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This week's publication includes documents submitted by the following agencies:

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Insurance Commission

Natural Resources

Secretary of State's Office

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NO NEW PROPOSED RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

NO NEW EMERGENCY RULES WERE FILED THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE FOR HEARING



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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1. Agency Name, (Title and Series Number)
Column	2. Rule Title, Price and Type
Column	3. Date Notice of Public Hearing or Comment Period Filed
Column	4. Date of Public Hearing or Last Date Comments Will Be Received
Column	5. Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6. Date Agency Approved Legislative Rules Filed.
Column	7. Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8. Legislative Action
Column	9. Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10. Date Rule is Effective

- Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
- If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
TITLE 1	ACCOUNTANCY
TITLE 3	BARBERS AND COSMETOLOGISTS
TITLE 7	PROFESSIONAL ENGINEERS
TITLE 8	HEARING AID DEALERS
TITLE 10	LICENSED PRACTICAL NURSES
TITLE 11	MEDICINE
TITLE 14	OPTOMETRY
TITLE 15	PHARMACY
TITLE 16	PHYSICAL THERAPY
TITLE 17	PSYCHOLOGISTS
TITLE 20	SANITARIANS
TITLE 24	OSTEOPATHY
TITLE 25	SOCIAL WORK EXAMINERS
TITLE 26	VETERINARY MEDICINE
TITLE 27	COUNSELING
TITLE 29	SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY
TITLE 31	DIETITIANS
TITLE 33	OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47)
TITLE 35	OFFICE OF OIL AND GAS
TITLE 36	COAL MINE HEALTH & SAFETY
TITLE 38	MINING & RECLAMATION
TITLE 42	LABOR
TITLE 45	OFFICE OF AIR QUALITY
TITLE 47	OFFICE OF WATER RESOURCES
TITLE 48	MINES TRAINING EDUCATION & CERTIFICATION
TITLE 56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE 58	NATURAL RESOURCES
TITLE 60	ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE
TITLE 61	AGRICULTURE
TITLE 63	CONSERVATION AGENCY
TITLE 64	HEALTH
TITLE 65	HEALTH CARE AUTHORITY
TITLE 69	HEALTH & HUMAN RESOURCES
TITLE 76	SENIOR SERVICES
TITLE 78	HUMAN SERVICES
TITLE 81	STATE POLICE
TITLE 82	CULTURE AND HISTORY
TITLE 85	WORKERS-COMPENSATION BY THE INSURANCE COMMISSION
TITLE 86	VETERANS AFFAIRS
TITLE 87	FIRE COMMISSION
TITLE 90	CORRECTIONS
TITLE 91	MOTOR VEHICLES
TITLE 94	REGIONAL JAIL & CORRECTIONAL FACILITY AUTHORITY
TITLE 96	WORKFORCE WEST VIRGINIA
TITLE 110	TAX DEPARTMENT
TITLE 112	TREASURER
TITLE 113	HEALTH INSURANCE PLAN
TITLE 114	INSURANCE
TITLE 126	EDUCATION
TITLE 127	SECONDARY SCHOOLS ACTIVITIES COMM.
TITLE 133	HIGHER EDUCATION POLICY COMMISSION
TITLE 135	COMMUNITY & TECHNICAL COLLEGE EDUCATION
TITLE 143	PERSONNEL
TITLE 144	TOURISM
TITLE 146	STATE ELECTION COMMISSION
TITLE 148	ADMINISTRATION
TITLE 149	CRIME, DELINQUENCY AND CORRECTION
TITLE 150	PUBLIC SERVICE COMMISSION
TITLE 153	SECRETARY OF STATE
TITLE 157	DIVISION OF HIGHWAYS
TITLE 158	ETHICS COMMISSION
TITLE 162	CONSOLIDATED PUBLIC RETIREMENT BOARD
TITLE 164	SCHOOL BUILDING AUTHORITY
TITLE 172	STATE RAIL AUTHORITY
TITLE 174	REAL ESTATE COMMISSION
TITLE 175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE 176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE 177	ATHLETIC COMMISSION
TITLE 178	RACING COMMISSION
TITLE 179	LOTTERY
TITLE 184	PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY
TITLE 190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE 191	FAMILY PROTECTION SERVICES BOARD
TITLE 194	MESSAGE THERAPY LICENSURE BOARD
TITLE 199	EXPLOSIVES & BLASTING
TITLE 204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC- ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy, WV Bd. Of Professional Conduct (1-01)	Board Rules and Rules of Legislative	6/23/2017	7/23/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 9/29/2017	Bundled HB 4079		
Administration (148-03)	State Owned Vehicles Legislative	6/26/2017	7/26/2017		7/26/2017	Modified & Approved 12/1/2017 Filed 12/11/2017	Bundled SB 154	3/1/2018	3/1/2018
Administration (148-6)	Parking Legislative	6/21/2017	7/21/2017		7/25/2017	Approved 8/29/2017	Bundled SB 154	3/1/2018	3/1/2018
Agriculture (61-01)	Animal Disease Control Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017	Bundled HB 4079		
Agriculture (61-2)	West Virginia Apisary Law Legislative	6/15/2017	7/16/2017		7/18/2017	Modified & Approved 8/28/2017 Filed 9/18/2017	Bundled HB 4079		
Agriculture (61-8B)	Schedule of Changes for Inspection Services Fruit Legislative	11/1/2017	12/1/2017	11/13/2017 Effective 12/26/2017	12/1/2017	Modified & Approved 12/2/2017 Filed 12/19/2017	Bundled HB 4079		
Agriculture (61-11B)	Auctioneers Legislative	6/26/2017	7/26/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017	Bundled HB 4079		
Agriculture (61-14A)	Noxious Weeds Legislative	6/22/2017	7/22/2017 Hearing 11/3/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017	Bundled HB 4079		
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	6/15/2017	7/16/2017		7/17/2017	Modified & Approved 8/29/2017 Filed 9/18/2017	Bundled HB 4079		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LM/R-C ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-236)	Inspection of Nontraditional, Domesticated Animals Legislative	6/15/2017	7/16/2017	7/17/2017	7/17/2017	Modified & Approved 9/20/2017 Filed 9/29/2017	Bundled HB 4079		
Agriculture (61-36)	Farm to Food Bank Tax Credit Legislative	12/18/2017	1/18/2018	12/18/2017 Effective 1/28/2018	1/19/2018				
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/6/2017	7/11/2017	7/21/2017	7/21/2017	Approved 8/29/2017	Bundled SB 163		
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/6/2017	7/11/2017	7/21/2017	7/21/2017	Approved 8/29/2017	Bundled SB 163		
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/7/2017	7/11/2017	7/21/2017	7/21/2017	Modified & Approved 8/29/2017 Filed 9/29/2017	Bundled SB 163		
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/7/2017	7/11/2017	7/21/2017	7/21/2017	Approved 8/29/2017	Bundled SB 163		
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/6/2017	7/11/2017	7/21/2017	7/21/2017	Approved 8/29/2017	Bundled SB 163		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/6/2017	7/11/2017	7/21/2017	7/21/2017	Approved 8/29/2017	Bundled SB 163		
Athletic Commission (177-1)	WV State Athletic Commission Legislative	6/16/2017	7/16/2017	7/27/2017	7/27/2017	Modified & Approved 9/20/2017 Filed 10/3/2017	Bundled HB 4079		
Athletic Commission (177-2)	Regulation of Mixed Martial Arts Legislative	6/16/2017	7/16/2017	7/27/2017	7/27/2017	Modified & Approved 9/20/2017 Filed 10/3/2017	Bundled HB 4079		
Board of Review (84-1)	Procedural Rule Board of Review Procedural	12/12/2017	1/16/2018						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Comm. & Tech. College Education (135-12)	Capital Project Management Legislative	12/11/2017	1/16/2018		1/26/2018	Amended by LOCEA & Approved 2/6/2018 Filed 2/8/2018	Bundled HB 4622		
Comm. & Tech. College Education (135-55)	Human Resources Administration Legislative	12/8/2017	1/10/2018		1/26/2018	Approved 2/6/2018	Bundled HB 4622		
Contractor Licensing Board (28-4)	Contractor Licensing Board Procedural	1/10/2018	2/9/2018						
Crime Delinquency and Correction (149-2)	Law Enforcement Training and Certification Standards Legislative	6/21/2017	7/24/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/13/2017	Bundled SB 181		
Crime Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/14/2017	Bundled SB 181		
Dietitians (31-1)	Licensure and Renewal Requirements Legislative	6/9/2017	7/17/2017		7/24/2017	Modified & Approved 12/3/2017 Filed 12/4/2017	Bundled SB 4078		
Education (128-28)	West Virginia's Universal Access to a Quality Early Education System (2423) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018
Education (128-41)	Safe and Acceptable Use of the Internet by Students and Educators (2468) Legislative Exempt	1/9/2017	12/11/2017					1/11/2018	7/1/2018
Education (128-42)	Assuring the Quality of Education: Requirements for Education Programs (2510) Legislative Exempt	1/9/2017	12/11/2017					1/11/2018	7/1/2018
Education (128-44G)	WV College and Career Readiness Standards for World Languages (2520.7) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-44M)	WV College and Career Readiness Programs of Study/Standards for Career and Technical Education (2520.13) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018
Education (126-44O)	WV Pre-K Standards (Ages 3-5) (2520.15) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2019
Education (126-44P)	WV Alternate Academic Achievement Standards (2520.16) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018
Environmental Protection - Secretary's Office (68-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2017	7/6/2017	7/11/2017		Approved 12/1/2017	Bundled SB 163		
Fire Commission (87-3)	Hazardous Substance Emergency Response Training Programs Legislative	6/18/2017	7/18/2017	7/25/2017		Modified & Approved 12/2/2017 Filed 12/13/2017	Bundled SB 181		
Fire Marshal (103-5)	Electricians Licensing Rules Legislative	12/21/2017	1/20/2018	1/26/2018			Bundled SB 181		
Health (64-03)	Public Water Systems Legislative	6/27/2017	7/27/2017	7/28/2017		Modified & Approved 10/18/2017 Filed 10/25/2017	Bundled SB 166		
Health (64-12)	Hospital Licensure Legislative	6/27/2017	7/27/2017	7/28/2017		Modified & Approved 8/29/2017 Filed 8/30/2017	Bundled SB 165		
Health (64-16)	Emergency Medical Services Legislative	6/27/2017	7/27/2017	7/28/2017		Modified & Approved 12/1/2017 Filed 12/11/2017	Bundled SB 165		
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	6/26/2017	7/26/2017	7/27/2017		Approved 8/29/2017	Bundled SB 165	3/1/2018	

