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NO NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

NO NEW EMERGENCY RULES FILED THIS WEEK				
AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE OF 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

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TITLE	3	BARBERS AND COSMETOLOGISTS
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TITLE	5	DENTISTRY
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TITLE	7	PROFESSIONAL ENGINEERS
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TITLE	31	DIETITIANS
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TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
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RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Administration (148-01)	Purchasing Legislative	7/7/2020	8/6/2020		8/10/2020	Modified w/Certain Amendments & Approved 12/9/2020			
Agriculture (61-01)	Animal Disease Control Legislative	7/28/2020	8/27/2020		8/27/2020	Approved 12/9/2020			
Agriculture (61-09)	WV Seed Law Legislative	7/28/2020	8/27/2020		8/27/2020	Modified & Approved 12/9/2020			
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	7/14/2020	8/13/2020		8/17/2020	Approved 12/9/2020			
Agriculture (61-28)	Poultry Litter and Manure Movement Into Primary Poultry Breeder Rearing Areas Legislative				Sunset Extension 7/27/2020	Approved 12/9/2020			
Agriculture (61-39)	Seed Certification Program Legislative	7/27/2020	8/26/2020		8/26/2020	Modified & Approved 12/9/2020 Filed 12/22/2020			
Agriculture (61-40)	WV Exempted Dairy Farms and Milk and Milk Products Processing Rule Legislative	8/21/2020	9/20/2020		9/21/2020	Approved 12/9/2020			
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-33)	Acid Rain Provisions and Permits Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-44)	Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units Legislative	6/24/2020	7/28/2020		8/26/2020	Modified & Approved 9/25/2020 Filed 9/28/2020			
Alcohol Beverage Control Comm. (175-02)	Private Club Licensing Legislative	6/18/2020	7/20/2020		7/24/2020	Modified & Approved 11/17/2020 Filed 11/18/2020			
Alcohol Beverage Control Comm. (175-10)	Distilleries, Mini-Distilleries and Micro-Distilleries Legislative	6/22/2020	7/23/2020		7/24/2020	Modified & Approved 11/17/2020 Filed 11/18/2020			
Auditor (155-01)	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	7/13/2020	8/13/2020		8/17/2020	Modified & Approved 11/16/2020 Filed 11/19/2020			
Auditor (155-02)	Indexing Of State-Owned Lands Procedural	11/25/2020	12/28/2020						
Coal Mine Health & Safety (36-01)	Shaft and/or Slope Operations in the State of WV Legislative Exempt	12/14/2020	1/28/2021						
Coal Mine Health & Safety (36-04)	The Movement of Mining Equipment Within Coal Mines in the State of WV Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-05)	Rule Governing Telephone Service or Communication Facilities Legislative Exempt	12/14/2020	1/28/2021						
Coal Mine Health & Safety (36-10)	Roof Control Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-12)	Electrical Provisions for Underground Mining Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-13)	Regulatory Review Procedures Legislative Exempt	10/1/2020	11/16/2020						

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Coal Mine Health & Safety (36-14)	Rule Governing Electrical Equipment in Mines; Required Examinations Legislative Exempt	12/14/2020	1/28/2021						
Coal Mine Health & Safety (36-18)	The Responsibility for Care and Maintenance of Equipment Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-19)	Written Reports of Accidents Legislative Exempt	10/13/2020	11/16/2020						
Coal Mine Health & Safety (36-20)	Independent Contractors Legislative Exempt	10/13/2020	11/16/2020						
Coal Mine Health & Safety (36-22)	The Prohibition of Acts Endangering Security of Mines; Search for Intoxicants, Matches, Etc. Legislative Exempt	10/13/2020	11/16/2020						
Coal Mine Health & Safety (36-24)	The Record Keeping of all Certified Persons Employed in all Mines Throughout the State of WV Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-25)	Underground Equipment Requirements and Operation Legislative Exempt	12/14/2020	1/28/2021						
Coal Mine Health & Safety (36-26)	Rule Governing Construction and Rehabilitation Operations in Underground Mines Legislative Exempt	12/14/2020	1/28/2021						
Coal Mine Health & Safety (36-27)	Surface Areas on Mine Property and Limitations on Mining Adjacent to Gas Facilities Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-41)	Additional Requirements for Sheathed Explosive Units Legislative Exempt	10/13/2020	11/16/2020						
Coal Mine Health & Safety (36-57)	Proximity Detection Systems and Haulage Safety Generally Legislative Exempt	10/1/2020	11/16/2020						
Development Office (145-07)	Neighborhood Investment Program Act Procedural	7/22/2020	8/28/2020						

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Development Office (145-16)	Tourism Development Districts Legislative	7/20/2020	8/21/2020	7/1/2020 Approved 7/2/2020	8/25/2020	Modified & Approved 11/17/2020			
Education (126-081)	Attendance (Policy 4110) Legislative Exempt	10/15/2020	11/16/2020					12/16/2020	1/15/2021
Education (126-114)	Approval of Educator Preparation Programs (Policy 5100) Legislative Exempt	10/15/2020	11/16/2020					12/16/2020	1/15/2021
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202) Legislative Exempt	10/15/2020	11/16/2020					12/16/2020	1/15/2021
Education (126-142)	Performance Evaluation of Professional Personnel and Athletic Coaches (Policy 5310) Legislative Exempt	10/15/2020	11/16/2020					12/16/2020	1/15/2021
Environmental Protection – Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	7/2/2020	8/11/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/11/2020			
Financial Institutions, Div. of (106-21)	Rule Pertaining to the Fintech Regulatory Sandbox Legislative	6/26/2020	7/31/2020	6/26/2020 Approved 7/1/2020 Amendment 11/30/2020 Approved 12/16/2020	8/13/2020	Modified & Approved 11/17/2020 Filed 11/30/2020			
Fire Commission (87-07)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code (Repeal) Legislative	6/22/2020	7/22/2020		8/24/2020	Approved 11/16/2020			
Fire Marshal (103-06)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Legislative	6/22/2020	7/22/2020		8/13/2020	Approved 11/16/2020			
Funeral Service Examiners (6-01)	Funeral Director, Embalmer, Apprentice, Courtesy Card Holders and Funeral Establishment Requirements Legislative	7/22/2020	8/24/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 11/18/2020			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Funeral Service Examiners (6-02)	Crematory Requirements Legislative	7/22/2020	8/24/2020		8/24/2020	Modified & Approved 11/16/2020 Filed 11/18/2020			
Funeral Service Examiners (6-07)	Fee Schedule Legislative	7/21/2020	8/24/2020		8/24/2020	Modified & Approved 11/16/2020 Filed 11/18/2020			
Health (64-11)	Behavioral Health Centers Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			
Health (64-12)	Hospital Licensure Legislative	7/1/2020	7/31/2020		8/21/2020	Approved 12/9/2020			
Health (64-13)	Nursing Home Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			
Health (64-45)	Lead Abatement Licensing Legislative	7/2/2020	8/3/2020		8/21/2020	Modified & Approved 11/17/2020 Filed 12/10/2020			
Health (64-48)	Emergency Medical Services Legislative	9/4/2020	10/5/2020	9/4/2020 Approved 9/30/2020 Amendment 10/1/2020 Approved 10/1/2020	11/20/2020	Modified & Approved 12/9/2020 Filed 12/15/2020			
Health (64-59)	Patient Rights at State-Operated Mental Health Facilities Legislative	7/1/2020	7/31/2020		8/26/2020	Modified & Approved 12/9/2020 Filed 12/9/2020			
Health (64-60)	Delegation of Medication Administration and Health Maintenance Tasks to Approved Medication Assistive Personnel Legislative	7/1/2020	7/31/2020		8/21/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-114)	Public Health Standards for Businesses Remaining Open During the COVID-19 Outbreak Legislative	5/15/2020 5/18/2020	6/15/2020 6/17/2020	4/16/2020 Approved 4/16/2020 Amendment 4/21/2020 Approved 4/21/2020 Amendment 5/15/2020 Approved 5/15/2020	8/28/2020	Modified & Approved 12/9/2020 Filed 12/15/2020			
Health (64-115)	Diabetes Self-Management Education Legislative	7/2/2020	8/3/2020		8/26/2020	Modified & Approved 11/17/2020 Filed 11/20/2020			
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	7/1/2020	7/31/2020		8/21/2020	Modified & Approved 11/17/2020 Filed 11/20/2020			
Health and Human Resources (69-15)	Recovery Residence Certification and Accreditation Program Legislative	5/8/2020	6/8/2020	4/29/2020 Effective 6/10/2020	7/1/2020	Modified & Approved 12/9/2020 Filed 12/9/2020			
Health and Human Resources (69-16)	Purchasing Procedures Procedural	10/27/2020	11/30/2020					12/1/2020	12/31/2020
Health Care Authority (65-29)	Exemption from Certificate of Need Legislative	8/24/2020	9/23/2020		9/28/2020	Approved 12/9/2020			
Hearing Aid Dealers (8-01)	Rule Governing the WV Bd. Of Hearing Aid Dealers Legislative	7/21/2020	8/22/2020		8/28/2020	Modified & Approved 11/16/2020 Filed 12/1/2020			
Higher Education Policy Comm. (133-63)	Mental Health Loan Repayment Program Legislative	6/26/2020	7/27/2020	6/26/2020 Effective 6/26/2020	7/29/2020				
Higher Education Policy Comm. (133-64)	Administrative Exemption Legislative	11/20/2020	12/21/2020						

