

WEST VIRGINIA REGISTER

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

Aeronautics Commission

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Waste Management Division of Water and Waste Management

Office of the Secretary of State
State Capitol
Charleston, West Virginia 25305

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State of West Virginia

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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

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
TITLE	24	OSTEOPATHIC MEDICINE
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE	31	DIETITIANS
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
TITLE	38	MINING AND RECLAMATION
TITLE	42	LABOR
TITLE	45	AIR QUALITY
TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	64	HEALTH
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TITLE	78	HUMAN SERVICES
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TITLE	90	CORRECTIONS
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TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
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TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	157	HIGWAYS
TITLE	164	SCHOOL BUILDING 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 COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

CHRONOLOGICAL INDEX, VOLUME XXXVI ISSUE 23

NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Aeronautics Commission (171-01)	Commission Meetings, Organization, and Operation Procedural	§29-2A-3	Written Comments Only July 8, 2019 4:00, pm Ginny Dravenstott 1900 Kanawha Blvd E Building 5 A-152 ginny.l.dravenstott@wv.gov
Air Quality (45-08)	Ambient Air Quality Standards Legislative	§22-5-4	Public Hearing: July 9, 2019, 6:00pm DEP Dolly Sods Conference Room #1125 601 57th Street SE Charleston, WV 25304 Written Comments: July 9, 2019, 6:00 pm Sandra Adkins Department of Environmental Protection 601 57th Street SE Charleston, WV 25304 dep.comments@wv.gov
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	§22-5-4	Public Hearing: July 9, 2019, 6:00pm DEP Dolly Sods Conference Room #1125 601 57th Street SE Charleston, WV 25304 Written Comments: July 9, 2019, 6:00 pm Sandra Adkins Department of Environmental Protection 601 57th Street SE Charleston, WV 25304 dep.comments@wv.gov

Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	§§22-5-4, 22-18-6	Public Hearing: July 9, 2019, 6:00pm DEP Dolly Sods Conference Room #1125 601 57th Street SE Charleston, WV 25304 Written Comments: July 9, 2019, 6:00 pm Sandra Adkins Department of Environmental Protection 601 57th Street SE Charleston, WV 25304 dep.comments@wv.gov
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	§22-5-4	Public Hearing: July 9, 2019, 6:00pm DEP Dolly Sods Conference Room #1125 601 57th Street SE Charleston, WV 25304 Written Comments: July 9, 2019, 6:00 pm Sandra Adkins Department of Environmental Protection 601 57th Street SE Charleston, WV 25304 dep.comments@wv.gov
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	§22-5-4	Public Hearing: July 9, 2019, 6:00pm DEP Dolly Sods Conference Room #1125 601 57th Street SE Charleston, WV 25304 Written Comments: July 9, 2019, 6:00 pm Sandra Adkins Department of Environmental Protection 601 57th Street SE Charleston, WV 25304 dep.comments@wv.gov

Architects (2-01)	Registration of Architects Legislative	§§30-12-1, 30-1-4	Written Comments Only July 9; 2019, 4:00pm WV Board of Architects 405 Capitol Street, Mezzanine Suite 3 Charleston, WV 25301 emily.b.papadopoulos@wv.gov
Architects (2-03)	Fees for Registration of Architects Legislative	§§30-12-3, 30-1-4, 30-1-22	Written Comments Only July 9, 2019 4:00, pm WV Board of Architects 405 Capitol Street, Mezzanine Suite 3 Charleston, WV 25301 emily.b.papadopoulos@wv.gov
Dentistry, WV Board of (5-01)	Rule for the West Virginia Board of Dentistry Legislative	§§30-1D-1, 30-4-5 & 6	Written Comments Only July 1, 2019, 4:00 pm WV Board of Dentistry PO Box 1447 Crab Orchard, WV 25827 wvbde@suddenlinkmail.com
Dentistry, WV Board of (5-08)	Dental Advertising Legislative	§30-4-6	Written Comments Only July 1, 2019, 5:00 pm WV Board of Dentistry PO Box 1447 Crab Orchard, WV 25827 wvbde@suddenlinkmail.com
Election Commission (146-01)	Corporate and Membership Organization Political Activity Legislative	§§3-8-8	Written Comments Only July 10, 2019, 5:00pm State Election Commission, c/o Donald Kersey State Capitol, Bldg. 1, Ste. 157-K Charleston, WV 25305 dkersey@wvsos.gov
Election Commission (146-03)	Regulation of Campaign Finance Legislative	§3-1A-5, 3-8-2, 3-8-7, 3-8-8, 3-8-9, 29A-3-1 et seq.	Written Comments Only July 10, 2019, 5:00pm State Election Commission, c/o Donald Kersey State Capitol, Bldg. 1, Ste. 157-K Charleston, WV 25305 dkersey@wvsos.gov

Environmental Protection Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	§§22-22-3, 22-22-(c)4	Public Hearing: 7/8/2019, 6:00pm DEP Headquarters Cooper Rock Room 601 57th Street SE Charleston, WV 25304 Written Comments July 8, 2019, 8:00pm John Meeks 601 57th Street SE Charleston, WV 25304 dep.comments@wv.gov
Medical Imaging and Radiation Therapy Technology Board of Examiners (18-01)	WV Medical Imaging and Radiation Therapy Technology Board of Examiners Legislative	§30-23	Written Comments Only July 7, 2019, 11:59 pm Jamie Browning 1124 Smith Street, Suite B-300 Charleston, WV 25301 Jamie.s.browning@wv.gov
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Rule Legislative	§§22-3-4, 22-3-12, 22-3-13(g), 22-3-23(i), 22-3-35	Public Hearing: July 8, 2019, 6:00 pm DEP Kanawha City Office Cooper Rock Room 601 57th Street Charleston, WV 25304 Written Comments July 8, 2019, 8:00 pm Charles Sturey 601 57th Street Charleston, WV 25304 charles.s.sturey@wv.gov
Mining and Reclamation (38-02F)	Groundwater Protection Rules Coal Mining Operations Legislative	§22-12-5	Public Hearing: July 8, 2019, 6:00pm DEP Kanawha City Office Cooper Rock Room 601 57th Street Charleston, WV 25304 Written Comments July 8, 2019, 8:00 pm Charles Sturey 601 57th Street Charleston, WV 25304 charles.s.sturey@wv.gov