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AGENCY/SERIES ND	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC- ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health and Human Resources (69-13)	Development of Methodologies to Examine Needs for Substance Use Disorder Treatment Facilities within the State Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 Effective 9/21/2017 Amendment 10/25/2017 Effective 12/6/2017	7/28/2017	Modified & Approved 10/18/2017 Filed 10/25/2017	Bundled SB 165		
Health and Human Resources (69-14)	Collection and Exchange of Data Related to Opioids Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 Effective 9/21/2017 Amendment 12/11/2017 Effective 1/22/2018	7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017	Bundled SB 165		
Health Care Authority (65-13)	Financial Disclosure Rule Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017	7/28/2017	Modified & Approved 10/18/2017 Filed 10/25/2017	Bundled SB 165		
Hearing Aid Dealers (8-01)	WV Board of Hearing Aid Dealers Legislative	6/23/2017	7/24/2017	7/24/2017	7/28/2017	Approved 8/29/2017	Bundled HB 4079		
Higher Education Policy Comm. (133-12)	Capital Project Management Legislative	11/20/2017	12/20/2017	11/20/2017 Approved 12/20/2017	1/22/2018	Amended by LOCEA & Approved 2/6/2018 Filed 2/6/2018	Bundled HB 4622		
Higher Education Policy Comm. (133-50)	Tuition and Fee Policy Legislative	11/20/2017	12/20/2017	11/20/2017 Approved 12/20/2017	1/16/2018	Approved 1/16/2018	Bundled HB 4622		
Higher Education Policy Comm. (133-55)	Human Resources Administration Legislative	11/21/2017	12/21/2017	11/21/2017 Approved 12/21/2017	2/9/2018	Approved 2/6/2018	Bundled HB 4622		
Highways (157-2)	Disposal, Lease and Management of Real Property and Appurtenant Structures and Relocation Assistance Legislative	6/22/2017	7/24/2017	6/22/2017 Approved 7/24/2017	7/28/2017	Modified & Approved 12/2/2017 Filed 12/13/2017	Bundled SB 194		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LMRRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Highways (157-12)	Employment Procedures Legislative	11/2/2017	12/2/2017	11/1/2017 Effective 12/13/2017	1/22/2018		Bundled SB 184		
Human Services (78-01)	Child Care Licensing Legislative	6/26/2017	7/26/2017		7/27/2017	Modified & Approved 9/20/2017 Filed 10/4/2017	Bundled SB 185		
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/27/2017	7/26/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 10/4/2017	Bundled SB 185		
Human Services (78-19)	Family Child Care Home Registration Requirements Legislative	6/26/2017	7/26/2017		7/27/2017	Approved 9/20/2017	Bundled SB 185		
Human Services (78-20)	Informal and Relative Family Child Care Home Registration Requirements Legislative	6/26/2017	7/26/2017		7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017	Bundled SB 185		
Human Services (78-21)	Out-of-School Time Child Care Center Legislative	6/26/2017	7/26/2017		7/28/2017	Approved 9/20/2017	Bundled SB 185		
Human Services (78-26)	Drug Screening of Applicants for Cash Assistance Under the Temporary Assistance for Needy Families Program (TANF) Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 Effective 9/8/2017 Amendment 11/1/2017 Effective 1/22/2018	7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017	Bundled SB 185		
Labor (42-10)	Zipline and Canopy Tour Responsibility Act Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017	Bundled SB 230		
Labor (42-12)	Bedding and Upholstered Furniture Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017	Bundled SB 230		
Labor (42-17)	Assessment Rides and Assessment Attractions Safety Act Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017	Bundled SB 230		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Labor (42-21)	Elevator Safety Act Legislative	6/21/2017	7/22/2017		7/27/2017	Approved with Amendments 9/21/2017	Bundled SB 230		
Labor (42-33)	Employer Wage Bonds Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017	Bundled SB 230		
Labor (42-35)	Registration of Service Persons and Service Agencies Legislative	6/15/2017	7/17/2017	6/16/2017 Approved 7/20/2017	7/27/2017	Approved 9/20/2017	Bundled SB 230		
Labor (42-36)	Registration of Weighing and Measuring Devices Used by Businesses in Commercial Transactions Legislative	6/15/2017	7/17/2017	Approved 7/20/2017 Amendment 12/8/2017 Effective 1/19/2018	7/27/2017	Approved 9/20/2017 Modified & Approved 12/1/2017 Filed 12/8/2017	Bundled SB 230		
Lottery Commission (179-1)	State Lottery Rules Legislative	6/19/2017	7/21/2017		7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017	Bundled SB 237		
Medicine (11-6)	Continuing Education for Physicians and Podiatrists Legislative	6/21/2017	7/21/2017		7/26/2017	Approved 8/29/2017	Bundled HB 4079		
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	7/11/2017	8/10/2017	9/11/2017 Approved 10/20/2017	8/29/2017	Modified & Approved 12/3/2017 Filed 12/6/2017	Bundled HB 4079		
Mining and Training (98-23)	Operating Diesel Equipment in Underground Mines in WV Legislative	6/22/2017	7/24/2017	6/22/2017 Approved 7/20/2017	7/27/2017	Approved 12/2/2017	Bundled SB 230		
Mining and Reclamation (98-02)	West Virginia Surface Mining Reclamation Legislative	6/8/2017	7/18/2017		7/27/2017	Modified & Approved 12/1/2017 Filed 12/5/2017	Bundled SB 163		