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Highways (157-01)	Rules Relating Generally to Various Functions of the Commissioner of Highways Procedural	11/17/2020	12/18/2020						
Highways (157-05)	Traffic and Safety Rules Legislative	7/28/2020	8/28/2020		8/28/2020	Approved 11/17/2020			
Highways (157-14)	Contract Administration Purchasing Process Procedural	12/14/2020	1/14/2021						
Human Services (78-02)	Child Placing Agencies Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in WV Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/15/2020			
Human Services (78-27)	Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative	7/1/2020	7/31/2020		8/26/2020	Modified & Approved 12/9/2020 Filed 12/15/2020			
Insurance Comm. (114-02A)	Fingerprinting Requirements for Applicants for Insurance Producer License and Insurance Adjuster License Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-25)	Insurance Adjusters Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-40)	Credit for Reinsurance Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-42)	Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislative	6/18/2020	7/24/2020		7/27/2020	Approved 9/25/2020			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Comm. (114-64)	Mental Health Parity Legislative	6/22/2020	7/24/2020		8/11/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-100)	Health Benefit Plan Network Access and Adequacy Legislative	6/22/2020	7/24/2020		8/11/2020	Modified & Approved 11/16/2020 Filed 11/17/2020			
Labor (42-03)	Steam Boiler Inspection Legislative	7/16/2020	8/17/2020		8/24/2020	Modified w/Certain Amendments & Approved 12/9/2020			
Landscape Architects (9-01)	Registration of Landscape Architects Legislative	7/23/2020	8/24/2020		8/27/2020	Modified & Approved 11/16/2020 Filed 12/1/2020			
Landscape Architects (9-04)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	7/23/2020	8/24/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/1/2020			
Livestock Care Standards Bd. (73-01)	Livestock Care Standards Legislative	7/21/2020	8/20/2020		8/21/2020	Approved 12/9/2020			
Lottery (179-10)	WV Lottery Interactive Wagering Rule Legislative	6/11/2020	7/11/2020	5/15/2020 Approved 5/18/2020	8/10/2020	Modified & Approved 12/9/2020 Filed 12/21/2020			
Medicine (11-14)	Registration to Practice During Declared State of Emergency Legislative	4/23/2020	5/23/2020	3/26/2020 Approved 3/26/2020	6/24/2020	Approved 11/16/2020			
Miners' Health Safety and Training (56-08)	The Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of WV Legislative	7/14/2020	8/13/2020		8/19/2020	Approved 11/17/2020			
Motor Vehicles (91-04)	Examination and Issuance of Driver's License Legislative	7/8/2020	8/9/2020		8/11/2020	Modified & Approved 9/25/2020 Filed 9/29/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Motor Vehicles (91-05)	Denial, Suspension, Revocation, Disqualification, Restriction, Non-Renewal, Cancellation, Administrative Appeals and Reinstatement of Driving Privileges Legislative	7/15/2020	8/17/2020		8/19/2020	Approved 9/25/2020			
Motor Vehicles (91-13)	Compulsory Motor Vehicle Liability Insurance Legislative	7/29/2020	8/28/2020		8/28/2020	Modified & Approved 9/25/2020 Filed 9/29/2020			
Motor Vehicles (91-25)	Special Purpose Vehicles Legislative	7/1/2020	7/31/2020		8/7/2020	Modified & Approved 11/16/2020 Filed 11/17/2020			
Municipal Pensions Oversight Bd. (211-02)	Exempt Purchasing Legislative	6/26/2020	7/27/2020		8/7/2020	Modified & Approved 11/17/2020 Filed 11/17/2020			
Natural Resources (58-36)	Cabwaylingo State Forest Trail System Two Year Pilot Project Permitting ATVs and ORVs Legislative				Sunset Extension 2/26/2020	Approved 9/25/2020			
Natural Resources (58-46)	Defining the Terms Used in All Hunting and Trapping Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020			
Natural Resources (58-50)	Deer Hunting Rule Legislative	7/29/2020	8/28/2020		8/28/2020	Modified & Approved 9/25/2020 Filed 9/29/2020			
Natural Resources (58-56)	Special Migratory Game Bird Hunting Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020			
Natural Resources (58-58)	Special Waterfowl Hunting Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020			
Occupational Therapy (13-09)	Telehealth Practice; Requirements; Definitions Legislative	6/15/2020	8/1/2020		8/10/2020	Approved 11/16/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	7/28/2020	8/28/2020	7/28/2020 Effective 9/8/2020	8/28/2020	Modified & Approved 11/16/2020 Filed 11/23/2020			
Osteopathic Medicine (24-09)	Emergency Temporary Permits to Practice During States of Emergency or State of Preparedness Legislative	4/15/2020	5/15/2020	3/26/2020 Approved 3/26/2020	6/22/2020	Modified & Approved 11/16/2020 Filed 11/23/2020			
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	4/30/2020	5/31/2020	4/30/2020 Approved 4/30/2020 Amendment 8/26/2020 Effective 10/7/2020	6/5/2020				
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	7/22/2020	8/21/2020		8/26/2020	Approved 11/16/2020			
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative	4/30/2020	5/31/2020	4/1/2020 Approved 4/1/2020	6/5/2020				
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020			
Pharmacy (15-03)	Continuing Education for Licensure of Pharmacists Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020			
Pharmacy (15-05)	Licensure of Wholesale Drug Distributors, Third Party Logistics Providers, and Manufacturers Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020			
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-12)	Immunizations Administered by Pharmacist and Pharmacy Interns Legislative	5/1/2020 7/22/2020	6/2/2020 8/21/2020	4/20/2020 Approved 4/20/2020	6/5/2020 9/4/2020	Modified & Approved 11/16/2020 Filed 12/2/2020			
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	9/17/2020	10/19/2020		10/19/2020	Modified & Approved 12/9/2020 Filed 12/18/2020			
Physical Therapy (16-04)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	7/28/2020	8/27/2020		8/28/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	9/17/2020	10/19/2020		10/19/2020	Modified & Approved 12/9/2020 Filed 12/21/2020			
Physical Therapy (16-06)	Fees for Athletic Trainers Legislative	7/29/2020	8/28/2020		8/28/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in WV Legislative	7/13/2020	8/14/2020		8/24/2020	Modified & Approved 11/16/2020 Filed 11/19/2020			
Protective Services (99-06)	Purchasing Policy Procedural	9/2/2020	10/2/2020					12/11/2020	1/11/2021
Public Service Commission (150-02)	Rules for the Construction and Filing of Tariffs Legislative Exempt	8/4/2020	10/5/2020						
Public Service Commission (150-05)	Rules for the Government of Sewer Utilities Legislative Exempt	11/10/2020	1/11/2021 Extended to 1/18/2021						
Public Service Commission (150-07)	Rules for the Government of Water Utilities Legislative Exempt	11/10/2020	1/11/2021 Extended to 1/18/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Public Service Commission (150-09)	Rules Governing Motor Carriers, Private Commercial Carriers, and the Filing of Evidence of Insurance and Financial Responsibility by Motor Carriers Legislative Exempt	8/4/2020	10/5/2020						
Public Service Commission (150-16)	Rules Governing the Transportation of Natural Gas Legislative Exempt	10/7/2020	11/16/2020						
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/18/2020	7/20/2020		8/21/2020	Modified & Approved 12/9/2020			
Racing Commission (178-02)	Greyhound Racing Legislative	6/18/2020	7/20/2020		8/17/2020	Approved 12/9/2020			
Racing Commission (178-10)	Advance Deposit Account Wagering (ADW) Legislative	7/1/2020	7/31/2020	7/1/2020 Approved 7/1/2020	8/17/2020	Modified & Approved 12/9/2020			
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business Legislative	7/21/2020	8/20/2020		8/24/2020	Modified & Approved 12/9/2020 Filed 12/11/2020			
Rehabilitation Services (198-01)	Ron Yost Personal Assistance Services Act Bd. Legislative	7/24/2020	8/26/2020		8/26/2020	Approved 12/9/2020			
Respiratory Care (30-01)	Criteria for Licensure Legislative	7/20/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 11/17/2020			
Risk and Insurance Management (115-01)	Mine Subsidence Insurance Legislative	7/9/2020	8/8/2020		8/18/2020	Approved 11/17/2020			
Risk and Insurance Management (115-02)	Public Entities Insurance Program Legislative	7/9/2020	8/8/2020		8/18/2020	Modified & Approved 11/17/2020 Filed 11/30/2020			
Risk and Insurance Management (115-05)	Procedure for Providing Written Notification of Claims of Potential Liability to the State or Its Employees (Repeal) Legislative	7/9/2020	8/8/2020		8/18/2020	Approved 11/17/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
School Building Authority (164-01)	Policy and Procedures Handbook of the School Building Authority of West Virginia Procedural	12/16/2020	1/19/2021						
Secretary of State (153-07)	Submission of Other Documents to Solicit Contributions for Charitable Organizations Interpretive	12/7/2020	1/8/2021						
Secretary of State (153-10)	Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services and Upgrades Legislative	4/24/2020	5/29/2020	3/25/2020 Amendment 4/24/2020 Amendment 4/27/2020 Effective 6/8/2020	6/23/2020	Modified & Approved 11/17/2020 Filed 12/4/2020			
Secretary of State (153-45)	Guidelines and Standards for Electronic Notarization Legislative	4/30/2020	6/1/2020	3/27/2020 Amendment 3/31/2020 Approved 4/1/2020	6/25/2020	Modified & Approved 11/17/2020 Filed 12/4/2020			
Secretary of State (153-53)	Election Processes and Absentee Eligibility During State of Emergency			3/20/2020 Effective 3/20/2020					
Senior Services (76-06)	Shared Table Initiative for Senior Citizens Legislative	7/24/2020	8/24/2020		8/25/2020	Modified & Approved 11/17/2020 Filed 11/30/2020			
State Emergency Response Comm. (55-01)	Emergency Planning and Community Right to Know Legislative	7/13/2020	8/12/2020		8/28/2020	Approved 11/16/2020			
State Emergency Response Comm. (55-02)	Emergency Planning Grant Program Legislative	7/13/2020	8/12/2020		8/28/2020	Approved 11/16/2020			
Tax (110-13FF)	Tax Credit for Providing Vehicles to Low-Income Workers Legislative	6/22/2020	7/22/2020		8/17/2020	Modified & Approved 9/25/2020 Filed 10/5/2020			
Tax (110-13GG)	Downstream Natural Gas Manufacturing Investment Tax Credit Legislative	6/22/2020	7/22/2020		7/29/2020	Approved 12/9/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-13II)	High-Wage Growth Business Tax Credit Legislative	6/22/2020	7/22/2020		7/29/2020	Modified & Approved 9/25/2020 Filed 10/5/2020			
Tourism (144-03)	Purchasing Procedures Procedural	8/31/2020	9/30/2020					12/14/2020	1/13/2021
Waste Mgmt., Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	7/8/2020	8/11/2020		8/25/2020	Approved 9/25/2020			
Water Resources Division of Water and Waste Management (47-02)	Requirements Governing Water Quality Standards Legislative	3/31/2020	5/19/2020		8/17/2020	Modified & Approved 12/9/2020 Filed 12/22/2020			