Physical Therapy (16-09)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	§§30-1-22, 30-20-5, 30-20A-2	Written Comments Only July 5, 2019 2:00 pm WV Board of Physical Therapy 2 Players Club Drive, Suite 102 Charleston, WV 25311 nonnie.s.ramsey@wv.gov
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in West Virginia Legislative	§30-13A	Public Hearing July 9, 2019, 1:00 Office of the WV Board of Professional Surveyors 1124 Smith Street Suite B127C Charleston, WV 25301 Written Comment July 5, 2019 1:00 pm West Virginia Board of Professional Surveyors 1124 Smith Street Suite B127C Charleston, WV 25301 kristi.a.justice@wv.gov
Real Estate Commission (174-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	§§30-40-8, 30-1-22	Written Comments Only June 30, 2019 11:59 pm Jerry A. Forren 300 Capitol Street Charleston, WV 25301 jerry.a.forren@wv.gov
School Building Authority of WV (164-01)	Policy and Procedures Handbook of the School Building Authority of WV Procedural	§18-9D-20	Written Comments Only July 5, 2019, 12:00 pm Shannon Driver 2300 Kanawha Boulevard, East Charleston, WV 25311 shannon.l.driver@wv.gov
Social Work Examiners (25-03)	Fee Schedule Legislative	§30-30-6	Written Comments Only July 5, 2019, 4:30 pm Vickie James PO Box 5459 Charleston, WV 25361 admin@wvsocialworkboard.org

Waste Management Division of Water and Waste Management (33-20)	Hazardous Waste Management System Legislative	§22-18-6	Public Hearing July 8, 2019, 6:00 pm DEP 601 57th Street S.E. Coopers Rock Conference Room Charleston, WV 25304 Written Comments July 8, 2019, 6:15 pm Julie Wandling 601 57th Street SE Charleston, WV 25304 julie.a.wandling@wv.gov

NEW EMERGENCY RULES FILED THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE FOR HEARING
Election Commission (146-01)	Corporate and Membership Organization Political Activity Legislative	§§3-8-8, 29A-3-1	ERD by July 18, 2019	July 10, 2019
Election Commission (146-03)	Regulation of Campaign Finance Legislative	§§3-1A-5, 3-8-2, 3-8-7, 3-8-8, 3-8-9, 29A-3-1 et seq.	ERD by July 18, 2019	July 10, 2019

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Administration (148-23)	Exemptions from Management Services Provided by the Fleet Management Division Legislative	5/3/2019	6/3/2019	4/5/2019 Effective 5/17/2019					
Aeronautics Commission (171-01)	Commission Meetings, Organization, and Operation Procedural	6/5/2019	7/8/2019						
Agriculture (61-29)	Industrial Hemp Legislative	6/27/2018	7/27/2018		7/27/2018	Modified & Approved 11/27/2018 Filed 12/11/2018	SB199	4/30/2019	7/1/2019
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/5/2019	7/9/2019						
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/5/2019	7/9/2019						
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/5/2019	7/9/2019						
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/5/2019	7/9/2019						
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/5/2019	7/9/2019						
Architects (2-01)	Registration of Architects Legislative	6/5/2019	7/9/2019						
Architects (2-03)	Fees for Registration of Architects Legislative	6/5/2019	7/9/2019						
Auditor (155-06)	Local Government Purchasing Card Program Legislative	5/21/2019	6/20/2019						
Community And Technical College Education (135-08)	West Virginia Invests Grant Program Legislative	4/29/2019	5/30/2019	4/29/2019 Effective 4/29/2019	6/3/2019				
Conservation Agency (63-03)	State Conservation Committee Grant Program Legislative	5/30/2019	6/29/2019						
Dentistry, WV Board of (5-01)	Rules for the West Virginia Board of Dentistry Legislative	5/31/2019	7/1/2019						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Dentistry, WV Board of (5-08)	Dental Advertising Legislative	5/31/2019	7/1/2019						
Dentistry, WV Board of (5-09)	Application Procedures for Licensure or Certificate Procedural	5/1/2019	5/31/2019						
Education (126-012)	WV System of Support and Accountability (2322) Legislative Exempt	1/11/2019	2/11/2019					3/14/2019	7/1/2019
Education 126-035)	Education Instructional Resources(Policy 2445.40) Legislative Exempt	5/9/2019	6/10/2019						
Education (126-44H)	WV Driver Education Standards (2520.8) Legislative Exempt	8/10/2018	9/10/2018					10/11/2018	7/1/2019
Education (126-044M)	WV College-and Career-Readiness Programs of Study/Standards for Career Technical Education (2520.13) Legislative Exempt	11/15/2018	12/17/2018					1/11/2019	7/1/2019
Education (126-044N)	WV College-and Career-Readiness Standards for Technology and Computer Science (2520.14)	11/15/2018	12/17/2018					1/11/2019	7/1/2019
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 (126-057)	Adult Education Programs (Policy 2420) Legislative Exempt	4/11/2019	5/13/2019						
Education (126-099)	Expected Behaviors in Safe and Supportive Schools (4373) Legislative Exempt	1/11/2019	2/11/2019					3/14/2019	7/1/2019
Election Commision (146-01)	Corporate and Membership Organization Political Activity Legislative	6/6/2019	7/10/2019	ERD by July 18, 2019					
Election Commission (146-03)	Regulation of Campaign Finance Legislative	6/6/2019	7/10/2019	ERD by July 18, 2019					
Environmental Protection Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2019	7/8/2019						

