air Pollution Control Commission', and inserting in lieu thereof the words 'Division of Environmental Protection';

Beginning on page 2, subdivision 3.3.a, and continuing throughout the text of the rule, by striking out the words 'West Virginia Air Pollution Control Commission', and inserting in lieu thereof the words 'Air Pollution Control';

On page 3, subdivision 4.2.a, by striking out the words 'or Commission';

On page 3, subdivision 4.2.b, by striking out the words 'or Commission';

Beginning on page 1, subsection 2.4, and throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

On page 2, subsection 3.1, by striking out the words 'Permits for Construction, Modification or Relocation of Stationary Sources of Air Pollution and Procedures for Registration and Evaluation', and insert in lieu thereof the words 'Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits, and Procedures for Evaluation';

And,

On page 6, subsection 4.6, by striking out the code reference '§16-20-8', and inserting in lieu thereof the code reference '§22-5-6'."

(u) The legislative rule relating to the office of air quality (to prevent and control the emissions of toxic air pollutants, 45 CSR 27), effective June 30, 1990, 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 'OFFICE OF' immediately prior to the words 'AIR QUALITY';

On page 1, subsection 1.1, by striking out the word 'Regulation 27', and inserting in lieu thereof the reference '45CSR27';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq.';

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On page 1, subsection 1.5, by striking out the words '1.5. Type. This regulation is a legislative rule as defined in West Virginia code, Chapter 29A, Article 2.';

On page 1, subsection 2.1, by striking out the code reference 'Section 2, of Chapter 16, Article 20 of the Code of West Virginia, as amended', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-2';

Beginning on page 1, subsection 2.3, and continuing throughout the text of the rule, by striking out the word 'regulation', and inserting in lieu thereof the word 'rule';

On page 2, subsection 2.5, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.'; and inserting in lieu thereof the words '[RESERVED]';

On page 2, subsection 2.6, by striking out the words 'West Virginia Air Pollution Control Commission', and inserting in lieu thereof the words 'Division of Environmental Protection';

On page 2, subsection 2.6, by inserting the word 'or' between the words 'Plant' and 'facility';

Beginning on page 4, subsection 8.1, and continuing throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

On page 4, subsection 9.1, by striking out the code reference 'WV Code §16-20-11b, as amended' and inserting in lieu thereof the code reference 'W.Va. Code §22-5-11';

And,

On page 5, subsection 13.1, by striking out the words 'rule or' immediately following the words 'provision, term, condition, method,'."

(v) The legislative rule relating to the office of air quality (rule requiring the submission of emission statements for volatile organic compound emissions and oxides of nitrogen emissions, 45 CSR 29), effective July 7, 1993, is reauthorized with the following amendments:

"Beginning on page 2, 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 'OFFICE OF' immediately prior to the words 'AIR QUALITY';

On page 1, subsection 1.1, by striking out the words 'chief of Air Quality's', and inserting in lieu thereof the word 'Director's';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu

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thereof the code reference '§22-5-1 et seq';

On page 1, subsection 2.7, by striking out the words '"Chief of Air Quality" or "Chief" means the chief of the Office of Air Quality or his or her designated representative appointed by the director of the Division of Environmental Protection pursuant to the provisions of W.Va. Code §22-1-1, et seq.', and inserting in lieu thereof the words '[RESERVED]';

On page 1, subsection 2.8, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

On page 2, subsection 2.12, by striking out the words 'Department of Commerce, Labor and Environmental Resources', and inserting in lieu thereof the words 'Division of Environmental Protection';

On page 4, section 6, by striking out the words 'commission, director, or chief', and inserting in lieu thereof the word 'Director';

Beginning on page 2, subsection 2.25, and continuing throughout the text of the rule, by striking out the word 'commission', and inserting in lieu thereof the word 'Director';

Beginning on page 3, subsection 2.28, and continuing throughout the text of the rule, by striking out the word 'chief', and inserting in lieu thereof the word 'Director';

On page 3, subsection 3.2, by striking out the words 'of Air Quality';

And,

On page 4, subsection 5.4, by striking out the code reference '§16-20-12', and inserting in lieu thereof the code reference '§22-5-10'."