Natural Resources (98-02)	Rules Controlling the Public Land Corporations Sale, Lease, Exchange or Transfer of Land or Minerals Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 8/29/2017	Bundled SB 230		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LMR-C ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-11)	Hunting, Fishing and Other Outfitters and Guides Legislative	6/23/2017	7/24/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/18/2017	Bundled SB 230		
Natural Resources (58-49)	General Hunting Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017	Bundled SB 230		
Natural Resources (58-56)	Special Migratory Bird Hunting Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017	Bundled SB 230		
Natural Resources (58-54)	Miscellaneous Permits and Licenses Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017	Bundled SB 230		
Optometry (14-01)	WV Board of Optometry Legislative	6/28/2017	7/26/2017		7/28/2017	Approved 8/28/2017	Bundled HB 4079		
Osteopathic Medicine (24-2)	Osteopathic Physician Assistants Legislative	8/12/2017	10/12/2017	11/6/2017 Effective 12/18/2017	10/17/2017	Modified & Approved 12/3/2017 Filed 12/6/2017	Bundled HB 4079		
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	6/22/2017	7/24/2017		7/28/2017	Approved 9/20/2017	Bundled HB 4079		
Pharmacy (15-2)	Uniform Controlled Substances Act Legislative	5/11/2017	6/12/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 11/6/2017	Bundled HB 4079		
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	5/12/2017	6/12/2017		7/28/2017	Modified & Approved 12/3/2017 Filed 12/18/2017	Bundled HB 4079		
Pharmacy (15-8)	Controlled Substances Monitoring Program Legislative	6/15/2017	7/17/2017	6/15/2017 Approved 8/19/2017	7/28/2017	Modified & Approved 9/20/2017 Filed 11/7/2017	Bundled HB 4079		
Pharmacy (15-10)	Pharmacist Recovery Networks Legislative	5/12/2017	6/12/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 11/7/2017	Bundled HB 4079		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC STATE	LEMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns Legislative	6/22/2017	7/24/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 11/6/2017	Bundled HB 4079		
Pharmacy (15-14)	Centralized Prescription Processing Legislative	8/15/2017	7/17/2017		7/28/2017	Modified & Approved 12/3/2017 Filed 12/16/2017	Bundled HB 4079		
Psychologists (17-01)	Fees Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/1/2017 Filed 12/13/2017	Bundled HB 4079		
Psychologists (17-03)	Requirements for Licensure as a Psychologist and/or a School Psychologist Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 12/1/2017	Bundled HB 4079		
Psychologists (17-06)	Code of Ethics Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 12/1/2017	Bundled HB 4079		
Public Service Commission (150-3)	Government of Electric Utilities Legislative Exempt	11/8/2017	12/11/2017						
Public Service Commission (150-4)	Government of Gas Utilities and Gas Pipeline Safety Legislative Exempt	11/8/2017	12/11/2017						
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/15/2017	7/19/2017		7/27/2017	Approved w/certain amendments 12/1/2017			
Real Estate Appraiser Licensing & Cert. Bd. (150-2)	Requirements for Licensure and Certification Legislative	6/14/2017	7/17/2017		7/28/2017	Approved 12/1/2017	Bundled HB 4079		
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers and Salespersons and the Conduct of Brokerage Business Legislative	6/23/2017	7/24/2017		7/27/2017	Modified & Approved 12/1/2017 Filed 12/16/2017	Bundled HB 4079		
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/26/2017	7/26/2017		7/27/2017	Approved 12/1/2017	Bundled HB 4079		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LMRRC- ACTION	LEGIS	FINAL FILE	EFFECTIVE
Real Estate Commission (174-03)	Requirements for Real Estate Courses, Course Providers and Instructors Legislative	6/26/2017	7/26/2017	7/27/2017	7/27/2017	Modified w/ certain amendments & Approved 12/11/2017 Filed 12/6/2017	Bundled HB 4079		
Secretary of State (153-18)	Procedures for Canvassing Elections Legislative	6/29/2017	7/29/2017	7/29/2017	7/29/2017	Modified & Approved 12/2/2017 Filed 12/12/2017	Bundled HB 4079		
Secretary of State (153-27)	Procedures for Handling Ballots and Counting Write-In Votes in Counties Using Optical Scan Ballots Legislative	6/28/2017	7/28/2017	7/28/2017	7/28/2017	Modified & Approved 12/2/2017 Filed 12/12/2017	Bundled HB 4079		
Secretary of State (153-39)	Vote by Mail Pilot Project Phase 2: Voting by Mail - Repeal Legislative	6/27/2017	7/27/2017	7/28/2017	7/28/2017	Approved 8/29/2017	Bundled HB 4079		
Senior Services (76-3)	WV State Plan for Aging Programs Interpretive	7/7/2016	8/8/2016						
State Police (81-14)	WV Sex Offender Registration Act (81-14) Procedural	7/20/2017	8/22/2017						
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/16/2017	7/17/2017	7/27/2017	7/27/2017	Approved 8/29/2017	Bundled SB 237		
Tax (110-130D)	Farm-To-Food Bank Tax Credit Legislative	6/16/2017	7/17/2017	7/27/2017	7/27/2017	Modified & Approved 8/29/2017 Filed 9/1/2017	Bundled SB 237		
Tax (110-22)	Property Transfer Tax Legislative	6/16/2017	7/20/2017	7/27/2017	7/27/2017	Approved 8/29/2017	Bundled SB 237		
Tax (110-28)	Municipal Sales and Service and Use Tax Administration Legislative	6/16/2017	7/17/2016	6/13/2017 Approved 7/20/2017	7/28/2017	Modified & Approved 8/29/2017 Filed 9/8/2017	Bundled SB 237		
Tax (110-41)	Railroad Diesel Locomotive Refundable Exemption from the Variable Rate Component of the Motor Fuel Excise Tax Procedural	12/26/2017	1/26/2018						