RULE MONITOR									
AGENCY/SERIES NO	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**SEC/STATE**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Health (64-11)	Behavioral Health Centers Licensure Legislative	6/21/2018	7/21/2018		7/27/2018	Modified & Approved 11/27/2018 Filed 12/6/2018	SB175	5/1/2019	7/30/2019
Health (64-14)	Assisted Living Residences Legislative	6/21/2018	7/20/2018		7/27/2018	Modified & Approved 11/12/2018 Filed 11/15/2018	SB175	5/1/2019	7/30/2019
Health (64-17)	Food Establishments Legislative	6/21/2018	7/20/2018		7/26/2018	Modified & Approved 11/27/2018 Filed 11/30/2018	SB175	4/4/2019	7/1/2019
Health (64-43)	Food Manufacturing Facilities Legislative	6/21/2018	7/20/2018		7/26/2018	Modified & Approved 11/27/2018 Filed 11/30/2018	SB175	4/4/2019	7/1/2019
Health (64-109)	General Rules-Medical Cannabis Program Legislative			4/3/2018 Effective 4/3/2018					
Health (64-110)	Grower/Processors-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health (64-111)	Laboratories-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health (64-112)	Dispensaries-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health (64-113)	Safe Harbor Letter-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health and Human Resources (69-08)	Chronic Pain Management Clinic Licensure Legislative	6/21/2018	7/21/2018		7/27/2018	Approved 11/12/2018	SB175	5/1/2019	7/30/2019
Health an Human Resources (69-12)	Medication-Assisted Treatment – Office-Based Medication-Assisted Treatment Legislative	6/21/2018	7/21/2018		7/27/2018	Modified & Approved 11/12/2018 Filed 11/15/2018	SB175	5/1/2019	7/30/2019

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Comm. (114-40)	Credit for Reinsurance Legislative	2/8/2019	3/25/2019	1/18/2019 Effective 3/1/2019	3/26/2019				
Labor (42-05)	Wage Payment and Collection Legislative	6/15/2018	7/16/2018		7/25/2018	Approved 9/20/2018	SB223	4/12/2019	7/1/2019
Labor (42-09)	Child Labor Legislative	6/18/2018	7/19/2018		7/25/2018	Modified & Approved 9/20/2018 Filed 9/26/2018	SB223	4/12/2019	7/1/2019
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/15/2018	7/16/2018	6/15/2018 Effective 7/27/2018	7/25/2018	Approved 9/20/2018	SB223	4/12/2019	7/1/2019
Medical Imaging and Radiation Therapy Technology Board of Examiners (18-01)	WV Medical Imaging and Radiation Therapy Technology Board of Examiners Legislative	6/5/2019	7/7/2019						
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Rule Legislative	6/5/2019	7/8/2019						
Mining and Reclamation (38-02F)	Groundwater Protection Rules Coal Mining Operations Legislative	6/5/2019	7/8/2019						
Occupational Therapy (13-03)	Fees For Services Rendered By the Board Legislative	5/8/2019	7/1/2019						
Occupational Therapy (13-07)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/13/2019	7/1/2019						
Physical Therapy (16-09)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/4/2019	7/5/2019						
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in West Virginia Legislative	6/4/2019	7/9/2019						
Public Defender Services (89-01)	Payment of Fees and Reimbursement of Expenses of Court-Appointed Attorneys Legislative	5/20/2019	6/21/2019	5/21/2019 ERD by 7/2/2019					

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Public Service Commission (150-33)	Rules Governing Electric Utility Net Metering Arrangements and Interconnections Legislative Exempt	9/6/2018 03/13/2019	11/8/2018 04/30/2019						
Racing Commission (178-01)	Throughbred Racing Legislative	6/13/2018	7/13/2018		7/26/2018	Modified & Approved 11/27/2018 Filed 11/28/2018	SB187	5/3/2019	8/1/2019
Real Estate Commission (174-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/31/2019	6/30/2019						
Respiratory Care (30-02)	Establishment of Fees Legislative	5/7/2019	6/7/2019						
Respiratory Care (30-09)	Student Temporary Permits Legislative	5/22/2019	6/24/2019						
School Building Authority of WV (164-01)	Policy and Procedures Handbook of the School Building Authority of WV Procedural	6/5/2019	7/5/2019						
Secondary School Activities Commission (127-01)	Constitution (WVSSAC Series1) Legislative Exempt	5/9/2019	6/10/2019						
Secondary School Activities Commission (127-02)	Athletics, Provisions Governing Eligibility (WVSSAC Series 2) Legislative Exempt	5/9/2019	6/10/2019						
Secondary School Activities Commission (127-03)	Provisions Governing Contests (WVSSAC Series 3) Legislative Exempt	5/9/2019	6/10/2019						
Secondary School Activities Commission (127-04)	Provisions Governing Conduct (WVSSAC Series 4) Legislative Exempt	5/9/2019	6/10/2019						
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	6/15/2018	7/16/2018		7/25/2018	Modified & Approved 11/12/2018 Filed 11/16/2018	SB199	4/17/2019	7/1/2019
Social Work Examiners (25-03)	Fee Schedule Legislative	6/5/2019	7/5/2019						

RULE MONITOR									
AGENCY/SERIES NO	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**SEC/STATE**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Speech-Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	5/14/2019	6/17/2019						
Veterinary Medicine (26-03)	Registration of Veterinary Technicians Legislative	5/30/2019	7/7/2019						
Veterinary Medicine (26-06)	Schedule of Fees Legislative	5/30/2019	7/7/2019						
Waste Management Division of Water and Waste Management (33-20)	Hazardous Waste Management System Legislative	6/5/2019	7/8/2019						
Water Resources, Div. of Water & Waste Magmt. (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	3/21/2019	5/6/2019						