WEST VIRGINIA SECRETARY OF STATE
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LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-39

RULE NAME: Seed Certification Program

CITE AUTHORITY: §19-16-3a; §19-16-6

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes
Norman Bailey -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

West Virginia Secretary of State Mac Warner Administrative Law Division	DO NOT MARK OUTSIDE THIS BOX FILED 2020 DEC 22 P 1:44 OFFICE WEST VIRGINIA SECRETARY OF STATE

Changes to Social Services Manual

Agency: Department of Health and Human Resources

Bureau: Bureau for Children and Families

Rule: 78 - 5

Change Rule: Adoption-10-2020

Revision to Existing Manual: ☒ Yes ☐ No

Summary of Changes:
Revisions have been made to the following sections:

- 4.3 Relative Placement,
- 4.12 Child Summary,
- 7.3.5 Foster to Adopt,
- 9.5 Worker Contact,
- 10.6.1 Worker Contact with In-State DHHR Foster/Adoptive Homes,
- 11.1.1 Placement Day,
- 12.3.3 One Time Non-Recurring Adoption Expenses,
- 13.6 Adoptive Parent Separation/Divorce has been added to policy
- All sections relating to CAPS assessment have been removed
- Technical edits

Two Copies Enclosed:
Please file one and return a stamped copy to:

Justin Phillips
Health and Human Resource Specialist, Senior
350 Capitol Street, Room 691
Charleston, WV 25301-3704

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LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Lottery Commission

RULE TYPE: Legislative TITLE-SERIES: 179-10

RULE NAME: West Virginia Lottery Interactive Wagering Rule

CITE AUTHORITY: 29-22E-4(c); 29-22A-1, et seq.; 29A-3-15

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Allen R Prunty -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

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NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Physical Therapy

RULE TYPE: Legislative TITLE-SERIES: 16-01

RULE NAME: GENERAL PROVISIONS FOR PHYSICAL THERAPIST AND PHYSICAL THERAPIST ASSISTANT

CITE AUTHORITY: W. Va. Code §30-20-1, et. seq.