RULE MONITOR

AGENCY/SERIES	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-42)	Personnel Rule for the Tax Division Legislative	12/8/2017	1/5/2018	12/8/2017 Effective 1/17/2018	1/12/2018		Bundled SB 237		
Veterinary Medicine (26-1)	Organization and Operation and Licensing of Veterinarians Legislative	8/12/2017	7/13/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 8/29/2017	Bundled HB 4079		
Veterinary Medicine (26-6)	Certified Animal Euthanasia Technicians Legislative	8/12/2017	7/13/2017		7/18/2017	Approved & Modified 9/20/2017 Filed 9/20/2017	Bundled HB 4079		
Veterinary Medicine (26-6)	Schedule of Fees Legislative	8/12/2017	7/13/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 8/29/2017	Bundled HB 4079		
Waste Mgmt., Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/5/2017	7/6/2017		7/21/2017	Approved 12/1/2017	Bundled SB 163		
Waste Mgmt., Div. of Water & Waste Mgmt. (33-30)	Underground Storage Tanks Legislative	6/5/2017	7/6/2017		7/25/2017	Modified & Approved 12/1/2017 Filed 12/4/2017	Bundled SB 163		



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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3/1/2018 2:17 PM



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
3/1/2018 2:20 PM

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Administration TITLE SERIES: 148-03
RULE TYPE: Legislative Amendment to existing rule: Yes Repeat of existing rule: Yes
RULE NAME: State Owned Vehicles
CITE STATUTORY AUTHORITY: §5A-2-1(f) and 5A-3-48

The above rule has been authorized by the West Virginia Legislature.

Adoption is cited in (house or senate bill number) SB 154

Section §6A-2-1 Passed On

2/15/2018 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

March 1, 2018

This rule shall terminate and have no further force or effect from the following date:

3/1/2023 12:00:00 AM

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Administration TITLE SERIES: 148-06
RULE TYPE: Legislative Amendment to existing rule: Yes Repeat of existing rule: No
RULE NAME: Parking
CITE STATUTORY AUTHORITY: §5A-10-34(a)

The above rule has been authorized by the West Virginia Legislature.

Adoption is cited in (house or senate bill number) SB 154

Section §6A-2-1 Passed On

2/15/2018 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

March 1, 2018

This rule shall terminate and have no further force or effect from the following date:

3/1/2023 12:00:00 AM



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

e-FILED

3/1/2018 2:14 PM

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Health And Human Resources TITLE SERIES: 69-10
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 RULE NAME: West Virginia Clearance For Access Registry and Employment Screening

CITE STATUTORY AUTHORITY: W. Va. Code §16-46-0

This above rule has been authorized by the West Virginia Legislature
 Authorization is cited in (house or senate bill Committee Subtitle to: 68-110)

Section: 64-5-11(d) Prepared On: 2/16/2018 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:
 March 1, 2018

This rule shall terminate and have no further force or effect from the following date:

3/1/2023 12:00:00 AM

Do Not Mark in This Box

JUN FEB 28 P 2:51

OFFICE OF THE
 SECRETARY OF STATE

West Virginia
 Secretary of State
 Mac Warner
 Administrative Law Division

Changes to Social Services Manuals

Agency: West Virginia Department of Health and Human Resources

Bureau: Children and Families, Division of Children and Adult Services

Rule: 78-5

Change Number: AS-18-4

Revision existing manual: Yes No

Please delete the Adult Family Care – Request to Provide Services Policy Dated December 2014 and Personal Care Homes – Request to Provide Services dated June 2001 with the Policy "Adult Residential Services – Request to Provide, effective March 15, 2018. In addition to combining these two policies into one policy, there were numerous changes to formatting and layout to establish formatting standards and consistency across policies. Standards for Selection of an Adult Family Care home were updated to align more closely with the home finding standards for Child Protective Services.

I am enclosing three copies; please file and send the Bureau back a stamped copy.

Please send to:
 Rebecca Nicholas
 WVDHHR
 350 Capitol Street, Room 691
 Charleston, WV 25301-3704

Orders Report

Docket Number

17A-AP-16-203-PC

17A-AP-FINCON-0-017

Agency

Health Care Authority

Insurance Commission

Respondent

Southern Home Care Services Inc

Guarantee Insurance Company

Date Rendered

2/21/2018

2/20/2018



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Bureau for Public Health
Office of Environmental Health Services

Ms.J. Cawth
Chief Secretary

Head Office, W.D. MRL, MSA, FACY
State Health Office

OTHER

Town of Oceana - CE
February 26, 2018
Page Two

MEMORANDUM

TO: Interested Parties
THROUGH: Patrick M. Murphy, P.E., Director
Environmental Engineering District #1
FROM: Robert W. DeCramer, P. E. *RWD*
Drinking Water Treatment Revolving Fund
DATE: February 26, 2018
SUBJECT: Chief of Facilities Division (CE)
Town of Oceana Water System Upgrade Phase 1

A copy of the Town of Oceana Water System Upgrade Phase 1 Project Categorical Exclusion Decision (CE) is enclosed for your records.

The review process concluded that the proposed action is consistent with the categories of actions eligible for categorical exclusion. This means that environmental information documents and environmental assessments or environmental impact statements **will not** be required for this project and the project is authorized to proceed forward.

This decision is based upon a careful review of supporting documents provided by the applicant and other documentation available to the West Virginia Bureau of Public Health (WVBPB). These documents are on file with the WVBPB, Office of Environmental Health Services (OEHHS), Environmental Engineering Division (EED), and are available for review upon request.

Comments on this decision may be submitted for consideration to wpv9894@oehhs.eed.state.wv.us or you may fax your comments to (204) 538-0691 or e-mail wpv9894@oehhs.eed.state.wv.us.

RWD

Enclosures

308 Capitol Street, Room 315
Charleston, West Virginia 25304-3713
Telephone: (204) 538-2817 / Fax: (204) 538-6691

Distribution List:
Regional F&D Council - Region 1
West Virginia Division of Natural Resources
West Virginia Bureau of Public Health
West Virginia Department of Environmental Protection
U.S. Fish and Wildlife Service
Department of the Army
State Register Publications
Robert Harwood, Ph. D. Robinson Engineering

FILED
2018 FEB 23 P 2
OFFICE OF THE CLERK
STATE OF WEST VIRGINIA

Town of Oceana
CATEGORICAL EXCLUSION DECISION

(February 26, 2014)

TO: ALL INTERESTED PARTIES

In accordance with the Environmental Protection Agency (EPA) regulations for complying with the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190), a review has been performed on a request for a categorical exclusion for the environmental review requirements under NEPA, for the proposed action described below:

Town of Oceana Water System Upgrade Phase I Project
Wyoming County, WV
WVJUDC Project #: 2017W-1675
SEF Project #: 17DW1RPH08

(Official Project Name and Number)

Town of Oceana
P O Box 190
Oceana, WV 24870

(Project Applicant)

Town of Oceana
Wyoming County, West Virginia

(Project Location, City, County, State)

\$ 450,000

(Estimated Drinking Water Treatment Receiving Fund Financial Share)

\$ 450,000

(Estimated Total Project Cost)

ENVIRONMENTAL ASSESSMENT

Town of Oceana
Water System Upgrade Phase I Project
WV JUDC Project No.: 2017W-1675 / SEF Project No.: 17DW1RPH08

I. PROPOSED PROJECT

The Town of Oceana's proposed project will consist of replacing two existing high service pumps with new pumps with variable frequency drive (VFD) motor-driven pumps, installing an electric actuator on an existing manual raw water intake valve, and installing two new 1000-gallon raw water storage tanks. The project will also replace approximately 1750 feet of 2" water main along Route 10 to meet the requirements of the Turkey Day to Ravenscroft/McGraves-Stubbsville (RMS) PSD's existing 8" water main along Route 10 to provide an emergency connection.