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/5/2019 3:27:25 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

LEGISLATIVE

AGENCY: Air Quality TITLE-SERIES: 45-08

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Ambient Air Quality Standards

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/09/2019 6:00 PM

LOCATION OF PUBLIC HEARING:

Department of Environmental Protection, Dolly Sods Conference Room #1125, 601 57th Street SE, Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS: 07/09/2019 6:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sandra Adkins

ADDRESS: Department of Environmental Protection, 601 57th Street SE

Charleston, WV 25304

EMAIL: dep.comments@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/5/2019 3:19:09 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality TITLE-SERIES: 45-16

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Standards of Performance for New Stationary Sources

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/09/2019 6:00 PM

LOCATION OF PUBLIC HEARING:

Department of Environmental Protection, Dolly Sods Conference Room #1125, 601 57th Street SE, Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS: 07/09/2019 6:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sandra Adkins

ADDRESS: Department of Environmental Protection, 601 57th Street SE

Charleston, WV 25304

EMAIL: dep.comments@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/5/2019 3:16:56 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality TITLE-SERIES: 45-25

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities

CITE STATUTORY AUTHORITY: W. Va. Code §§ 22-5-4 and 22-18-6

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/09/2019 6:00 PM

LOCATION OF PUBLIC HEARING:

Department of Environmental Protection, Dolly Sods Conference Room #1125, 601 57th Street SE, Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS: 07/09/2019 6:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sandra Adkins

ADDRESS: Department of Environmental Protection, 601 57th Street SE

Charleston, WV 25304

EMAIL: dep.comments@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality TITLE-SERIES: 45-34

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Emission Standards for Hazardous Air Pollutants

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality TITLE-SERIES: 45-40

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Control of Ozone Season Nitrogen Oxides Emissions

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

COMMENTS LIMITED TO:

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EMAIL: dep.comments@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Architects TITLE-SERIES: 2-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Registration of Architects

CITE STATUTORY AUTHORITY: W.Va. code 30-12-1, 30-1-4

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WV Board of Architects

ADDRESS: 405 Capitol Street, Mezzanine Suite 3

Charleston, WV 25301

EMAIL: emily.b.papadopoulos@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

LEGISLATIVE

AGENCY: Architects TITLE-SERIES: 2-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Fees For Registration of Architects

CITE STATUTORY AUTHORITY: W.Va. Code 30-12-3, 30-1-4, 30-1-22

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LOCATION OF PUBLIC HEARING:

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NAME: WV Board of Architects

ADDRESS: 405 Capitol Street, Mezzanine Suite 3
Charleston, WV 25301

EMAIL: emily.b.papadopoulos@wv.gov

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NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Community And Technical College Education TITLE-SERIES: 135-08

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: 135-08 West Virginia Invests Grant Program

PRIMARY CONTACT

NAME: Angie Kerns

ADDRESS: 1018 Kanawha Blvd East
Suite 700
Charleston, WV 25301

EMAIL: kerns@wvctcs.org

PHONE NUMBER: 304-558-0265

CITE STATUTORY AUTHORITY: §18B-1-6; §18C-9-4

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 4/29/2019

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 5/30/2019

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Dentistry WV Board of TITLE-SERIES: 5-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: RULE FOR THE WEST VIRGINIA BOARD OF DENTISTRY

CITE STATUTORY AUTHORITY: §30-1D-1; §30-4-5 & 6

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/01/2019 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WV Board of Dentistry

ADDRESS: PO Box 1447

Crab Orchard, WV 25827

EMAIL: wvbde@suddenlinkmail.com

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Dentistry WV Board of TITLE-SERIES: 5-08

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Dental Advertising

CITE STATUTORY AUTHORITY: §30-4-6

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

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COMMENTS MAY BE MAILED OR EMAILED TO:

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ADDRESS: PO Box 1447

Crab Orchard, WV 25827

EMAIL: wvbde@suddenlinkmail.com

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NOTICE OF PUBLIC COMMENT PERIOD

LEGISLATIVE

AGENCY: Election Commission TITLE-SERIES: 146-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: CORPORATE AND MEMBERSHIP ORGANIZATION POLITICAL ACTIVITY

CITE STATUTORY AUTHORITY: W. Va. Code §3-8-8

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/10/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: State Election Commission, c/o Donald Kersey

ADDRESS: State Capitol, Bldg. 1, Ste. 157-K

Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Election Commission TITLE-SERIES: 146-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: REGULATION OF CAMPAIGN FINANCE

CITE STATUTORY AUTHORITY: W. Va. Code §§ 3-1A-5, 3-8-2, 3-8-7, 3-8-8, 3-8-9 and 29A-3-1 et seq.

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/10/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: State Election Commission, c/o Donald Kersey

ADDRESS: State Capitol, Bldg. 1, Ste. 157-K

Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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NOTICE OF PUBLIC COMMENT PERIOD

LEGISLATIVE

AGENCY: Environmental Protection Secretarys Office TITLE-SERIES: 60-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Voluntary Remediation and Redevelopment Rule

CITE STATUTORY AUTHORITY: W. Va. Code §§ 22-22-3 and 22-22-(c)4

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/08/2019 6:00 PM

LOCATION OF PUBLIC HEARING:

Coopers Rock Room, WV Department of Environmental Protection Headquarters, 601 57th Street SE, Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS: 07/08/2019 8:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: John Meeks

ADDRESS: 601 57th Street SE

Charleston, WV 25304

EMAIL: dep.comments@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

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CHAPTER 524 TRANSPORTATION

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2019 JUN -5 A 10:26
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DISCLAIMER: This chapter does not address all the complexities of Medicaid policies and procedures and must be supplemented with all State and Federal Laws and Regulations. Contact BMS Fiscal Agent for coverage, prior authorization requirements, service limitations, and other practitioner information.