(w) The legislative rule relating to the office of air quality (requirements for operating permits, 45 CSR 30), effective April 27, 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 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq';

On page 1, subsection 2.5, by striking out the code reference 'article twenty, chapter

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sixteen, of the W.Va. Code , as amended', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-2';

On page 2, subsection 2.8, by striking out the words '"Chief of Air Quality" or "Chief" means the chief of the Office of Air Quality or his or her designated representative appointed by the director of the Division of Environmental Protection pursuant to the provisions of W.Va. Code §22-1-1, et seq.', and inserting in lieu thereof the words '[RESERVED]';

On page 2, subsection 2.10, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

On page 24, subdivision 6.4.a.6, by striking out the words 'Commission rules', and inserting in lieu thereof the words 'rules of the Director';

Beginning on page 2, subdivision 2.6.j, and throughout the text of the rule, by striking out the word 'Commission', and inserting in lieu thereof the word 'Director';

Beginning on page 2, subsection 2.6.l, and continuing throughout the text of the rule, by striking through the word 'Chief', and inserting in lieu thereof the word 'Director';

On page 2, subsection 2.13, by striking out the words 'Department of Commerce, Labor, and Environmental Resources', and inserting in lieu thereof the words 'Division of Environmental Protection';

On page 7, subdivision 2.34.a, by striking out the reference '2.25.c.C', and inserting in lieu thereof the reference '2.26.c.3';

On page 8, subsection 2.44, by striking out the word 'trichloromethane', and inserting in lieu thereof the word 'trichloroethane';

On page 8, subdivision 2.44.d by striking out the code reference '16-20-1', and inserting in lieu thereof the code reference '22-5-1';

On page 12, subdivision 4.1.c, by striking out the code reference '16-20-12', and inserting in lieu thereof the code reference '22-5-10';

On page 12, paragraph 4.3.c.2, by striking out the words >subparagraph 4.3.c.A. and inserting in lieu thereof the words >paragraph 4.3.c.1', and by striking out the code reference '16-20-1', and inserting in lieu thereof the code reference '22-5-1';

On page 13, paragraph 4.3.c.8, by striking out the words 'subparagraphs 4.3.c.A through G', and inserting in lieu thereof the reference 'paragraphs 4.3.c.1 through 4.3.c.7';

On page 13, subdivision 4.3.e, by striking out the code reference '16-20-1', and inserting in lieu thereof the code reference '22-5-1';

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On page 13, subdivision 4.3.e, by striking out the code reference '20-5E-1', and inserting the code reference '22-18-1';

On page 13, subdivision 4.3.g, by striking out the word >paragraph' in two places and inserting in lieu thereof the word >subdivision', and by striking out the reference '5.1.a.C', and inserting in lieu thereof the reference 'paragraph 5.1.a.3';

On page 15, subparagraph 5.1.c.1.B, by striking out the reference '5.1.c.C', and inserting in lieu thereof the reference '5.1.c.3';

On page 15, subparagraph 5.1.c.1.B, by striking out the reference '5.1.c.A', and inserting in lieu thereof the reference '5.1.c.1';

On page 16, subparagraph 5.1.c.3.E, by striking out the code reference '16-20-12', and inserting in lieu thereof the code reference '22-5-10';

On page 21, paragraph 5.7.c.4, by striking out the words 'subpart 5.1.c.C.(c)(B)', and inserting in lieu thereof the words 'part 5.1.c.3.C.2';

On page 21, paragraph 5.7.c.4, by striking out the words 'part 5.1.c.D.(b)', and inserting in lieu thereof the reference 'subparagraph 5.1.c.3.B';

On page 25, subparagraph 6.5.a.1.B, by striking out the words 'part 6.5.a.A.(a)', and inserting in lieu thereof the words 'subparagraph 6.5.a.1.A';

On page 26, subparagraph 6.5.a.4.D, by striking out the reference '6.5.a.D', and inserting in lieu thereof the reference '6.5.a.4';