II. PURPOSE AND NEED

The project will improve water service to the Route 10 area as well as providing an emergency connection to the RMS PSD. Customers will have a more reliable source of potable water without the concern for extended service interruptions during an emergency backup supply. Replacing the equipment at the plant and raw water pump station with modern, efficient, and reliable structure equipment and systems to maximize Oceana's water operations by maximizing the utilization of personnel and financial resources.

III. ENVIRONMENTAL CONSEQUENCES IF PROJECT IS NOT BUILT

If this project is not constructed then the Town will be without an emergency backup water source. Also, not replacing the aging pumps and equipment could lead to an equipment failure which could cause an interruption in water service or lead to more costly repairs.

IV. CATEGORICAL EXCLUSION CRITERIA

EPA regulation 40 CFR 6.106(g) permits the use of categorical exclusions from substantive environmental requirements of the National Environmental Policy Act (NEPA) for:

1. Actions which are solely directed toward minor rehabilitations of existing facilities, functional replacement of equipment, or construction of ancillary facilities, or
2. Actions which are specifically allowed in program specific subparts of this regulation. Criteria which are used in the use of a categorical exclusion are found in 40 CFR 66.107(d) summarized as follows:
3. The action may have a significant effect on the quality of the human environment, or
4. The action may affect cultural resource areas, endangered or threatened species, environmentally important natural resources, or other identified resource areas of concern, or
5. The action is not cost-effective or may cause public controversy.

OTHER

5. U.S. Army Corps of Engineers email dated March 27, 2017
6. Environmental Justice Certification
7. Flood plain management documentation

OTHER

- V. ANALYSIS:
- The proposed project meets the criteria for categorical exclusion. It involves replacing old and deteriorated 2" water lines in the systems with an 8" line and replacing various pumps and valves at the water treatment plant. All work will be done on currently owned Town of Oceana infrastructure. DCM right of way, or previously disturbed ground and will have no adverse environmental impact.
- VI. FLOODPLAIN MANAGEMENT/RESILIENCE
- The 100-year flood elevation on Landed Field at the existing water treatment plant is 1295 based on the FIRM Panel 161 (Map No. 54199C03101D). The location of the variable pump station/inlet structure is 1296. The electrical control panel is located above the top of the structure. The existing water plant building's floor elevation is 1319.5. Using the Floodproof Value Approach, the Floodproof Value Approach Floodplain elevation at the existing water plant would be 1286(1293 + 3 feet). Given that the existing and proposed new water submersible pumps are designed to be immersed in water, the engineer states that the project is in compliance with the Floodplain Management requirements.
- VII. CLIMATE CHANGE/ENERGY EFFICIENCY
- A greenhouse gases evaluation was conducted for this project. This evaluation concluded that there will be no change to the amount of carbon dioxide released as this is a small portion of a much larger project and is not anticipated to change the Town's water loss or energy consumption. An energy efficiency evaluation was also conducted as part of the review. This evaluated the use of variable frequency drives compared to single speed motors. Copies of these evaluations are available in the project file.
- VIII. REVICADATION:
- This conclusion can be revoked if additional and/or future information indicates any of the following:
1. The proposed action no longer meets the defined category due to changes in the proposed action;
 2. Serious local or environmental issues now exist; and/or
 3. Federal, state or local laws may be violated.
- IX. DOCUMENTATION:
1. Categorical Exclusion Checklist as prepared by Robert Hanchwood, PE, E.L. Robinson Engineering.
 2. West Virginia Division of Culture and History letter dated April 10, 2017
 3. Natural Resources Conservation Service letter dated September 21, 2017
 4. Division of Natural Resources letter dated March 22, 2017

CATEGORICAL EXCLUSION DETERMINATION CHECKLIST

Project Name: Town of Oceana Water System Upgrade-Phase 1 (UDC No. 2017W-1672)
Contract 1 - Water System Upgrade

Applicant has provided sufficient information to allow review for a Categorical Exclusion (CE). Per EPA Regulations found under Part 63.94, CE and commentary circumstances:

- | Project Type | YES | NO |
|--|-----|----|
| - Existing Infrastructure | X | |
| ◊ Minor Upgrading
If so, describe: <u>Rehabilitating approximately 1000 ft of 2" water main with 8" water mains and related work to existing water distribution system</u> | X | |
| ◊ Minor Expansion
If so, describe: _____ | | X |
| For projects involving minor expansion, check which category applies:
<input type="checkbox"/> Looping
<input type="checkbox"/> Infill
<input type="checkbox"/> Adjacent to an existing service area | | |
| ◊ Rehabilitation (including functional replacement)
If so, describe: <u>Rehabilitating existing raw water systems, high service mains, valve assemblies, and related work to existing water treatment plant</u> | X | |
| ◊ New Minor Auxiliary Facilities
If so, describe: _____ | | X |
| - Replacement of existing On-lot systems | | X |
| - Projects completed prior to Appropriations | | X |

Existing Infrastructure Projects will not qualify for a CE under the following circumstances (Check any that apply):

- Project will involve a new or increased discharge.
- Project will result in a substantial increase in the volume or pollutant loading to the receiving water body.
- Project will provide capacity to population greater than 50% of existing population.
- Project will not be consistent with Standard Land Use Plans.
- Project is primarily intended to support new development.

OTHER

Categorical Exclusion Checklist

Project Sponsor: Town of Oceana Address: 110 Cook Street Phone: 264-845-6931
 Public Water System: PAWRID No. W0330516 County: Oceana
 Project: Oceana Water System Upgrade - Phase 1 (UDC No. 2017W-1672)

Condition	Yes	No	NA
1. An upgrade in level of treatment of an existing treatment works on the existing site of the works			X
2. An expansion of an existing treatment works on the existing site of the works which would result in an area that is 25% increase in the existing service population			X
3. Replacement of existing equipment or structures at their present location	X		
4. Water line replacement/retrofit to correct water loss problems or problems associated with inadequate water pressure. Rehabilitation of drinking water facilities such as storage facilities	X		
5. Minor extensions of water lines which will be located within road right of way or elsewhere previously disturbed areas	X		

Condition	Yes	No	NA
1. All supporting documentation is available - (if not checked - will be reviewed)	X		
2. Are there any extraordinary circumstances or conditions at an affecting the location of the activity or project that may have a significant environmental impact?		X	
3. Is this a Categorical Exclusion (CE) project?	X		

Prepared by: Robert D. Heywood, P.E., EIT, Technical Supervisor Date: October 11, 2017

Signature: Robert D. Heywood Title: Project Engineer

I certify that the project is Categorically Excluded from Further Environmental Review. An Environmental Assessment is not required. Notification in a local newspaper is required before the project may proceed.