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Nonnie S Ramsey -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

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LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Physical Therapy

RULE TYPE: Legislative TITLE-SERIES: 16-05

RULE NAME: General Provisions for Athletic Trainers

CITE AUTHORITY: W. Va. Code §30-20A-1 et. seq.

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Nonnie S Ramsey -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

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NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Water Resources Division Of Water And Waste Management

RULE TYPE: Legislative TITLE-SERIES: 47-02

RULE NAME: Requirements Governing Water Quality Standards

CITE AUTHORITY: W. Va. Code §§ 22-11-4(a)(16); 22-11-7b.

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Jason E Wandling -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Orders Report

Docket Number	Agency	Respondent	Date Rendered
[redacted]	**Insurance Commission**	Jeffrey Anthony	12/7/2020
[redacted]	**Medicine, West Virginia Board Of**	Kyle Wilson Young, MD	12/14/2020

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 83-20

By the Governor

WHEREAS, a State of Emergency was declared on the Sixteenth Day of March, Two Thousand Twenty for all counties in West Virginia (the "State of Emergency"), to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, Chapter 15, Article 5, Section 6 of the Code of West Virginia authorizes the Governor to, among other things, suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules of any state agency, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

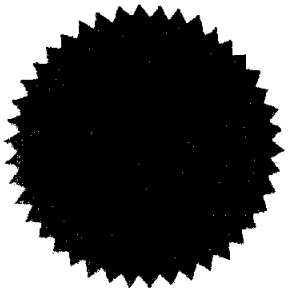
WHEREAS, Executive Orders 4-20, 7-20, 10-20, 11-20, 12-20, 17-20, 23-20, 26-20, 31-20, 46-20, 54-20, 57-20, 59-20, 63-20, 66-20, 67-20, 69-20, 72-20, 73-20, and 76-20 suspended certain provisions and sections of statute that strict compliance therewith would prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, there has been an additional statutory regulation identified by the West Virginia Division of Personnel that is preventing the state from best coping with the emergency and assisting the citizens of West Virginia; and

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provision of Chapter 15, Article 5, Section 6 of the Code of West Virginia, hereby **DECLARE** and **ORDER** that, the following statutory regulation is to be suspended for the duration of the State of Emergency:

1. In the discretion of the West Virginia Division of Personnel which may issue additional guidance from time to time, notwithstanding West Virginia CSR § 143-1-14.3.a, employees of any state agencies of West Virginia who are designated by the applicable secretary, commissioner, or other responsible head of such agency to have been directly involved in the pandemic response and therefore unable to use some portion of such employee's annual leave in calendar year 2020 due to the emergency situation, and are subject to losing said portion of such employee's annual leave, shall have the portion of such employee's unused annual leave attributable to such employee's direct involvement in the pandemic response, as designated by the applicable secretary, commissioner, or other responsible head of such employee's applicable agency, carry forward to and through the calendar year 2025. Said carried-forward leave shall expire at the end of calendar year 2025. If such carried-forward leave remains unused at the time such employee separates or retires from his or her employment for any reason prior to the expiration of such carried-forward leave under the terms of this Order, such carried-forward leave shall not be counted toward any retirement or separation from employment payment or other benefit under any provision of West Virginia law, rule, or regulation, including without limitation under W. Va. Code §§ 5-5-3, 5-5-6(b), 5-16-13, and/or 15-2A-21 or West Virginia CSR § 143-1-14.3.f.
2. Executive Order 67-20, Executive Order 69-20, and 76-20 are superseded by the terms of this Order, and are hereby terminated and without further effect.
3. Section 1 of Executive Order 72-20—relating to carrying over annual leave for certain employees of the Division of Corrections and Rehabilitation, the West Virginia Division of Emergency Management, the West Virginia State Fire Marshal, and the West Virginia State Police, directly involved in the pandemic response and unable to use annual leave in calendar year 2020 due to the emergency situation—is superseded by the terms of this Order, and is hereby terminated and without further effect.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this Twenty-first day of December, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-eighth year of the State.

GOVERNOR

By the Governor

Mac Warner

SECRETARY OF STATE

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2020 DEC 21 P 3:35

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OTHER

July 1, 2020 – June 30, 2021

INTENDED USE PLAN (REVISED)

For the

WEST VIRGINIA DRINKING WATER STATE REVOLVING FUND

State of West Virginia

Department of Health and Human Resources
Bureau for Public Health
Office of Environmental Health Services
Environmental Engineering Division

January 2021

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I. INTRODUCTION

The Intended Use Plan has been updated to revise the Project Priority List. There were five new projects added to the list that have expressed an interest in using DWTRF funding. The projects added were Jumping Branch-Nimitz PSD's Madams Creek Waterline Extension project, City of Wellsburg's Water System Improvements Project, Parkersburg Utility Board's Line Upgrade and Replacement Project, Town of Pineville's Water System Improvement Project and the Town of Oceana's Water System Upgrade Phase II Project. The public comment process has also been updated for this revised IUP.

The Safe Drinking Water Act (SDWA) amendments of 1996 authorized a Drinking Water State Revolving Fund (DWSRF) program to assist public water systems in financing the cost of the infrastructure needed to achieve or maintain compliance with SDWA requirements and protect public health. This Intended Use Plan (IUP) details the intended use for the State Fiscal Year 2021 (FFY 2020) Capitalization Grant funds totaling $11,011,000 and will require a 20% state match of $2,202,200. The available State Program Cash Match is $647,500. The West Virginia Infrastructure and Jobs Development Council (Infrastructure Council) committed the funds for the required 20% match at its April 2020 meeting.

From the FFY 2020 Capitalization Grant, $8,054,240 (along with the state match, projected earned interest, loan repayments and In-Kind reimbursements) shall be used to construct projects. These funds are the Drinking Water Treatment Revolving Fund (DWTRF). The 2% Technical Assistance is used to contract a Continuing Education Training program for water operator training and certification. The 4% Administration funding is used to manage the DWTRF program. The 10% Program Management funding is used for enhancing the Public Water Supply Supervision Program (PWSS). The 15% Local Assistance funding is used in implementing the required state Source Water Protection Program, assessing, and assisting in the technical, managerial and financial capacity of small systems. West Virginia plans to apply for any additional stimulus funding that may be appropriated by Congress later in the year. Projects will be added to the IUP from the PPL in priority order, subject to readiness to proceed.

II. PROJECTS

A. Project Funding Requirements

Approval from the Infrastructure Council is required for any project to receive DWTRF assistance. The Infrastructure Council, with recommendations from its Water Technical Review Committee and the Funding Committee, must approve all projects. Both of the following requirements must be considered for funding of projects:

1) At least 15% of the funds in the DWTRF must go to systems serving less than 10,000 total persons. Federal code allows crediting prior year's excess above the 15% for the annual requirement. Ninety three percent (93%) of this year's planned funding will go to systems with less than 10,000 population.

OTHER

2) West Virginia legislation authorizes the DWTRF requirement for disadvantaged communities. *"The division of health shall, in accordance with the provisions of the safe drinking water act, establish a program for loan subsidies to disadvantaged communities. Thirty percent of the federal capitalization grants made to this state shall be dedicated to the funding of projects for disadvantaged communities"* (Authority §16-13C-3). This requirement is not a federal requirement. The AWIA allows up to 35% loan subsidy for disadvantaged communities. At least 30% of the cumulative federal funds will be used for disadvantaged communities. The 30% requirement will be calculated on a cumulative basis of awarded grants. All planned funds will go to disadvantaged systems.