528.5 PORTABLE X-RAY

LEGISLATIVE

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Policy	2
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DISCLAIMER: This chapter does not address all the complexities of Medicaid policies and procedures and must be supplemented with all State and Federal Laws and Regulations. Contact BMS Fiscal Agent for coverage, prior authorization requirements, service limitations, and other practitioner information.

CHAPTER 534 DIALYSIS CENTERS

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DISCLAIMER: This chapter does not address all the complexities of Medicaid policies and procedures, and must be supplemented with all State and Federal Laws and Regulations. Contact BMS Fiscal Agent for coverage, prior authorization requirements, service limitations, and other practitioner information.

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2019 MAY 31 P 2:37

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Youth Services
POLICY

West Virginia Department of Health and Human Resources
Bureau for Children and Families
Office of Children and Adult Services

May 30th, 2019

STATE OF WEST VIRGINIA
Offices of the Insurance Commissioner

James A. Dodrill
Insurance Commissioner

May 31, 2019

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2019 MAY 31 P 12:30

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Maureen Lewis, Assistant Director
Administrative Law
Office of the Secretary of State
State Capitol Building
Charleston, WV 25305

Re: Title 114, Series 36
West Virginia Life and Health Insurance Guaranty Association Act
Notice Requirements

Dear Ms. Lewis:

This letter is to advise the Office of the Secretary of State that W.Va. Code §§ 33-26A-19(c) and (d) were amended by the Legislature in 2019 to strikethrough/ repeal the West Virginia Offices of the Insurance Commissioner's rulemaking authority for its Title 114, Series 36 Legislative rule, "West Virginia Life and Health Insurance Guaranty Association Act Requirements," which became effective on April 14, 2010.

W.Va. Code §§ 33-26A-19(c) and (d) were amended via House Bill 2690 (2019). The amendments became effective on May 29, 2019. Therefore, in accordance with West Virginia Code §29A-1-3b, the agency believes that this rule is now void.

I have enclosed a highlighted copy of House Bill 2690 and a copy of the voided rule for your convenience. Please do not hesitate to contact our office if you have any questions.

Sincerely,

Erin K. Hunter
Deputy Commissioner/General Counsel

EKH/jlz
Enclosures

Executive Office
Post Office Box 50540
Charleston, West Virginia 25305-0540

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NOTICE OF PUBLIC COMMENT PERIOD

LEGISLATIVE

AGENCY: Medical Imaging And Radiation Therapy Technology Board Of Examiners

TITLE-SERIES: 18-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: WV Medical Imaging and Radiation Therapy Technology Board of Examiners

CITE STATUTORY AUTHORITY: Chapter 30, Article 23

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/07/2019 11:59 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jamie Browning

ADDRESS: 1124 Smith Street, Suite B-300

Charleston, WV 25301

EMAIL: jamie.s.browning@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Mining And Reclamation

TITLE-SERIES: 38-02

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: West Virginia Surface Mining Reclamation Rule

CITE STATUTORY AUTHORITY: W.Va. Code §22-3-4, 22-3-12, 22-3-13(g), 22-3-23(i), and 22-3-35.

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING: 07/08/2019 6:00 PM

LOCATION OF PUBLIC HEARING:

DEP, Kanawha City Office, Cooper Rock Room, 601 57th Street, Charleston WV 25304

DATE WRITTEN COMMENT PERIOD ENDS: 07/08/2019 8:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Charles Sturey

ADDRESS: 601 57th Street

Charleston, WV 25304

EMAIL: charles.s.sturey@wv.gov

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Mining And Reclamation TITLE-SERIES: 38-02F

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: GROUNDWATER PROTECTION RULES COAL MINING OPERATIONS

CITE STATUTORY AUTHORITY: W. Va. Code §22-12-5

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING: 07/08/2019 6:00 PM

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DEP, Kanawha City Office, Cooper Rock Room, 601 57th Street, Charleston WV 25304

DATE WRITTEN COMMENT PERIOD ENDS: 07/08/2019 8:00

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Charles Sturey

ADDRESS: 601 57th Street

Charleston WV 25304

EMAIL: charles.s.sturey@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Physical Therapy TITLE-SERIES: 16-09

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: Application for Waiver of Initial Licensing Fees for Certain Individuals

CITE STATUTORY AUTHORITY: W. Va. Code §30-1-22, W. Va. Code §30-20-5, and W. Va. Code §30-20A-2

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/05/2019 2:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WV Board of Physical Therapy

ADDRESS: 2 Players Club Drive, Suite 102

Charleston, WV 25311

EMAIL: nonnie.s.ramsey@wv.gov

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Professional Surveyors TITLE-SERIES: 23-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Examination and Licensing of Professional Surveyors in West Virginia

CITE STATUTORY AUTHORITY: Chapter 30 13A

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/09/2019 1:00 PM

LOCATION OF PUBLIC HEARING:

Office of the WV Board of Professional Surveyors, Charleston, WV

DATE WRITTEN COMMENT PERIOD ENDS: 07/05/2019 1:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: West Virginia Board of Professional Surveyors

ADDRESS: 1124 Smith Street

Suite B127C

EMAIL: kristi.a.justice@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Real Estate Commission TITLE-SERIES: 174-06

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: APPLICATION FOR WAIVER OF INITIAL LICENSING FEES FOR CERTAIN INDIVIDUALS

CITE STATUTORY AUTHORITY: WV Code §30-40-8 and WV Code §30-1-22

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/30/2019 11:59 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jerry A. Forren

ADDRESS: 300 Capitol Street

Charleston, WV 25301

EMAIL: jerry.a.forren@wv.gov

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Social Work Examiners TITLE-SERIES: 25-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Fee Schedule