I do not certify for this project is Categorically Excluded. An Environmental Assessment is required.

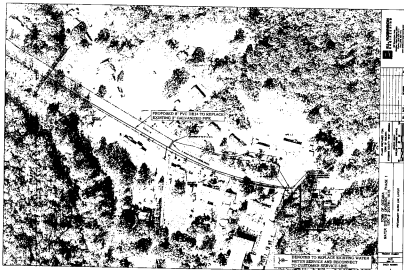
Additional information is required to make a determination. This is clarified below:

 Signature of Applicant - Bureau for Public Works (Title) _____

 Date: 10/11/17 (Date)



OTHER





April 10, 2017

Mr. Dale Hinchelwood, P.E.
Project Manager
West Virginia Department of Environment
207 Brookshire Lane
Boaklyn, WV 25810

RE: Town of Oceana - Water System Upgrade Phase 1
P#00 11-474-WM

Dear Mr. Hinchelwood:

We have reviewed the above referenced project to determine potential effects to cultural resources. As required by Section 304 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800, "Protection of Historic Properties," we submit the following:

According to submitted information, the Town of Oceana proposes to install a water system upgrade project that will include 4 miles of new water main, 1.5 miles of new water service lines, and replacement of 19,000 feet of 12-inch water main. The project will also include the installation of 2,000 feet of 12-inch water service lines, replacement of 12-inch water main, and replacement of 12-inch water main. The project will also include the installation of 2,000 feet of 12-inch water main, and replacement of 12-inch water main. The project will also include the installation of 2,000 feet of 12-inch water main, and replacement of 12-inch water main. The project will also include the installation of 2,000 feet of 12-inch water main, and replacement of 12-inch water main.

Archaeological Resources

The project area is located in an area that is not previously documented to contain archaeological resources within the proposed project area. The project area is located in an area that is not previously documented to contain archaeological resources within the proposed project area. The project area is located in an area that is not previously documented to contain archaeological resources within the proposed project area.

The project area is located in an area that is not previously documented to contain archaeological resources within the proposed project area. The project area is located in an area that is not previously documented to contain archaeological resources within the proposed project area. The project area is located in an area that is not previously documented to contain archaeological resources within the proposed project area.

We appreciate the opportunity to be of service. If you have questions regarding our comments or the Section 106 process, please contact the undersigned at the address or telephone contact of David E. Shreve, Cultural Resources, at (304) 253-0240.

David E. Shreve
David E. Shreve
Senior Cultural Resources Officer
584-CMCR25



OTHER

The Culture Center
200 West Virginia Center Street
Morgantown, WV 26505-0200
304-253-0240
www.wvdhrc.org

David E. Shreve
Senior Cultural Resources Officer
584-CMCR25

September 21, 2017

Henry Taylor
State Engineer
1100 State Capitol Building
1550 Earl Carr Road, Suite 200
Morgantown, WV 26505

RE: Town of Oceana, water system upgrade, Oceana, Wyoming County, WV
Mr. Taylor,

This is to acknowledge receipt of your request for evaluation of important furnished related to the above referenced project in Wyoming County, WV. This important information was requested in order for you to assess the environmental effects of the proposed project in accordance with the National Environmental Policy Act.

The National Environmental Policy Act (NEPA) - Public Law 91-368, 7 U.S.C. 4301 established the National Environmental Policy Act to evaluate the impacts Federal actions have on the environment. The Act requires that all major Federal actions significantly affecting the environment be planned to avoid, minimize, or compensate for adverse effects. Projects are subject to NEPA requirements if they are not already exempt from NEPA requirements (directly or indirectly) to nonagricultural use and are implemented or financed (directly or indirectly) by a Federal agency or include loans, financial, and technical assistance.

Based on a review of the submitted documents, aerial photographs, and the soil survey mapping it is determined that this project does not impact prime or other important farmland, and therefore is not subject to Farmland Protection Policy Act.

If you have any questions regarding this determination, please contact Aron Sattler, South Area Resource Soil Scientist at 304-253-0937 ext. 129.

ARON SATTLER
Area Soil Scientist
Resource Soil Scientist
Date: 2017/09/21 10:23:30 -0400
Original signed by: ARON

Attachment: NRCS-AD-1006

CC: Corina Plough, District Conservationist, NRCS, Huntington, WV
Janet Broad, State Soil Scientist, NRCS, Morgantown, WV
Morgan Jacobson, Pathology Intern, RD, Morgantown, WV

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DIVISION OF NATURAL RESOURCES
Wildlife Resource Section
Office of the Director
1000 Bankers Building
Birmingham, Alabama 35203-0001

Elmer, West Virginia 26011-0288
Telephone: 206-347-2685
Fax: 206-347-0285

Stephen S. McDaniel
Director

March 22, 2017

Dear Sirs:

Mr. Bob Hazwood
E. L. Hays, Jr. Farm
207 Brookshire Lane
Beechey, WV 26031

Dear Mr. Hazwood:

We have reviewed Natural Heritage Program files for information on any threatened and endangered (RTE) species and sensitive habitats for the area of the proposed Waste System Upgrade - Phase 7 project for the Town of Coates, Wyoming County, WV (Project No. 1218022; LDC No. 2017W-1675).

The federally endangered Guadalupe River crayfish (Cambarus bartonii) has been documented from within the project footprint; consultation with the US Fish and Wildlife Service is required. In addition, permits for freshwater muskellunge are required prior to any in-stream work at Level Park. Other than crayfish surveys, the Wildlife Resource Section knows of no surveys that have been conducted in the project area that would provide more species habitat. Consequently, this response is based on information currently available. We have not considered a comprehensive survey of the area under review. This response is valid for two years.

The information provided above is the product of a database search and retrieval. This information does not satisfy other consultation or permitting requirements for projects. To the natural resources of the state, and further consultation may be required. Additionally, any concurrence requirements for federally listed species must come from the US Fish and Wildlife Service.

Thank you for your inquiry, and should you have any questions please feel free to contact me at the above number, or better, s.fajpitt@wv.gov. Enclosed please find an invoice.

Steph S. McDaniel
Director
Environmental Resources Specialist
Wildlife Resource Section
Operations Unit

enclosure

S:\Monthly\Bjerg\wv\wvncr\wvncr_ELR.doc

OTHER

STEPS IN THE PROCESSING THE FARM AND CONVERSION IMPACT RATING FORM

- Step 1 - Review instructions to identify background information that will be needed to complete the form. This information includes the National Resources Planning Board's (NRPS) Manual and the National Resources Planning Board's (NRPS) Manual and the National Resources Planning Board's (NRPS) Manual and the National Resources Planning Board's (NRPS) Manual.
- Step 2 - Determine how the project will be processed. The project will be processed by the project sponsor (NRPS) and completed by the project sponsor (NRPS) and completed by the project sponsor (NRPS).
- Step 3 - NRPS will conduct a site visit to the project site to determine the project's location, size, and other information that will be needed to complete the form.
- Step 4 - For sites where conversion is planned, the project sponsor will complete the form and submit it to the project sponsor (NRPS) and completed by the project sponsor (NRPS).
- Step 5 - The project sponsor will complete the form and submit it to the project sponsor (NRPS) and completed by the project sponsor (NRPS).
- Step 6 - The project sponsor will complete the form and submit it to the project sponsor (NRPS) and completed by the project sponsor (NRPS).
- Step 7 - The project sponsor will complete the form and submit it to the project sponsor (NRPS) and completed by the project sponsor (NRPS).