On page 26, paragraph 6.5.a.5, by striking out the reference '6.5.a.D(a)', and inserting in lieu thereof the reference '6.5.a.4.A';

On page 26, paragraph 6.5.a.5, by striking out the reference '6.5.a.D.(c)', and inserting in lieu thereof the reference '6.5.a.4.C';

On page 28, paragraph 6.8.a.3, by striking out the words 'subpart of 6.8.a.C.(a)', and inserting in lieu thereof the words 'part 6.8.a.3.A.3';

On page 28, paragraph 6.8.a.3, by striking out the reference 'part 6.8.a.C.(b)', and inserting in lieu thereof the reference 'subparagraph 6.8.a.3.B';

On page 29, part 6.8.a.4.A.5, by striking out the word >paragraph' and inserting in lieu thereof the word >subdivisions';

On page 29, subparagraph 6.8.a.4.B, by striking out the reference 'part 6.8.a.D.(a)', and inserting in lieu thereof the reference 'subparagraph 6.8.a.4.A';

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On page 30, part 6.8.a.4.B.4, by striking out the words 'part 6.8.a.D.(a)', and inserting in lieu thereof the reference 'subparagraph 6.8.a.4.A';

On page 30, part 6.8.a.4.B.4, by striking out the words 'subparagraph 6.8.a.C', and inserting in lieu thereof the reference 'paragraph 6.8.a.3';

On page 30, subdivision 6.8.b, by striking out the words 'subparagraph 6.8.c.A', and inserting in lieu thereof the words 'paragraph 6.8.c.1';

On page 30, paragraph 6.8.c.2, by striking out the reference 'subparagraph 6.8.a.B', and inserting in lieu thereof the words 'paragraph 6.8.a.2';

On page 31, subdivision 6.9.a, by striking out the words 'subparagraph 6.8.a.C', and inserting in lieu thereof the words 'paragraph 6.8.a.3';

Beginning on page 34, subsection 8.6, and continuing throughout the text of the rule, by striking out the code reference 'article twenty, chapter sixteen of the Code of West Virginia', and inserting in lieu thereof the code reference 'W.Va. Code §22-5-1 et seq.';

On page 35, subsection 10.2, by striking out the words 'order of the chief or, any';

On page 35, subsection 10.2, by striking out the code reference '16-20-8', and inserting in lieu thereof the code reference '22-5-6';

And,

On page 35, subsection 12.4, by striking out the words 'this subparagraph 4.1.a.E.' and inserting in lieu thereof the words >paragraph 4.1.a.5'."

(x) The legislative rule relating to the office of air quality (serious and minor violations of applicable rules, 45 CSR 32), effective July 7, 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 'OFFICE OF' immediately preceding the words 'AIR QUALITY';

On page 1, subsection 1.1, by striking out the words 'West Virginia Air Pollution Control Commission', and inserting in lieu thereof the words 'Director';

On page 1, subsection 1.2, by striking out the code reference '§16-20-5', and inserting in lieu thereof the code reference '§22-5-1 et seq';

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On page 1, subsection 2.1, by striking out the code reference '§16-20-1, et seq.', and inserting in lieu thereof the code reference '§22-5-1, et seq';

On page 1, subsection 2.2, by striking out the words 'chief or the commission', and inserting in lieu thereof the word 'Director';

On page 1, subsection 2.3, by striking out the words '"Chief of Air Quality" or "Chief" means the chief of the office of Air Quality or his or her designated representative appointed by the director of the Division of Environmental Protection pursuant to the provisions of W.Va. Code §22-1-1, et seq.', and inserting in lieu thereof the words '[RESERVED]';

On page 1, subsection 2.4, by striking out the words '"Commission" means the West Virginia Air Pollution Control Commission.', and inserting in lieu thereof the words '[RESERVED]';

On page 1, subsection 2.6, by striking out the words 'that Division of the Department of Commerce, Labor, and Environmental Resources as', and inserting in lieu thereof the words 'the Division of Environmental Protection';

On page 1, subsection 2.7, by striking the words 'or regulation';

Beginning on page 2, subdivision 3.1.a, and continuing throughout the text of the rule, by striking out the word 'chief', and inserting in lieu thereof the word 'Director';

And,

Beginning on page 2, subdivision 3.1.b, and continuing throughout the text of the rule, by striking out the word 'commission', and inserting in lieu thereof the word 'Director'."