B. The Project Priority List (PPL) Process

The PPL process uses an application that the water system must complete to be considered for DWTRF funding. This application process has improved the DWTRF program by listing only those systems that are truly interested in using low interest loan funds. This eliminates the need to bypass many projects that are not interested in using the DWTRF low interest loan money.

Each water system submits a pre-application through the Infrastructure Council, also:

1) Has its project scored using DWTRF criteria;

2) May be contacted concerning its interest in DWTRF funding; and

3) If the water system is interested in DWTRF, they submit a form to be included on the next priority list that is put out for public comment.

Water systems that are the closest to going to bid, (e.g., the project design is complete and a Public Service Commission application, where applicable, has been submitted, etc.) are given top priority when issuing binding commitment letters, thus, some projects which have not received other funding or have not been designed will be bypassed in accordance with the IUP.

In order to fund more projects with DWTRF funds, the PPL may be issued for public comment several times a year so that projects that have been approved by the Infrastructure Council and have been scored and ranked can be given binding letters of commitment sooner. The PPL will include a summary of the health benefits for the project.

Water systems that have been on the prior PPL, but have not received a funding commitment will be added to the new PPL unless we have information that would indicate they no longer wish to obtain DWTRF funding.

Projects requesting DWTRF funding assistance are prioritized using the DWTRF Project Priority Ranking System (Attachment 1). Three categories (public health, regulatory

compliance, and affordability) are used to determine project scoring. Projects that apply for DWTRF funding are ranked on a PPL and are listed in the Project Priority List/Comprehensive List (Attachment 2). The PPL includes the name of the public water system, description of the project, priority assigned, expected financial terms, size of community served, and whether or not the system is disadvantaged. The highest ranked projects on the PPL are contacted concerning their project status to determine if funding from the DWTRF is appropriate and the project is ready to proceed. The PPL ranking system allows for higher public health ranking for utilities that have multiple violations as reflected in the Enforcement Tracking Tool (ETT). The ranking system allows coordination of projects funded with consideration of the enforcement agency. It is the ultimate responsibility of the water system to inform the DWTRF staff of changes to its readiness to proceed status.

Projects expecting to receive assistance from the FFY 2020 Capitalization Grant Funds are on the Funding List Detailed Description (Attachment 3). Projects that rank lower on the PPL may still receive funding should one or more of the higher ranked projects be bypassed using the bypass procedure described below. Projects on the most recent PPL are also eligible to receive funding from previously awarded capitalization grants or repayments.

All projects on the PPL will be designated as equivalency projects unless specifically stated on the PPL as not being an equivalency project. Non-equivalence projects will only be done on an as needed basis.

C. Bypass Procedure

Prior to implementing the bypass procedure, water system projects listed on the PPL will be reviewed to determine their project status as compared to the ready to proceed project awaiting a funding commitment. Based on the review, DWTRF staff will determine whether to bypass the project and select another project for funding commitment consideration. The following provisions will be used to bypass a project on the PPL:

1) Even though the project is for a system with significant non-compliance of the SDWA, it is determined the proposed project will not ensure compliance.

2) The project is for a system that would not have operators properly certified to operate and maintain the system by the time the project is to receive funding.

3) The project changes significantly in scope and requires re-evaluation of the proposal using the DWTRF ranking system.

4) The project is unable to proceed in a timely manner.

5) Other project funding is not committed. Should the bypassed project be within the fundable range, it may be funded at a later date.

OTHER

6) The project costs significantly exceed the anticipated loan amounts. The project scope could be reduced to within the available DWTRF loan amount provided the ranking does not change.

7) The system declines the assistance.

8) The project is not determined as technically and financially feasible by the Infrastructure Council.

9) The project is unable to meet the schedule developed and agreed upon by the project sponsor and the DWTRF staff.

10) A lower ranked project attains a higher rating due to revised information, such as an environmental or public health emergency.

11) The water system is not considered as having the managerial, financial, and technical capacity, even after project completion, based upon a Capacity Development Assessment by the Office of Environmental Health Services (OEHS) staff.

12) If one or more Green Infrastructure Projects are required to be funded from the Capitalization Grant further down the list in grants that require Green Infrastructure Projects to be funded. For this specific IUP, this is not a grant requirement. OEHS does not have any requirements for Green Infrastructure Projects.

When OEHS bypasses a project, the project will remain on the PPL for consideration at a future time. If the project no longer needs or wants DWTRF funding, it is removed from future PPLs. OEHS will provide technical assistance (as needed) with bypassed projects to assist them in being eligible for the future funding. DWTRF will provide low interest design loans to increase the project pace, where needed.

In cases where a project is bypassed, the next project on the list (not being bypassed) will be funded within the funds available through the criteria outlined in this section. If a funded project comes in under cost, the remaining funds may be used to fund additional project work that can be associated with the project scope; to fund the next project on the PPL (if the cost does not exceed the available funds); or to fund other water system project needs as deemed appropriate by OEHS.

D. Emergency Projects

Projects to remediate an imminent significant hazard to a community's public health may be considered an "Emergency" project if approved by OEHS. An emergency project may not be required to be on the approved PPL if the evaluation by OEHS verifies the urgency of the project execution to avoid a major impact to the water system's customers. Emergency projects will be able to be assigned to any capitalization grant for available funding. All emergency projects must be reviewed and approved by the Infrastructure Council.

E. Loan Terms and Fees

Eligible public water systems may use the DWTRF assistance to fund the cost of infrastructure needed to achieve or maintain compliance with the SDWA and other drinking water regulations. OEHS proposes to use $10,256,440 ($8,054,240 of federal funds and $2,202,200 state matching funds) to provide loans to public water systems for infrastructure improvements. The DWTRF program interest rates will be below AAA Municipal Yield Market rates.

Interest Rate

a) The affordability standard for the annual water user rate is set at 1.25% of Median Household Income (MHI) for 3,400 gallon monthly usage as defined by the Infrastructure Council rules unless the project sponsor can clearly show that a magisterial district census income reflects the affordability more appropriately. In this case, the magisterial district census data may be used in place of the county census data. Projects previously reviewed by the Infrastructure Council will be 'grandfathered' for up to three years from the date of the change by the Infrastructure Council. The DWTRF program will typically use the same data and criteria for median household income and typical residential usage rates as the Infrastructure Council to achieve consistency in affordability and financial evaluations by State funding agencies. If the utility can provide a reasonable justification for use of magisterial district median household incomes, the DWTRF program can use them instead of the county or municipal census data. The threshold of 1.25% may be lower than the rate the Infrastructure Council uses for its determination of disadvantaged rates. Water rates equal to or greater than this affordability standard will be considered disadvantaged. Water rates below this affordability standard will be considered non-disadvantaged.

Principal forgiveness funding assistance will typically be provided in combination with a DWTRF repayment loan for disadvantaged public water systems. Principal forgiveness alone may be provided to water systems for a design loan or for construction if special circumstances occur for the project. The disadvantaged loan interest rates will be 1.0% for systems with rates between 1.25% and 1.99% of MHI and 0.5% for systems with rates at or above 2% of MHI. The non-disadvantaged water systems will be eligible for 2.75% loans.

b) If DWTRF funding replaces another agency's grant or loan funds on a previously approved Infrastructure Council project, additional subsidization can be provided to maintain the approved level of affordability.

Loan Terms

Terms are given up to 20 years for non-disadvantaged loans and up to 30 years for disadvantaged community water systems loans. A recent change in the federal Water Infrastructure Finance and Innovation Act (WIFIA) now allows the DWTRF program to extend its loan terms by an additional ten years provided the project equipment has a life span at least as long as the loan term but not to exceed 40 years.