CITE STATUTORY AUTHORITY: 30-30-6

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/05/2019 4:30 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Vickie James

ADDRESS: PO Box 5459

Charleston, WV 25361

EMAIL: admin@wvsocialworkboard.org

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/5/2019 2:42:27 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Waste Management Division Of Water And Waste Management TITLE-SERIES: 33-20

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Hazardous Waste Management System

CITE STATUTORY AUTHORITY: W.Va. Code §22-18-6

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/08/2019 6:00 PM

LOCATION OF PUBLIC HEARING:

Department of Environmental Protection Coopers Rock Training and Conference Room 601 57th Street S.E., Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS: 07/08/2019 6:15 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Julie Wandling

ADDRESS: 601 57th Street S.E.,

Charleston, WV 25304

EMAIL: julie.a.wandling@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/5/2019 2:44:30 PM
Office of West Virginia Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

PROCEDURAL

AGENCY: Aeronautics Commission TITLE-SERIES: 171-01

RULE TYPE: Procedural Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: Commission Meetings, Organization, and Operation

CITE STATUTORY AUTHORITY: W.Va. Code §29-2A-3

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/08/2019 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Ginny Dravenstott

ADDRESS: 1900 Kanawha Blvd E

Building 5 A-152

EMAIL: ginny.l.dravenstott@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA
DEPARTMENT OF TRANSPORTATION
Aeronautics Commission
1900 Kanawha Boulevard East • Building Five • Room 129
Charleston, West Virginia 25305-0440 • (304) 558-3436

Byrd E. White, III
Cabinet Secretary

May 30, 2019

FILED
2019 JUN -3 A 10:48
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

Ms. Maureen Lewis
Office of the Secretary of State
Administrative Law Division
State Capitol Building
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Ms. Lewis:

Please be advised that the Procedural Rule, 171CSR2, West Virginia Rules of Practice and Procedure State Aeronautics Commission, is being withdrawn. The rule was last amended in 1982. The Legislature has amended the enabling statute as well as the Open Meetings law several times since 1982, most recently in 2019. The rule no longer meets the statutory requirements for the operations and meetings of the Commission.

It is the intent of the Aeronautics Commission to propose a new procedural rule in the upcoming months to replace 171CSR2.

Please make the necessary changes on your website. If you need further information, please contact me at the above listed address.

Sincerely,

Sean D. Hill
Director
West Virginia Aeronautics Commission

cc: Secretary Byrd E. White, III
Jordan Nuzum, Director
Legislative Rule-Making Review

SDH:a

JUN 3 - 2019

E.E.O./AFFIRMATIVE ACTION EMPLOYER

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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6/5/2019 1:15:05 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

PROCEDURAL

AGENCY: School Building Authority Of WV TITLE-SERIES: 164-01

RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Policy and Procedures Handbook of the School Building Authority of WV

CITE STATUTORY AUTHORITY: §18-9D-20

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/05/2019 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Shannon Driver

ADDRESS: 2300 Kanawha Boulevard, East

Charleston, WV 25311

EMAIL: shannon.l.driver@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/6/2019 10:51:28 AM
Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Election Commission TITLE-SERIES: 146-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Corporate and Membership Organization Political Activity

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §§ 3-8-8 and 29A-3-1.

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

W. Va. Code § 3-8-8

PRIMARY CONTACT:

NAME: Donald Kersey

ADDRESS: State Capitol Bldg 1 Ste 157 K

Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

PHONE NUMBER: 304-558-6000

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/6/2019 11:32:07 AM
Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Election Commission TITLE-SERIES: 146-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: REGULATION OF CAMPAIGN FINANCE

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §§3-1A-5, 3-8-2, 3-8-7, 3-8-8, 3-8-9 and 29A-3-1 et seq.

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

As amended by SB 622: W. Va. Code §§ 3-8-1a, 3-8-2, 3-8-4, 3-8-5, 3-8-5b, 3-8-5c, 3-8-5e, 3-8-5g, 3-8-7, 3-8-8, 3-8-9, 3-8-9a, 3-8-9b, 3-8-9c, and 3-8-12.

PRIMARY CONTACT:

NAME: Donald Kersey

ADDRESS: State Capitol Bldg 1 Ste 157 K

Charleston, WV

EMAIL: dkersey@wvsos.gov

PHONE NUMBER: 304-558-6000

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

Orders Report

Docket Number	Agency	Respondent	Date Rendered
18-10/11-11440-A	Health Care Authority	Wheeling Hospital	5/31/2019
19-8/9-11605-Z	Health Care Authority	University Healthcare at Home	5/31/2019
18-9-11417-A	Health Care Authority	G and G, Inc.	5/31/2019
18-6-11297-H	Health Care Authority	West Virginia University Hospitals, Inc.	5/31/2019
19-5-11619-X	Health Care Authority	Ohio Valley Nursing Home, Inc.	5/31/2019
19-4-11532-A	Health Care Authority	Ronceverte Physician Group, LLC	5/31/2019
19-3-11625-X	Health Care Authority	The Arc of the Three Rivers	5/31/2019
18-3-11520-P	Health Care Authority	Charleston Area Medical Center, Inc.	5/31/2019
19-4-11632-X	Health Care Authority	Charleston Area Medical Center, Inc.	5/31/2019
18-10-11518-H	Health Care Authority	Reynolds Memorial Hospital	5/31/2019
19-8-11624-X	Health Care Authority	Wellspring Family Services, Inc.	5/31/2019
19-9-11628-X	Health Care Authority	C & C Recovery, LLC	5/30/2019
19-1-11631-X	Health Care Authority	New Beginnings Therapy Services, LLC	5/30/2019
19-9-11597-Z	Health Care Authority	Personal Touch Home Care of W. Va., Inc.	5/28/2019
18-1/2/3/4/5/6/7/8/9/10-11441-H	Health Care Authority	West Virginia University Hospitals, Inc.	5/28/2019
17-10/11-11144-A	Health Care Authority	Carter Healthcare of West Virginia, LLC	5/31/2019
19-6-11601-H	Health Care Authority	LTACH Morgantown, LLC	5/29/2019
18-MC-THP-02003	Insurance Commissioner	ILLINOIS NATIONAL INSURANCE COMPANY	5/30/2019
	Osteopathic Medicine, WV Board of	GEORGE P. NAUM, III, D.O.	6/3/2019