(y) The legislative rule relating to the office of air quality (provisions for determination of compliance with air quality management rules, 45 CSR 38), effective May 1, 1995, is reauthorized with the following amendment:

"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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§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 lieu thereof the word >subsection';

On page 5, subdivision 8.5.a., by striking out the reference >4.5.3. and inserting in lieu

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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';

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';

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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';

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';

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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';

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)'

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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';

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

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>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)';

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';

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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)';

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

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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 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 Environment';

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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 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

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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 reauthorized with the following amendments:

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"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';

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

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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);

On page 1, in the title of the rule, by striking out the words >DEPARTMENT OF

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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';

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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§64-11-5. Division of environmental protection, office of waste management.

(a) The legislative rule relating to the division of environmental protection, office of waste management (assessment of civil administrative penalties, 47 CSR 4), effective April 22, 1991, 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);

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the title number '47' and inserting in lieu thereof the title number '33';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '4' and inserting in lieu thereof the series number '22';

On page 1, in the title, by striking out the words 'WATER RESOURCES-WASTE MANAGEMENT' and inserting in lieu thereof the words 'OFFICE OF WASTE MANAGEMENT';

Beginning on page 1, subsection 1.1., and continuing throughout the text of the rule, by striking out the code reference '§20-5E-16', and inserting in lieu thereof the code reference '§22-18-17', and by striking out the code reference '§20-5F-6', and inserting in lieu thereof the code reference '§22-15-15';

On page 1, subsection 2.1., by striking out the code reference '§20-5E-1', and inserting in lieu thereof the code reference §22-18-1', and by striking out the code reference '§20-5F-1' and inserting in lieu thereof the code reference '§22-15-1';

On page 1, subsection 2.4., by striking out the words 'Natural Resources' and inserting in lieu thereof the words 'environmental protection';

On page 1, subsection 2.4., by inserting the words 'or her' immediately following the word 'his';

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 3, subsection 5.5., by striking out the words 'State Water Resources Board', and inserting in lieu thereof the words 'environmental quality board';

Beginning on page 3, subsection 6.2., and continuing throughout the text of the rule, by striking out the words 'these regulations', and inserting in lieu thereof 'this rule';

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And,

On page 4, subsections 6.5, 7.3. and 7.5, by striking out the word 'Section', and inserting in lieu thereof the word 'subsection'."

(b) The legislative rule relating to the Division of Environmental Protection, office of waste management (groundwater protection standard, 47 CSR 12), effective April 25, 1984, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the title number '47', and inserting in lieu thereof the title number '33';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '12', and inserting in lieu thereof the series number '23';

On page 1, in the title, by striking out the words 'WATER RESOURCES-WASTE MANAGEMENT', and inserting in lieu thereof the words 'OFFICE OF WASTE MANAGEMENT';

On page 1, subsection 1.1., by striking out the words 'these regulations', and inserting in lieu thereof the words 'this rule';

On page 1, subsection 1.1., by striking out the words 'Section 2, Series 35, Department of Natural Resources Administrative Regulations', and inserting in lieu thereof the words '33CSR20, Section 2';

And,

On page 1, subsection 1.2., by striking out the code references '20-5E and 5A' and inserting in lieu thereof the code references 'Chapter 22, Articles 18 and 11'."