Administrative Fees

The OEHS administrative fee for projects is 0.25% of the loan amount to be repaid and the fee is paid evenly over the life of the loan. This administrative fee may be adjusted to make the project affordable. Administrative fees for principal forgiveness loans will be waived.

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Design Loans

The DWTRF provides design loans to eligible public water systems for projects on the PPL. The purpose of design loans is to make the projects more attractive for outside additional funding and to decrease the time between project design and construction. The loans will be offered at the same terms as those determined for the full project infrastructure improvements as approved at Infrastructure Council or principal forgiveness, if eligible and necessary. Design loan payback will begin within nine months following the design's scheduled completion.

Graduated Loan Repayment

The DWTRF loan program can provide graduated loan repayment schedules to make projects more affordable to water systems. In this case, the water system will start repayments following construction completion, but the initial payments will be reduced until one or more existing loans are paid in full. Then, the water system will make accelerated DWTRF payments within the loan period. This will allow a level debt service payment for water systems to make infrastructure projects more affordable. The repayment of loans will still be completed in the same time period of the project's eligibility.

F. Project Selection and Loan Activities

The PPL was developed from the projects on prior PPLs that did not receive funding commitments and new applications. Project representatives of prior listed projects were contacted to determine if they still desired DWTRF funding. Those projects which indicated they still desired to be considered for funding were kept on the list and any other project recently submitting an application to OEHS or applying for DWTRF funding through the Infrastructure Council was added to the list.

The PPL will be finalized after the public comment period. The Funding List Detailed Description (Attachment 3) describes the projects most likely to be funded from this Capitalization Grant.

G. Additional Subsidization

The Capitalization Grant requires that at least 20% (at least 6% must be used for disadvantaged communities per WIFIA) of assistance provided up to a maximum of 35% of the grant is in the form of additional subsidies (principal forgiveness) may be used for disadvantaged communities. OEHS has the authority to offer principal forgiveness loans in an amount up to100% of a loan made by the State's DWSRF program. The intent of this program is to provide principal forgiveness to those water systems that have significantly higher user rates versus those that may barely meet the disadvantaged criteria. The Funding List Detailed Description includes six projects that are eligible to receive $2,558,475 in subsidization for disadvantaged water systems. The 20% amount of the capitalization grant funds is $2,202,200 so OEHS has a plan to meet the requirement for additional subsidization.

H. Green Infrastructure (Green Project Reserve – GPR)

The Capitalization Grant does not require any of the funds provided for projects to be used for water efficiency, energy efficiency, green infrastructure, or other environmentally innovative activities. OEHS does not have any requirements for green project reserve.

I. Davis Bacon Wage Rates (DB)

The Capitalization Grant requires all loan recipients to pay applicable DB wages for all construction contracts. All loan recipients must also follow all federal Department of Labor DB Wage Rate requirements.

J. Asset Management Implementation Effect on Loan Rates

The DWTRF program has required loan recipients to implement a BPH approved asset management plan (AMP) since 2009 to help ensure sustainability of their water systems by properly managing their assets. As many of these plans have been developed and approved by BPH, we are now assessing the required maintenance and use of the approved plan in subsequent loan applications. For those systems that have maintained and updated their AMP they will be eligible for a reduction of their eligible loan rate by 0.5% on their next project funding. Conversely, those systems who had an approved AMP, but have not maintained the AMP, will be assessed an additional 0.5% above their eligible loan rate on their next project funding. Loan recipients who have not maintained their AMP will be required to update their AMP as part of the funding process for a new loan.

K. American Iron and Steel

All projects funded by this IUP will follow all of the American Iron and Steel requirements as prescribed by EPA issued documents.

L. Disadvantaged Business Enterprise (DBE)

All projects funded by this IUP will follow all of the Disadvantaged Business Enterprise requirements as prescribed by EPA issued documents.

III. FINANCIAL STATUS

The DWTRF will be managed by OEHS with assistance, through a contract agreement, from the West Virginia Water Development Authority (WDA). The WDA maintains the financial records and insures bond conditions and audit requirements are met. OEHS manages the DWSRF set-aside funds. The DWTRF program financial status is healthy with a principal and interest repayment stream from loans at $8,000,000 per year. The Administrative fee from loans has an annual income stream of $800,000 which would sustain the administrative staff in perpetuity.

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A. Total Amount of Funds in the DWSRF (Construction & Set-Asides)

The amounts available for the DWSRF program are as shown in Tables 1, 2, and 3. Table 4 summarizes all incoming funds through June 2020 and shows the projected disbursed and obligated amounts through 2021.

TABLE 1. FUNDS AWARDED PRIOR TO STATE FISCAL YEAR 2019 (Construction & Set-Asides)

U.S. Environmental Protection Agency (Total from 1998 through and including 2019)*	$224,367,782
WV State Match – Infrastructure Council (Total from 1998 through and including 2019)	$40,959,957
WVDHHR: 10% Set-Aside State Match (Total from 1998 through and including 2019)	$14,771,600
SUB-TOTAL	$280,099,339
Loan Repayments (Principal only 2858) as of 12/31/19	$73,838,669
Admin. Fee plus Fee Investment Interest as of 12/31/19	$7,719,770
Interest Earnings (WVSTO Reinvestment Income 2858 & 2856) WV DWTRF as of 12/31/19	$4,997,551
TOTAL	$366,655,329

* Grant amounts include the in-kind services for the following grants:

FS-99390003 - $10,000 for Northbridge Environmental Program Support (4%)
FS-99390006 - $134,176 for AWOP/PBT Contractor Support (10%)
2F-99390009 - $250,000 for TetraTech Support of ARRA Projects (4%)
FS-99390010-1 - $228,679 for TetraTech Support of Projects (4%)
FS-99390010-1 - $200,000 for Complinnce/Enforcement Contractor Support (10%)
FS-99390011 - $224,458 for project administration & Compliance Support (4%)
FS-99390011 - $25,542 for Compliance & Enforcement support (10%)
FS-99390011 - $100,000 for AWOP/PBT support (15%)
FS-99390012 - $125,000 for Project Administration Contractor Support (4%)
FS-99390012 - $20,000 for AWOP/PBT Support (15%)
FS-99390013 - $175,000 for project administration supports (4%)
FS-99390014 - $400,000 for Source Water Protection (15%)
FS-99390014 - $200,000 for Capacity and Development (10%)
FS-99390015 - $300,000 for Source Water Protection (15%)
FS-99390015 - $191,300 for Capacity and Development (15%)
FS-99390017 - $74,924 for Source Water Protection (15%)
FS-99390018 - $0.00
FS-99390019 - $0.00

TABLE 2. FUNDS AWARDED DURING STATE FISCAL YEAR 2020 (Construction & Set-Asides)

U.S. Environmental Protection Agency (FS-99390019) (Grant)	$11,004,000
WV State Match - Infrastructure Council (FS-993900019)	$2,200,800
WVDHHR: 10% Set-Aside State Match (FS-993900019) (Approp)	$647,500
TOTAL	$13,852,300

TABLE 3. FUNDS REQUESTED DURING STATE FISCAL YEAR 2021 (Construction & Set-Asides)

U.S. Environmental Protection Agency (FS-99390020) (Grant)	$11,011,000
WV State Match - Infrastructure Council (FS-993900020)	$2,202,200
WVDHHR: 10% Set-Aside State Match (FS-993900020) (Approp)	$647,500
TOTAL	$13,860,700

TABLE 4. SET-ASIDE FUNDS DISBURSED OR PROJECTED THROUGH STATE FISCAL YEAR 2019 & CONSTRUCTION LOANS & COMMITMENTS THROUGH JUNE 2019 (Construction & Set-Asides)