INSTRUCTIONS FOR COMPLETING THE FARM AND CONVERSION IMPACT RATING FORM
(For Agencies)

Part I: When completing the "County and State" questions, list all the local governments that are responsible for local land use controls when sites are to be developed.

Part II: When completing Item B (Total Acres to be Converted Indefinitely), include the following:

- Acres not being directly converted but that would no longer be capable of being farmed after the conversion, less than the total acres planned to receive services from an infrastructure project included in the project justification (e.g., highways, utilities planned but not capacity that will cause a direct conversion).

Part III: Do not complete Part IV using the standard format of a State or local site assessment is used. With local and NRPS assistance, use the local Land Evaluation and Site Assessment (LESA).

- Assign the maximum points for each site assessment criterion as shown in § 609 (b) of CFR. In cases of complex site projects such as transportation, power line and flood control, criteria #5 and #6 will not apply and will be weighted zero. However, criteria #6 will be weighted in minimum of 25 points and criteria #11 a maximum of 25 points.
- Federal agencies may assign relative weights among the 12 site assessment criteria above that those shown on the FIPA site after submitting individual agency FIPA policy for review and comment to NRCS. In all cases where other weights are used, the total points available must be made to maintain the maximum total points at 100. For project sites where the total points equal or exceed 100, the project site will be considered a "High Impact" site, and local actions include impacts (e.g. Alternative Sites, Mitigations or Offsets).

Part IV: In completing the "Total Site Assessment Points" where a State or local site assessment is used and the total assessment points are 100, the total site assessment points will be 100. Example: If the Site Assessment maximum is 200 points and the alternative site is 100 points:

$$\left(\frac{100 \text{ points}}{200 \text{ points}} \right) \times 100 = 50 \text{ points for Site A}$$

For assistance in completing the form or FIPA process, contact the local NRCS Field Office or USDA Service Center. NRCS employees, contact the FIPA Manual apply policy for additional instructions to complete the AD-1056 form.

Robert Hazlewood

From: Sheila Azevedo <azevedo_sheila@us.army.mil>
Sent: Tuesday, March 14, 2017, 3:09 PM
To: Robert Hazlewood
Subject: Town of Ocean Water System Upgrade Phase I

Hi Bob,

I'm reviewing your project for the Town of Ocean, and I was wondering if I could get more detail on the proposed upgrades, because the Laurel Fork and Clear Fork subwatersheds are both known to contain the threatened Big Sandy crayfish. Since the upgrades will occur within the watershed, we are concerned about 1. whether any work falls below ordinary high water (which I can't yet determine based on the provided map) and 2. what erosion and sedimentation controls you will implement throughout construction. If you are able to provide me with the sheetpiles of the proposed ventraline enclosures and an EAS plan, that will help in my evaluation of the project.

Thank you very much,

Aracelis Jimenez (Biological Services)
U.S. Fish and Wildlife Service
West Virginia Field Office
Elkins, WV 26031
904-638-6009 x 24
E-MAIL: Aracelis.Jimenez@fws.gov



Logo for the U.S. Army Corps of Engineers

Regulatory Division
South/Transposition Branch
LRH-2017-269-GUY

MAR 27 2017

DEPARTMENT OF THE ARMY
WASHINGTON, DC 20315-5000
1615 SOUTH BRIDGE AVENUE
MONTICELLO, WEST VIRGINIA 26041-8000

Mr. Bob Hazlewood
E.L. Robinson Engineering
207 Brookshire Lane
Beatty, West Virginia 25801

Dear Mr. Hazlewood:

I refer to preliminary information received in this office on March 14, 2017, submitted by E.L. Robinson Engineering on behalf of the Town of Ocean, West Virginia, regarding the proposed Water System Upgrade Phase I Project located in Ocean, Wyoming County, West Virginia. This project has been assigned file number LRH-2017-269-GUY. Please refer to this number in any future correspondence regarding this matter.

The United States Army Corps of Engineers (Corps) authority to regulate waters of the United States is based on the jurisdiction conferred by the Clean Water Act (33 CFR 328 and 33 CFR 329). Section 404 of the Clean Water Act (33 CFR 328 and 33 CFR 329) requires a Department of the Army (DA) permit be obtained prior to discharging dredged and/or fill material into waters of the United States, including wetlands. Section 10 of the Rivers and Harbors Act (33 USC 403) requires a DA permit be obtained for any work in, on, over or under a navigable water.

Based on your description of the proposed work, and other information available, it appears the project may include the discharge of dredged and/or fill material into waters of the United States. Therefore, under Section 404, a DA authorization is required. It is the responsibility of the applicant, or the applicant's consultant, to determine the permit and finally of potential waters of the United States, including wetlands, within the project area.

To further evaluate the project additional information is required. Typically, the attached DA permit application form (DA Form 4240), completed in accordance with the attached instructions, provides the information required to evaluate the proposed project.

OTHER

OTHER

If you have any questions regarding DA permit requirements, please contact the South
Regulatory Branch at (304) 398-5710.

Sincerely,



Emma Kier
Regulatory Specialist
South/Transportation Branch

March 14, 2017

Bob Hazardwood, P.E.
Project Manager - Beckley Office
E. Environmental Engineering
207 Brookshire Lane
Beckley, WV 25801

RE: Town of Oceana Wyoming County Water System Upgrade - Phase 1,
LICD No. 2017W-1675, Project 1216992

Dear Mr. Hazardwood:

This letter responds to your correspondence of March 6, 2017, concerning the project referenced above. The West Virginia Division of Air Quality (WVDAQ) will provide feedback on issues relating to air quality. If you determine that your project action will have other environmental impacts, then you should consult with the appropriate environmental agency for the issue (e.g. the Division of Water and Waste Management should be consulted on permit and water quality issues, for instance, if over one (1) acre will be disturbed, a construction stormwater general permit is required).

1. It is necessary to burn land clearing debris to complete the project; in which case, approval by the WVDEP Secretary or his or her authorized representative is required to conduct such burning (see 45CSR30) or;
2. The project entails the renovation, remodeling, or demolition, either partially or totally, of a structure, building, or machine, irrespective of the presence or absence of asbestos, containing asbestos, and is subject to the Federal Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) at 40CFR 61.141-147. If such is the case, a formal Notification of Asbestos, Demolition, or Renovation must be completed and filed with the WVDEP Secretary's authorized representative and approval received before commencement of the activities addressed in the Notification.
3. Backlog or emergency electrical generators may be subject to federal and state requirements and require an air permit in accordance with 45CSR12.

Promoting a healthy environment

Environmental Justice (EJ) Impact Analysis Certification

1. Applicant's name and proposed project name or description: Quaker White Treatment Plant and Round 10 Water System Upgrade

2. Are there any identified EJ (minority or low income population) areas within or nearby the proposed project area? Yes No

3. Is the applicant's proposed project likely to result in a change in the current land use patterns (types of land use, development densities)? Yes No

4. Does a demographic analysis indicate the applicant's proposed project may disproportionately affect any significant EJ population? Yes No

If the answer to no, step to item 10. If the answer is yes, continue with items 5 through 9.