(c) The legislative rule relating to the Division of Environmental Protection, office of waste management (commercial hazardous waste management facility siting fees, 47 CSR 35A), effective June 1, 1994, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the title number '47', and inserting in lieu thereof the title number '33';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '35A', and inserting in lieu thereof the series number '21';

On page 1, in the title, by striking out the words 'WATER RESOURCES-WASTE MANAGEMENT', and inserting in lieu thereof the words 'OFFICE OF WASTE MANAGEMENT';

On page 1, subsection 1.1., by striking out the code reference '§20-10-1', and inserting in lieu

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thereof the code reference '§22C-5-1';

On page 1, subsection 1.2., by striking out the code reference '§20-10-5(b)', and inserting in lieu thereof the code reference '§22C-5-6(b)';

On page 1, subsection 2.1., by striking out the code reference '§20-10-3', and inserting in lieu thereof the code reference '§22C-5-4';

Beginning on page 1, subsection 2.2., and continuing throughout the text of the rule, by striking out the rule reference '47 C.S.R. 35', and inserting in lieu thereof the rule reference '33CSR20';

Beginning on page 1, subsection 2.2., 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 3.1., by striking out the code reference '§20-10-5', and inserting in lieu thereof the code reference '§22C-5-6'."

And,

On page 1, subsection 3.3., by striking out the word 'regulations' and inserting in lieu thereof the word 'rule'."

(d) The legislative rule relating to the Division of Environmental Protection, office of waste management (underground storage tanks, 47 CSR 36), effective July 1, 1996, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the title number '47', and inserting in lieu thereof the title number '33';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '36', and inserting in lieu thereof the series number '30';

On page 1, in the title, by striking out the words 'WATER RESOURCES-WASTE MANAGEMENT', and inserting in lieu thereof the words 'OFFICE OF WASTE MANAGEMENT';

On page 5, subsection 4.6., by striking out the rule reference '(46 C.S.R. 30)', and inserting in lieu thereof the rule reference '(33CSR30)';

And,

On page 5, subsection 5.1., by striking out the rule reference '(47 C.S.R. 37)', and inserting in lieu thereof the rule reference '(33CSR31)', by striking out the rule reference '(47 C.S.R. 36 Section 4)', and inserting in lieu thereof the rule reference '(33CSR30 §4)', and by striking out the rule reference '(47 C.S.R. 37A Section 5)', and inserting in lieu thereof the

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rule reference '(33CSR32 §5)'."

(e) The legislative rule relating to the Division of Environmental Protection, office of waste management (underground storage tank fee assessments, 47 CSR 37), effective June 14, 1993, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the title number '47', and inserting in lieu thereof the title number '33';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '37', and inserting in lieu thereof the series number '31';

On page 1, in the title, by striking out the words 'WATER RESOURCES-WASTE MANAGEMENT', and inserting in lieu thereof the words 'OFFICE OF WASTE MANAGEMENT';

On page 1, subsection 1.1, by striking out the code reference 'W.Va. Code §§20-5H-20 and 20-5H-21' and inserting in lieu thereof the code reference 'W.Va. Code §§22-17-20 and 22-17-21';

On page 1, subsection 1.2., by striking out the code reference 'W.Va. Code §20-5H-6', and inserting in lieu thereof the code reference 'W.Va. Code §22-17-6';

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';

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, subsection 2.1., by striking out the code reference '§20-5H', and inserting in lieu thereof the code reference '§22-17-1';

On page 1, subsection 2.1., before the word means, by inserting the word 'Act' in the definition;

On page 1, subsection 2.2., before the word means, by inserting the word 'Change-In-Service' in the definition;

On page 1, subsection 2.3., before the word means, by inserting the word 'Division' in the definition;

On page 1, subsection 2.4., before the word means, by inserting the word 'Owner' in the definition;

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On page 2, subsection 2.5., before the word means, by inserting the word 'Person' in the definition;

On page 2, subsection 2.6., before the word means, by inserting the word 'Permanent Closure' in the definition;

On page 2, subsection 2.7., before the word means, by inserting the word 'Regulated Substance' in the definition;

On page 2, subsection 2.8., before the word means, by inserting the word 'Underground Storage Tank or UST' in the definition;

On page 2, subdivision 2.8.a., by striking out the word 'Farms', and inserting in lieu thereof the word 'Farm';