Public Notice
Proposed DAQ 2020 Legislative Rules

The West Virginia Department of Environmental Protection (DEP), Division of Air Quality (DAQ) has scheduled a public hearing for its 2020 proposed legislative rules on Tuesday, July 9, 2019 at the DEP Charleston headquarters located at 601 57th Street S.E., Charleston, WV 25304. The public hearing will begin at 6:00 p.m. in the Dolly Sods Conference Room #1125.

Oral and written comments will be made part of the rulemaking record. The public comment period begins on June 7, 2019 and ends at the conclusion of the public hearing. Written comments may be submitted at any time during the public comment period to the attention of Sandra Adkins at the DEP address above or e-mailed to dep.comments@wv.gov.

Copies of the proposed rules are available from the Secretary of State's office or from the DEP at http://www.dep.wv.gov/pio/Pages/Rules.aspx.

Division of Air Quality:

45CSR8 - *Ambient Air Quality Standards*
45CSR16 - *Standards of Performance for New Stationary Sources*
45CSR25 - *Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities*
45CSR34 - *Emission Standards for Hazardous Air Pollutants*
45CSR40 - *Control of Ozone Season Nitrogen Oxides Emissions*

Upon authorization and promulgation, 45CSR16, 45CSR25, and 45CSR34 will be submitted to the United States Environmental Protection Agency (EPA) to fulfill federal obligations under the Clean Air Act (CAA), including delegations and authorizations. Upon authorization and promulgation, 45CSR8 and 45CSR40 will be submitted to the EPA as a revision to the State Implementation Plan pursuant to the federal CAA.

For more information on any of the DAQ rules call 304-926-0475.

FILED
2019 JUN -5 A 10:35
OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

FILED
2019 JUN -3 P 3:49
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SECRETARY OF STATE

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

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

June 3, 2019

NEWS ITEM

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

May 29, 2019 - Camden-Clark Physician Corporation, Parkersburg, Wood County, CON File #19-5-11626-P, for the development of an ambulatory health care facility through the provision of primary care services in Wood County; capital expenditure: $150,000.

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 **May 31, 2019**.

On or before **July 1, 2019**, any affected person has the right to request that the Authority hold a public hearing on the project 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 be **July 5, 2019**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the application.

The Decision on the project referenced above will be issued by the Authority after it has reviewed the contents of the case file of the project, 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 Decision will be issued on or before **July 30, 2019**.

100 Dee Drive • Charleston, West Virginia 25311-1600 • 304.558.7000 • 304.558.4776/Fax • www.hca.wv.gov

OTHER

A press release will be issued after the decision is made. Anyone wishing to be directly notified of the Decision should submit a written request to Barbara Skeen, Director, Certificate of Need, Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311-1600. Further information on the project referenced in this news release may be obtained by contacting the Certificate of Need office at telephone number (304) 558-7000.

6/3/19
Date

Barbara Skeen
Barbara Skeen, Director, Certificate of Need
Health Care Authority

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600

FILED
2019 JUN -3 P 2:51
OFFICE WEST VIRGINIA
SECRETARY OF STATE

June 3, 2019

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **May 31, 2019**.

LETTER OF INTENT RECEIVED

May 31, 2019 – ABC Case Management, LLC, Martinsburg, Berkeley County, CON File #19-7/8/9-11635-BH, to become a licensed agency to provide standalone conflict free case management for the IDD Waiver based program; no capital expenditure.

ORDERS TO WITHDRAW CON APPLICATIONS ISSUED

May 31, 2019 – Reynolds Memorial Hospital, Glen Dale, Marshall County, CON File #18-10-11518-H, for the provision of primary (emergency) percutaneous coronary intervention services: capital expenditure: $10,000.

May 31, 2019– Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #18-3-11520-P, for the development of an ambulatory health care facility at 624 Chestnut Street, South Charleston, Kanawha County; capital expenditure: $277,740.

May 31, 2019 – University Healthcare at Home, Kearneysville, Jefferson County, CON File #19-8/9-11605-Z, for the development of home health services in Mineral and Morgan Counties; capital expenditure: $35,000.

ORDER TO WITHDRAW CERTIFICATE OF NEED

May 31, 2019 – G and G, Inc., Weeki Wachee, Florida, CON File #18-9-11417-A, for the acquisition of Martinsburg Institute, Inc., located in Martinsburg, Berkeley County; capital expenditure: $4,000,000.00.

PROJECTS DETERMINED NOT REVIEWABLE

May 31, 2019 – Ohio Valley Nursing Home, Inc. d/b/a Ohio Valley Health Care, Parkersburg, Wood County, CON File #19-5-11619-X, for the transfer of stock representing ownership of 49% of Ohio Valley Nursing Home, Inc.; no capital expenditure.

May 31, 2019 – Wellspring Family Services, Inc., Wheeling, Ohio County, CON File #19-6-11624-X, for the complete relocation of its Wellspring Family Services office from 165 Scott Avenue, Morgantown, Monongalia County to 827 Fairmont Road, Suite 201,

OTHER

Westover, Monongalia County; capital expenditure: $10,000.00.

May 31, 2019 – The Arc of the Three Rivers, Charleston, Kanawha County, CON File #19-3-11625-X, for the complete relocation of a behavioral health day program facility from 1607 Smoot Avenue, Suites 101 and 102 to 731 Hopkins Road, Suite 101, both located in Danville, Boone County; capital expenditure: $2,000.00.