(Table 4 "Cumulative Grant Funds Received Thru 6/30/2019" includes the in-kind services for the capitalization grants)

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Set-Aside Funds	Cumulative Grant Funds Received Thru 6/30/2019	Additional Funds From FS-99390020*	Minus In-Kind Services	Total Incoming Funds	Cumulative Funds Disbursed as of 12/31/19	Projected Disbursements From Jan '20 Thru June '21	Funds Remaining 6/30/2021
Administration (4%)	$7,207,656	$440,440	$1,013,137	$6,634,959	$6,217,708	$250,000	$167,251
Small Systems Technical Assistance (2%)	$3,817,631	$220,220	$0	$4,037,851	$3,725,086	$200,000	$112,765
Program Management Federal (10%)	$17,301,884	$1,101,100	$359,718	$18,043,266	$16,941,960	$500,000	$601,306
Program Management State Match (10%)	$14,679,132	$647,500	$0	$15,326,632	$13,832,833	$400,000	$1,093,799
Total Program Management	$31,981,016	$1,748,600	$359,718	$33,369,898	$30,774,793	$900,000	$1,695,105
Local Assistance (15%)	$24,789,180	$1,190,000	$1,286,300	$24,692,880	$23,041,092	$800,000	$851,788
Total Set-Aside Funds	$67,795,483	$3,599,260	$2,659,155	$68,735,588	$63,758,678	$2,150,000	$2,826,910
	Cumulative Construction Funds 6/30/2019	Construction Funds SFY2020 July 1, 2019 to Dec. 31, 2019	Projected Funds from January 2020 to June 2020	Projected Activity in SFY2021	Cumulative Construction Funds 6/30/2021		
Construction Assistance Funds From Cap Grant	$160,247,431	$8,355,836	$0	$8,059,240	$176,662,507		
20% State Match For Cap Grant	$38,759,157	$2,200,800	$0	$2,202,200	$43,162,157		
Loan Repayments (Principal Only)	$69,698,117	$4,140,551	$4,340,064	$8,680,128	$86,858,861		
Interest On Loans	$7,274,480	$445,290	$432,558	$860,000	$9,012,328		
Interest Earnings	$2,128,581	$307,124	$240,000	$480,000	$3,155,705		
Total Funds For Loans	$278,107,766	$15,449,602		$20,281,568	$318,851,558		
Closed Loans	$249,703,499	$2,658,100	$538,000	$47,390,940	$300,290,539		
Letters of Commitment	$0	$0	$0	$0	$0		
Planned Future Letters of Commitment		$0		$18,351,700	$18,351,700		
Total Committed/Planned Funds	$0	$0		$18,351,700	$18,351,700		
Funds Remaining To Be Committed					$209,319		
	Cumulative Administration Fees Thru 6/30/2019	Administration Fees SFY2020 July 1, 2019 to Dec. 31, 2020	Projected Fees from January 2020 to June 2020	Projected Fees in SFY 2021	Cumulative Administration Fees 6/30/2021		
Administrative Fees on DWTRF Assistance	$7,274,480	$445,290	$432,558	$860,000	$9,012,328		
Administrative Fees Withdrawals	$529,360	$77,041	$52,710	$108,000	$767,111		
Net Administrative Fees	$6,745,120	$368,249	$379,848	$752,000	$8,245,217		
Total Program Funds	$352,648,369	$19,417,111	$3,039,803	$89,769,156	$390,855,452		$11,281,445

B. Uses of the New Funds (Construction & Set-Asides)

Below in Table 5 is a summary of the amounts to be used for each activity. Any funds not used for set-aside activities will be used for construction projects. Please note that the DWTRF interest earnings are utilized to supplement the construction funds, specifically for project overruns, as necessary. Planned disbursement of these funds will be included in the payment schedule included in the grant application.

TABLE 5. USES OF NEW/REQUESTED FUNDS (Construction & Set-Asides)

Sources and Uses of Funds							
Uses of Funds	Federal Funds	Infrastructure Council Grant Match	State Program Match	Admin Fee/Admin Interest	Interest Earnings	Loan Repayments	Total
Administration	$440,440	$0	$0	$0	$0	$0	$440,440
Technical Assistance	$220,220	$0	$0	$0	$0	$0	$220,220
State Program Management	$1,101,100	$0	$647,500	$0	$0	$0	$1,748,600
Local Assistance	$1,195,000	$0	$0	$0	$0	$0	$1,195,000
Construction	$8,054,240	$2,202,200	$0	$0	$0	$0	$10,256,440
Total	$11,011,000	$2,202,200	$647,500	$0	$0	$0	$13,860,700

Notes to Table 5:

- Administrative Fees, Interest Earnings, and Loan Repayments are included in the grant application.
- Cash draws for loan disbursements will be proportional to the federal construction and matching state funds.
- There are no plans to transfer funds between the DWTRF and the Clean Water State Revolving Fund.

C. Types of Projects Funded

OEHS is proposing to fund seven projects as described in Attachment 3. These projects include distribution system upgrades and extensions to new customers. Projects solely for economic growth or projects solely for fire protection are not eligible for DWTRF assistance.

D. Project Benefits Reporting (PBR) and National Information Management System (NIMS)

OEHS will report appropriate information into the PBR and NIMS systems as required by EPA. This IUP will be administered as required by the Operating Agreement between OEHS and EPA.

IV. GOALS OF THE DWSRF

A. Short Term Goals

1) Increase source water protection for surface water by further developing a surface source water/early warning detection system: River Alert Information Network (RAIN) in the Monongahela River Basin and examine feasibility of duplicating that system into other drainage basins in West Virginia.

2) Support the Stream Gaging Network for the purpose of collecting steam flow data that is used to document variations in flow over time for various rivers in West Virginia. These

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data are used to develop more accurate flow models for future protection area generation and determining more accurate time of travel models for waterborne contaminants.

B. Long Term Goals

1) Provide the necessary infrastructure replacement, upgrade, and service with the overall goal of upgrading water quality for existing public water customers and providing water to new customers whose water currently does not comply with the SDWA or is unreliable. The DWTRF has a utilization goal of meeting or exceeding the national average and the average of EPA's Region 3 states by achieving a 2021 fund utilization goal of 95%.

2) Develop the DWTRF to ensure the long term perpetuity of the fund where after the initial capitalization years, the loan repayments in the fund will be used to finance additional projects.

3) Close the DWTRF loans to recipients within twelve months of a letter of binding commitment.

4) Continue implementation of the Capacity Development Strategy including assisting existing public water supplies in acquiring and maintaining the technical, managerial, and financial capacity to comply with the federal SDWA. Provide assistance to ensure that all new community water supplies and new non-transient non-community supplies have the technical, managerial, and financial capacity to comply with current regulations and those regulations likely to be in effect, when the system initiates operations.

5) Continue development, enhancement, and improvement of the PWSS through improved methodology and consistency of the sanitary surveys. This includes completion of a full complement of staffing in the district offices and implement an automated data collection system for laboratories to forward results to our agency.

6) Protect source water from future contamination through Source Water Assessment and Protection (SWAP) and Well Head Protection (WHP) programs.

7) Continue to implement an operator training continuing education program focusing on training course/instructor criteria and operator training requirements.

8) Continue to strive to minimize unliquidated obligations (ULOs) by expeditiously disbursing both set-aside and construction funds in a timely manner. The goal is to attain a half year or less balance for the 2%, 10% and 15% set-asides at the time a new grant is awarded. Set-aside amounts requested in this IUP are supportive of minimizing ULOs.