On page 2, subdivision 2.8.j., by striking out the words 'Section 2.8.1. through 2.8.9.' and inserting in lieu thereof the words 'subdivisions 2.8.a. through 2.8.i.';

Beginning on page 3, subdivision 3.3.b., and continuing to subdivisions 3.3.c. and 5.1.a., and paragraphs 4.4.c.1, 5.1.b.1. and 5.1.c.1, by striking out the word 'Sections' and inserting in lieu thereof the word 'subsections';

On page 3, subdivision 4.4.c., by striking out the words '47 C.S.R. 36 §4', and inserting in lieu thereof the words '33CSR30 §4', and by striking out the words 'W.Va. Code §20-5H-8', and inserting in lieu thereof the words 'W.Va. Code §22-17-8';

On page 4, subsection 4.5., by striking out the code references '§§20-5H-15 and 20-5H-16', and inserting in lieu thereof the code references '§§22-17-15 and 22-17-16';

On page 4, subsection 5.1., by striking out the code references '§§20-5H-20 and 20-5H-21', and inserting in lieu thereof the code references '§§22-17-20 and 22-17-21';

And,

On page 4, paragraph 5.1.c.2., by striking out the code reference '§20-5H-20(a)', and inserting in lieu thereof the code reference '§22-17-20(a)'."

(f) The legislative rule relating to the Division of Environmental Protection, office of waste management (solid waste management rule, 47 CSR 38), effective June 2, 1996, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the title number '47', and inserting in lieu thereof the title number '33';

On page 1, in the title, by striking out the words 'WATER RESOURCES - WASTE MANAGEMENT', and inserting in lieu thereof the words 'OFFICE OF WASTE

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MANAGEMENT';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '38', and inserting in lieu thereof the series number '1';

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);

Beginning on page 1, paragraph 1.1.a.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);

Beginning on page 1, subsection 1.5, and continuing throughout the text of the rule, by striking out the rule reference '47CSR38', and inserting in lieu thereof the rule reference '33CSR1';

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

Beginning on page 9, subsection 2.88, and continuing throughout section 2 of the rule, by correctly renumbering all misnumbered subsections and subdivisions;

On page 50, subparagraph 3.13.k.1.F, by striking out the word 'data', and inserting in lieu thereof the word 'date';

Beginning on page 72, subsection 4.1, and continuing throughout the text of the rule, by striking out the word 'sec.', and inserting in lieu thereof the word 'seq.';

Beginning on page 111, paragraph 4.11.b.2., and continuing throughout the text of the rule, by striking out the word 'chief', and inserting in lieu thereof the word 'director';

And,

Beginning on page 117, subsection 4.11.e, and continuing throughout the text of the rule, by striking out the abbreviation 'WV', and inserting in lieu thereof the abbreviation 'W.Va."

(g) The legislative rule relating to the Division of Environmental Protection, office of waste management (commercial solid waste landfill closure assistance program, 47 CSR 38C), effective June 1, 1994, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking

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out the title number '47', and inserting in lieu thereof the title number '33';

On page 1, in the title, by striking out the words 'WATER RESOURCES - WASTE MANAGEMENT', and inserting in lieu thereof the words 'OFFICE OF WASTE MANAGEMENT';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '38C', and inserting in lieu thereof the series number '40';

On page 1, subsection 1.1, by striking out the code reference '§20-5N-1 et seq.', and inserting in lieu thereof the code reference '§22-16-1 et seq.';

On page 1, subsection 1.1, by striking out the words 'Article 5N' and inserting in lieu thereof the words 'Article 16.';

On page 1, subsection 1.2, by striking out the code reference '§20-5N-8', and inserting in lieu thereof the code reference '§22-16-13.';

Beginning on page 1, subsection 1.6, and continuing throughout the text of the rule, by striking out the words 'these regulations', and inserting in lieu thereof the words 'this rule', and by striking out the word 'regulation' and inserting in lieu thereof the word 'rule';

On page 1, subsection 2.2, by striking out the code references '§§20-5N-3 and 10', and inserting in lieu thereof the code references '§§22-16-3 and 15';