5. Identify, describe, and provide locations of EJ populations.

6. If a disproportionate adverse effect is expected to impact an EJ population, identify type(s) of public concern(s) implicated.

7. Identify disproportionately high and adverse impacts on EJ populations.

8. Are adverse impacts especially more severe or greater in magnitude than the adverse impacts expected on non-minority/high-income populations? Yes No

9. Are alternatives under mitigation required to avoid impacts to EJ populations? Yes No

If yes, describe below.

10. Identify how this certification accurately describes the impact to EJ populations and

No major EJ impact is likely to result if the proposed project is implemented.

A major EJ impact is likely to result if the proposed project is implemented.

Jeffrey A. Johnson, County Dea. Director
Permit Board & Title of Certifying Official

Jeffrey A. Johnson
Date: 2-15-2018

OTHER

If the project involves demolition, and/or excavation and transportation of soils/fragments or the handling of materials that can cause problems such as nuisance dust, odors or emissions of objectionable odors, adequate air pollution control measures must be installed to meet the WVTDAO rules cited in this permit as addressed by ACS314 and HCS317. Copies of all the WVTDAO rules cited in this permit are available on the agency's website at <http://www.wv.gov/2017/05/01>. To review the rules, click on "Summary of Rules" after accessing the website.

You may obtain the latest published air quality data summaries and statistics for the WV Division of Air Quality's ambient air monitoring sites on our website (above above). Simply click on "Quality Annual Report". You may also find a document summarizing, in more detail, the 15 counties in West Virginia relative to National Ambient Air Quality Standards (NAAQS) on our website by clicking on the link for "Publications".

As of March 1, 2017, Wyoming County is considered an attainment area for all criteria pollutants.

If you have any questions or need further assistance or information, please contact this office at (304) 924-6275.

Sincerely Yours,

Dee Struth
Permitting Section

DAS/br



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
WV Health Care Authority

Harold Fitzgerald
Executive Director

Bill J. Crouch
Cabinet Secretary



NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

March 1, 2018

NEWS ITEM

OTHER

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600
February 26, 2018
FILED
MARCH 23 P M
STATE OF WEST VIRGINIA
SECRETARY OF STATE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending February 23, 2018.

LETTER OF INTENT RECEIVED

February 23, 2018 – West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #18-WV-11300-P, for the development of mobile lung cancer screening services throughout West Virginia; capital expenditure: \$1,282,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

February 20, 2018 - Linx Community Services, Waverly, Wood County, CON File #18-010-11201-BH, for the development of a licensed behavioral health center offering ICD Waiver Services; capital expenditure: \$13,000.

APPLICATION FOR EXEMPTION RECEIVED

February 22, 2018 – St. George Medical Clinic, Inc., Parsons, Tucker County, CON File #18-7-11208-X, for the implementation of on-site radiology services.

ORDER TO WITHDRAW CON APPLICATION

February 21, 2018 – Southern Home Care Services, Inc., Louisville, Kentucky, CON File #17-614-11203-PC, for the provision of personal care services in Greenbrier, Raleigh and Monroe counties; capital expenditure: \$10,000.

Further information may be obtained on any of the above-referenced projects by contacting Barbara Sheen, Director, Certificate of Need Division.

The Health Care Authority (Authority), pursuant to the Certificate of Need program, has declared complete and accepted for review the expedited applications referenced below:

February 27, 2018 - West Virginia University Hospitals, Morgantown, Monongalia County, CON File #18-6-11207-H, for the renovation and expansion project on the hospital's campus, which includes the construction of a bed tower for the new women and children's center and a new women and children's medical office building; the addition of two floors to the Phyllis Corbett Patient Center (POC); and the renovation of two floors of the POC and one floor of the Eye Institute; capital expenditure: \$250,000,000.

February 28, 2018 - Linx Community Services, Waverly, Wood County, CON File #18-510-11201-BH, for the development of a licensed behavioral health center offering ICD Waiver Services; capital expenditure \$13,000.

An application that has been declared complete is one in which there is sufficient information for the Authority to make an informed decision. It does not mean that the approval of the application is warranted.

The review cycle begins on February 28, 2018.

On or before March 30, 2018, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will April 4, 2018. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.

Notice of Review
Page 2
March 1, 2018

The Decision on the projects referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decisions will be issued on or before April 30, 2018.

A press release will be issued after the decisions are made. Anyone wishing to be interviewed for the press release should submit a written request to Barbara Sloan, Director, Certificate of Need, Health Care Authority, 1000 Bankers Building, Charlottesville, West Virginia, 25311-1600. Further information on any project mentioned in this press release may be obtained by contacting the Certificate of Need office at telephone number (504) 650-7000.

3/1/18
Date


Barbara Sloan, Director, Certificate of Need
Health Care Authority

OTHER

Division of Natural Resources
1000 Kanawha Blvd. E.
PO Box 100000

South Charleston, West Virginia 25309-1000
Phone: 304.261.3171
Fax: 304.261.6087

Stephen S. McComb
Director

February 27, 2018

The Honorable Ms. Wansler
Secretary of State
Building 1, Suite 157-K
1000 Kanawha Blvd. E.
Charleston, West Virginia 25305

ATTENTION STATE REGISTER

Re: Publication of Notice to the Public

The Division of Natural Resources Wildlife Resources Section is scheduling a series of public informational meetings for the agency's proposed hunting and fishing regulations at the following locations, dates and times.

Monday, March 12, 2018 6:00 p.m. - 8:00 p.m.

- Fairmont - East Fairmont High School (Commons Area)
 - Martinsburg - Martinsburg Holiday Inn (Rt. 8), Exit 13)
 - Weston - Lewis County High School
 - Lewisburg - WVU building at the State Fair Grounds
 - Mifflin - West Virginia Pumpkin Park (Office Building)
 - Spencer - Spencer Heritage Park Building
- Tuesday, March 13, 2018 6:00 p.m. - 8:00 p.m.
- Glen Dale - John Marshall High School (Commons)
 - Gauley Bridge - South Branch Inn (Rt. 20)
 - Beckley - Beckley Community Center
 - Logan - Chief Logan State Park Conference Center
 - Parkersburg - City Building (Lobby)

FILED

2018 FEB 28 P 2 04

DEPT. OF STATE
SECRETARY OF STATE



Secretary of State
Office Building
Charleston, WV 25305

Mike Warner
Secretary of State
State of West Virginia

Telephone: (304) 556-8000
www.sos.wv.gov

OTHER



PUBLIC NOTICE

Changes to UCC Search Capabilities
February 14, 2018

Effective February 27, 2018, the only method of obtaining a UCC search by the West Virginia Secretary of State's Office will through our online service at <https://apps.wv.gov/ucc>. However, you can begin using the new UCC Online Search system now to get familiar with it, as it is available to ask.

You may also get access to the search by logging onto our website at www.wv30303.com and then clicking on the Online Services link.

After February 26, 2018, we will no longer conduct search requests manually.

The new online search feature allows users to:

- Instantly download and print copies of certified and non-certified searches
- Efficiently search for documents by filing name or number with immediate search results
- Conveniently and securely pay for services with credit card or electronic check, receive payment, and/or order confirmation

Question regarding this Notice should be sent to Penney Bender at pbender@wv30303.com.