

Sunday, January 8, 2012

5:00 p.m. to 7:00 p.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Earl Ray Tomblin
ex officio nonvoting member

Richard Thompson
ex officio nonvoting member

Senate

Minard, Chairman
Snyder, Vice Chair
Prezioso
Unger Absent
Boley
Facemyer

House

Brown, Chairman
Poling, Vice Chair
Miley
Talbott
Overington
Sobonya

The meeting was called to order by Delegate Brown, Chair.

Senator Minard moved that the minutes of the December 14, 2011, meeting be approved. The motion was adopted.

Debra Graham, Chief Counsel, reviewed her abstract on the rule proposed by the **Secretary of State, Rules for General Management and Preservation of State Records, 153CSR42**, and stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Jackie Harris, Policy Director for the Secretary of State's Office, responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **WV Division of Highways, Construction and Reconstruction of State Roads, 157CSR3**, and responded to questions from the Committee.

Marvin Murphy, Highway Engineer, responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Skinner reviewed his abstract on the rule proposed by the **WV Division of Highways, Transportation of Hazardous Wastes Upon the Roads and Highways, 157CSR7**, and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Jay Lazell, Associate Counsel, reviewed his abstract on the rule proposed by the **WV Courthouse Facilities Improvement Authority, Courthouse Facilities Improvement Authority, 203CSR1**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Melissa Smith, Executive Director, responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Lazell explained his abstract on the rule proposed by the **Human Rights Commission, Rules Regarding Housing Discrimination Against Persons with Disabilities who Utilize Assistance Animals, 77CSR9**, and responded to questions from the Committee.

Paul Sheraton, with the Attorney General's Office, responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell reviewed his abstract on the rule proposed by the **Division of Air Quality - DEP, Ambient Air Quality Standards, 45CSR8**.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell explained his abstract on the rule proposed by the **Division of Air Quality - DEP, Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality, 45CSR14**.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell reviewed his abstract on the rule proposed by the **Division of Air Quality - DEP, Standards of Performance for New Stationary Sources, 45CSR16**.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell explained his abstract on the rule proposed by the **Division of Air Quality - DEP, Control of Air Pollution from Combustion of Solid Waste, 45CSR18**.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell reviewed his abstract on the rule proposed by the **Division of Air Quality - DEP, Permits for Construction and Major Modification of Major Stationary Sources Which Cause or Contribute to Nonattainment Areas, 45CSR19**, and responded to questions from the Committee.

Jim Mason with the DEP responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell explained his abstract on the rule proposed by the **Division of Air Quality - DEP, Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities, 45CSR25**.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell reviewed his abstract on the rule proposed by the **Division of Air Quality - DEP, Requirements for Operating Permits, 45CSR30**, and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell explained his abstract on the rule proposed by the **Division of Air Quality - DEP, Emission Standards for Hazardous Air Pollutants, 45CSR34**.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell reviewed his abstract on the rule proposed by the **Division of Air Quality - DEP, Determining Conformity of General Federal Actions to Applicable Implementation Plans (General Conformity), 45CSR35**, and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell explained his abstract on the rule proposed by the **Division of Air Quality - DEP, Greenhouse Gas Emissions Inventory Program, 45CSR42**, and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell reviewed his abstract on the rule proposed by the **Secretary's Office - DEP, Voluntary Remediation and Redevelopment Rule, 60CSR3.**

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Miss Graham addressed the Committee.

Senator Minard moved to direct staff to prepare the report and bills authorization for introduction. The motion was adopted.

Senator Minard moved to adjourn the meeting. The motion was adopted.