On page 2, subsection 2.3, by striking out the words 'of the Department of Commerce, Labor and Environmental Protection';On page 2, subsection 2.7, by inserting the subsection heading 'Incorporation of §22-15-2 Definitions.';

On page 2, subsection 2.7, by striking out the code reference '§20-5F-2' and inserting in lieu thereof the code reference '§22-15-2';

On page 2, subsection 3.1, by inserting the subsection heading 'Application Form.';

On page 2, subsection 3.2, by inserting the subsection heading 'Application Information.';

Beginning on page 2, subsection 3.2, 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);

Beginning on page 3, paragraph 3.2.h.2., 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

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publication of the state register or parts of the state register, 153 CSR 6);

On page 3, subparagraphs 3.2.e. and 3.2.f., by striking out the abbreviation >No.' and by inserting the word 'Number';

On page 4, paragraph 3.2.h.5., by striking out the code reference '§20-5F-4(k)', and inserting in lieu thereof the code reference '§22-15-5(j)';

On page 4, subsection 3.3, by inserting the subsection heading 'Application Review and Decision.';

On page 4, subsection 3.4, by inserting the subsection heading 'Application Resubmittal.';

On page 4, subsection 3.5, by inserting the subsection heading 'Application Deadlines.';

On page 4, subsection 3.5, by striking out the code reference '§20-5F-6', and inserting in lieu thereof the code reference '§22-16-11';

On page 5, subsection 4.1, by inserting the subsection heading 'Valid Landfill Facility Permit Required.';

Beginning on page 5, subsection 4.1, and continuing throughout the text of the rule, by striking out the code reference '§20-5F-1' and inserting in lieu thereof the code reference '§22-15-1';

On page 5, subdivision 4.1.b, by striking out the code reference '§20-5A-1', and inserting in lieu thereof the code reference '§22-11-1';

On page 5, subdivision 4.2.b., by striking out the code reference '§20-5F-1', and inserting in lieu thereof the code reference '§22-15-1';

Beginning on page 5, subsection 4.2.b., and continuing throughout the text of the rule, by striking out the rule reference '47 CSR 38', and inserting in lieu thereof the rule reference '33CSR1';

On page 6, subdivision 4.4.a., by striking out the words 'Water Resources Board', and inserting in lieu thereof the words 'Environmental Quality Board';

On page 6, subdivision 4.5, by striking out the code reference '§20-5N-4(a)', and inserting in lieu thereof the code reference '§22-16-4';

Beginning on page 6, in paragraph 4.6.a.3., and continuing throughout the text of the rule, by striking out the word 'Chief', and inserting in lieu thereof the word 'director';

On page 7, subsection 4.7, by inserting the subsection heading 'Authority of the Director to Modify Permit.';

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On page 7, subsection 4.8, by inserting the subsection heading 'Granting of Access to Facility To Director.';

On page 7, subsection 5.1, by inserting the subsection heading 'Authority of the Director to Establish Maintenance Contracts.';

On page 8, subsection 6.1, by inserting the subsection heading 'Performance of Post-Closure Activities.';

On page 8, subsection 7.1, by inserting the subsection heading 'Expenditure of Funds from the Closure Assistance Fund.';

On page 8, subsection 7.2, by inserting the subsection heading 'Assistance Contingent upon the Availability of Revenues.';

And,

On page 8, subsection 8.1, by inserting the subsection heading 'Priority for Final Assistance.'."

(h) The legislative rule relating to the Division of Environmental Protection, office of waste management (sewage sludge management rules, 47 CSR 38D), effective May 1, 1996, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the title number '47', and inserting in lieu thereof the title number '33';

On page 1, in the title, on the line following the words 'DIVISION OF ENVIRONMENTAL PROTECTION', by inserting the words 'OFFICE OF WASTE MANAGEMENT';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '38D', and inserting in lieu thereof the series number '2';

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';

Beginning on page 5, subdivision 3.2.a., 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);

Beginning on page 6, subdivision 3.2.b., 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

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publication of the state register or parts of the state register, 153 CSR 6);

And,

On page 8, subdivision 4.1.e., and continuing throughout the text of the rule, by striking out the rule reference '47 CSR 38', and inserting in lieu thereof the rule reference '33CSR1'."