May 31, 2019 – Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #19-4-11632-X, for the complete relocation of its ambulatory health care facility located at 400 Fairview Heights Road, Summersville, Nicholas County to 702 Professional Park, Summersville, Nicholas County; the capital expenditure will be below the expenditure minimum.

EXEMPTION APPLICATIONS APPROVED

May 30, 2019 – C & C Recovery, LLC d/b/a Full Circle Healing Center, Charles Town, Jefferson County, CON File #19-9-11628-X, for the development of an office-based medication-assisted treatment program in Charles Town, Jefferson County.

May 30, 2019 – New Beginnings Therapy Services, LLC, Princeton, Mercer County, CON File #19-1-11631-X, for the establishment of a behavioral health center with an emphasis on outpatient treatment and detox for substance use disorder to be located in Princeton, Mercer County.

CERTIFICATE OF NEED APPROVALS ISSUED

May 28, 2019 – West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #18-1/2/3/4/5/6/7/8/9/10-11411-P, for the development of mobile lung cancer screening services in 42 counties (Barbour, Berkeley, Boone, Braxton, Calhoun, Clay, Doddridge, Gilmer, Grant, Greenbrier, Hardy, Harrison, Jackson, Jefferson, Lewis, Lincoln, Marion, Marshall, McDowell, Mercer, Mineral, Mingo, Monroe, Nicholas, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Randolph, Ritchie, Roane, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood and Wyoming) in West Virginia; capital expenditure: $1,282,000.

May 28, 2019 – Personal Touch Home Care of W. Va., Inc., Hurricane, Putnam County, CON File #19-9-11597-Z, for the provision of home health services in Jefferson and Berkeley counties; capital expenditure: $47,000.

May 29, 2019 – LTACH Morgantown, LLC, Charlotte, North Carolina, CON File #19-6-11601-H, for the development of a twenty-five bed Long Term Acute Care Hospital within Monongalia County General Hospital Company in Morgantown, Monongalia County; capital expenditure: $1,950,000.

EXTENSION GRANTED AND DECISION ON SUBSTANTIAL CHANGE

May 31, 2019 –West Virginia University Hospitals, Morgantown, Monongalia County, CON File #18-6-11297-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 hospital and a new women and children's medical office building; the addition of two floors to the Physician Office Center (POC); and the renovation of two floors of the POC and one floor of the Eye Institute; capital expenditure: $269,609,000.

The Authority determines that the increase in capital expenditure of 25.4% constitutes a substantial change as defined in W.Va. C.S. R. § 65-32-14.1. h, but is not subject to further review.

Extension granted through October 31, 2019.

NOTICES OF SUBSTANTIAL COMPLIANCE

The following projects have been implemented in substantial compliance with the decisions issued in these matters and the case files are now closed.

May 31, 2019 – Carter Healthcare of West Virginia, LLC, Oklahoma City, Oklahoma, CON File #17-10/11-11146-A, for the acquisition of the home health agency F.C. of West Virginia, Inc. covering Hancock, Brooke, Ohio, Marshall, and Wetzel counties; capital expenditure: $292,857.

May 31, 2019 – Wheeling Hospital, Wheeling, Ohio County, CON File #18-10/11-11440-A, for the acquisition of the home health agency operated by Alternative Home Health, Inc. out of an office in Wheeling, Ohio County; capital expenditure: $1,420,000.

May 31, 2019 – Ronceverte Physician Group, LLC, Franklin, Tennessee, CON File #19-4-11532-A, for the acquisition of Appalachian Nephrology & Hypertension, Inc.; capital expenditure: $86,501.

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

Dave Hardy
Secretary of Revenue

STATE TAX DEPARTMENT

Dale W. Steager
State Tax Commissioner

FILED
2019 MAY 31 A 11: 28
OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

Administrative Notice 2019-24

Projected accumulated cost account, and accumulated cost account adjustments, projected reconciliation adjustment, projected periodic cost recovery fee and projected allocable revenues for the 2020 fiscal year: Title 110, Code of State Rules, Series 28.

Section 110-28-4.8 of the Code of State Rules authorizes issuance of the Administrative Notice by the Tax Commissioner setting forth projections relating to administration of the municipal consumers sales and service tax and use tax and related fees.

In accordance with Section 110-28-4.8 of the West Virginia Code of State Rules the Tax Department hereby issues the following projections for the fiscal year July 1, 2019 to June 30, 2020.

Accumulated Cost Account Projection for the Fiscal year Ending June 30, 2020	Projected Amount
Beginning Balance	$0
Offsets and Adjustments (including Reconciliation adjustment for prior year)	($155,000)
Operating Costs	$1,587,000
Periodic Cost Recovery Fee	($1,720,000)
Ending Balance	($288,000)

This projected operating cost represents an administrative fee of approximately 2.0% of total municipal sales and use tax collections for fiscal year ending June 30, 2020.

Pursuant to the authorization of Section 110-28-4.10 of the West Virginia Code of State Rules, the Tax Commissioner has elected to solicit comments and recommendations regarding the projections set forth herein for a period of 30 days. The Comment and recommendations submission period will close at 5:00 p.m., Easter Daylight time on June 30, 2019.

Submit all comments and recommendations by United States Postal service to the following address.

Projection AN 2019-24
West Virginia Tax Department
P.O. Box 2389
Charleston, WV 25329-2389

Comments and recommendations received after the deadline will not be considered.
Notice of this determination will be filed in the West Virginia Register.

Issued: May 31, 2019

Lydia S. McKee
Deputy Tax Commissioner
State Tax Department

Tax Commissioner's Office, 1001 Lee Street East, P.O. Box 11771, Charleston, WV 25339-1771
Telephone 304-558-0751
Fax 304-558-8999