(i) The legislative rule relating to the Division of Environmental Protection, office of waste management (yard waste composting rule, 47 CSR 38E), effective June 1, 1994, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the title number '47', and inserting in lieu thereof the title number '33';

On page 1, in the title, by striking out the words 'WATER RESOURCES - WASTE MANAGEMENT', and by inserting in lieu thereof the words 'OFFICE OF WASTE MANAGEMENT';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '38E', and inserting in lieu thereof the series number 'E';

On page 1, §33-3-2, by striking out the code reference '§20-5F-2', and inserting in lieu thereof the code reference '22-15-2', and by striking out the rule reference '§47CSR38D' and inserting in lieu thereof the rule reference '33CSR2';

Beginning on page 2, subsection 2.3, and continuing throughout the text of the rule, by striking out the word 'Chief', and inserting in lieu thereof the word 'director';

Beginning on page 3, subdivision 3.1.a., 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);

Beginning on page 6, paragraph 3.1.a.2., 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);

Beginning on page 3, paragraph 3.1.a.2., and continuing throughout the text of the rule, by striking out the rule reference '47 CSR 38', and inserting in lieu thereof the rule reference '33CSR1.';

Beginning on page 3, paragraph 3.1.a.2., and continuing throughout the text of the rule, by striking out the word 'regulations', and inserting in lieu thereof the word 'rule';

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On page 6, paragraph 3.4.c.3., after the semicolon, by inserting word 'and';

And,

Beginning on page 7, subparagraph 3.4.c.4.C, and continuing throughout the text of the rule, by striking out the word 'Division', and inserting in lieu thereof the words 'Division of

Environmental Protection'."

(j) The legislative rule relating to the Division of Environmental Protection, office of waste management (office of waste management, 47 CSR 38F), effective June 1, 1994, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the title number '47', and inserting in lieu thereof the title number '33';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '38F', and inserting in lieu thereof the series number '4';

On page 1, in the title, by striking out the words 'WATER RESOURCES - WASTE MANAGEMENT', and inserting in lieu thereof the words 'OFFICE OF WASTE MANAGEMENT';

And,

Beginning on page 2, subdivision 3.3.a., 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)."

(k) The legislative rule relating to the Division of Environmental Protection, office of waste management (waste tire management rule, 47 CSR 38G), effective June 2, 1996, is reauthorized with the following amendments:

"Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the title number '47', and inserting in lieu thereof the title number '33';

On page 1, in the title, by striking out the words 'WATER RESOURCES - WASTE MANAGEMENT', and inserting in lieu thereof the words 'OFFICE OF WASTE MANAGEMENT';

Beginning on page 1, in the title, and continuing throughout the text of the rule, by striking out the series number '38G', and inserting in lieu thereof the series number '5';

Beginning on page 1, subdivision 1.1.a., and continuing throughout the text of the rule, by renumbering the text breakdown as necessary to conform with the rule of the Secretary of

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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);

Beginning on page 1, subdivision 1.1.c., 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, §33-5-2 (former §47-38G-2), and continuing throughout the text of the rule, by striking out the rule reference '47 CSR 38', and inserting in lieu thereof the rule reference '33CSR1';

Beginning on page 1, subsection 2.3, 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 2, subsection 2.17, and continuing throughout the text of the rule, by striking out the abbreviation 'WV', and inserting in lieu thereof the abbreviation 'W.Va.';

Beginning on page 3, subdivision 3.1.b., and continuing throughout the text of the rule, by striking out the rule reference '47 CSR 38G', and inserting in lieu thereof the words 'this rule';

And,

Beginning on page 3, subdivision 3.2.a., and continuing throughout the text of the rule, by striking out the word 'chief', and inserting in lieu thereof the word 'director'."

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