V. SET-ASIDE ACTIVITIES

In addition to the DWTRF construction fund, there are four "set-aside" or non-project accounts to be administered by OEHS. These separate accounts include Administration of the Loan

Program, Technical Assistance, State Program Management, and Local Assistance. In addition to funding for staff expenses, there are also programs being undertaken to improve the health and safety of State water systems. These activities are described in more detail in the associated grant application work plan. The set-aside programs demonstrate compliance with the capacity development authority, capacity development strategy, and operator certification program provisions in order to avoid withholdings.

The different set-aside accounts are specified in the SDWA to enable the State to finance the cost of administering and managing the DWTRF program and supporting local public water systems. These accounts are described in more detail below.

The goals, objectives, methods, outputs, and outcomes for these set-asides are located in the grant work plan.

No In-Kind Service funds from this grant will be used.

A. Administration ($440,440)

The SDWA authorizes the State to use 4% of the Capitalization Grant for administration of the DWTRF program or the maximum based on three options listed below. Based on option #3, $440,440 is eligible from the grant for the administration set-aside.

Option #	Description	Calculation	Result
1	$400,000 Flat Rate	n/a	$400,000
2	1/5th of one percent of the current total net position of the fund	$168,148,727 X 0.002	$336,297
3	4 percent of grant	$11,011,000 X 0.04	$440,440

The State plans to use this set-aside for administration of the program. Administrative tasks include but are not limited to:

1) Developing legislation regarding issues related to the DWSRF.
2) Preparing the Capitalization Grant agreement.
3) Developing memorandums of understanding between federal and State agencies.
4) Reviewing West Virginia Infrastructure Council applications.
5) Preparing the IUP.
6) Providing project review, priority ranking procedures, environmental reviews, and required DWTRF project information coordination (project scheduling, advertisements, loan closure).
7) Providing project inspections, administration of the funds.
8) Tracking and accounting of the funds.
9) Auditing of the funds.

10) Processing payment requests and managing loan repayments.

11) Assisting Compliance & Enforcement staff in providing monitoring.

12) Provide grants as available for planning and evaluation of proposed projects.

The DWTRF program will utilize the WDA, which already administers State-funded construction loans to public wastewater and water systems.

B. State Program Management ($1,101,100 – Federal; $647,500 - State Match Cash;

The SDWA authorizes the State to use up to 10% from the federal Capitalization Grant to support the Public Water Supply Supervision (PWSS), Data Information System Management, PWS operator certification and programs. This year no federal funds are requested from the reserve account. It will support the water systems needing to improve their facilities and security through source water grants. The State match is made through State appropriations.

C. **Technical Assistance ($220,220)**

The SDWA authorizes the State to use up to 2% of each capitalization grant to provide technical assistance to small water systems. The full amount of the 2% is being requested. Small water systems are defined as those that serve less than 10,000 persons. These set-aside funds will be used for technical, financial, and managerial continuing education training of water system operators to meet their certification and training requirements. A contractor, meeting the State requirements, will coordinate the technical assistance program.

D. Local Assistance and Other State Activities ($1,195,000)

The SDWA authorizes the State to use up to 15% of the federal capitalization grant for this set-aside, but no more than 10% may be used for any one activity. Only $1,195,000 is being requested for this set-aside and adds $456,650 to the construction fund for this grant. These set-aside funds will be used for the Capacity Development Program, the Wellhead Protection (WHP) Program and grants, to support the Interstate Commission on the Potomac River Basin (ICPRB), Data Information System Management, improving GIS capabilities, to support the River Alert Information Network (RAIN), an internet website for GIS support, and a stream gauge network for local waters. Working in conjunction with the Compliance and Enforcement Program, the Capacity Development Program will provide support to non-compliant systems not needing infrastructure investment.

VI. PUBLIC COMMENT PROCESS

The public comment process for this IUP is described in attachment 4.

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ATTACHMENT 1

DWTRF Project Priority Ranking System

System: _____ County: _____ Date_____

Project#:_____Project:_____

DWTRF Project Priority Ranking System

(1) _____ **PUBLIC HEALTH** (0 to 50 points - 50 points maximum)

Up to fifty points may be given to a project for public health. The public health categories are listed below. A project may apply to several categories. In such cases, the project will be given the highest rating.

(A) _____ **Projects to correct acute health hazards** - (50 points) Fifty points will be given to projects that propose to eliminate a problem that poses an acute, ongoing health hazard to the consumer. Violations should be included in the Enforcement Tracking Tool (ETT). Examples are listed below.

- Projects that address documented nitrate or nitrite violations.
- Projects that address documented exceedances of primary inorganic MCL's
- Projects that address a problem where a system has significant turbidity violations. The project must ensure compliance to receive DWTRF assistance.
- Projects that address a problem where a system has significant microbiological violations. The project must ensure compliance to receive DWTRF assistance.
- Projects that propose filtration for surface water source that currently do not have filtration.
- Projects that propose disinfection for a system that currently do not have disinfection.
- Projects that address documented or potential water outages for extended periods (1 week or more) due to contamination or system/design deficiencies.

(B) _____ **Correct chronic health hazards** - (40 points) Forty points will be given to projects that propose to eliminate a chronic health hazard to the consumer. Examples are listed below.

- Projects that address occasional turbidity violations for a system that has a moderate ETT score.
- Projects that address occasional microbiological violations for a system that has a moderate ETT score.
- Projects that address exceedances of the Lead and Copper Rule.
- Projects that address documented exceedances of primary organic MCL's.

- Projects that address documented exceedances of radiological MCL's.
- Projects that address treatment technologies for the SWTR.
- Projects that address documented or potential water outages (1 to 6 days) due to contamination or system/design deficiencies.
- Projects that enhance source water protection to prevent widespread contamination throughout the distribution system via alternate water sources or additional storage.

(C). _____ **Correct periodic health hazards** - (30 points) Thirty points will be awarded to projects that propose to eliminate a documented health hazard which has occurred periodically. Examples are listed below.

- Projects that address low chlorine residuals.
- Projects that address periodic exceedances of a primary MCL.
- Projects that address periodic water outages to some customers for at least a day due to design or system deficiency.
- Projects to bring existing facilities to current design standards which affect water quality: treatment, chemical application, pumping facilities, finished storage and distribution systems.

(D) _____ **Correct potential health hazards** - (20 points) Twenty points will be given to projects that propose to eliminate potential health hazards. Examples are listed below.

- Projects for line extensions to areas with poor water quality or limited quantity.
- Projects to develop new source to augment existing sources where there is no other health hazard associated with the project. Dams and reservoirs are not eligible.
- Projects for installation / upgrade of waste disposal facilities.

(E) _____ **System Improvements** - (10 points) Ten points will be given to projects that propose general system improvements. Examples are listed below.

- Projects to replace / repair old, undersized, or malfunctioning equipment.
- Projects to replace leaking water line.
- Projects to improve aesthetic quality of the water such as iron, manganese, taste and odor.

(2) _____ **REGULATORY COMPLIANCE** (0 to 20 points, 20 points maximum)

(A)_____ Correction of chronic non-compliance - 20 points
Compliance with administrative orders, agreements, statutes, or regulatory requirements.

(B)_____ Compliance with periodic and potential non-compliance - 10 points
Compliance with sanitary survey recommendations, NPDES permits, new

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regulations, or design standards.

(C)_____ Protection against non-compliance -5 points
Compliance with proposed regulations.

(D)_____ Line extensions with documented cases of fecal coliform - 3 points

(3) _____ **AFFORDABILITY** (0 to 30 points) (Based on post-project user rates)

Rates = 0% to 0.49% MHI (0 points)
Rates = 0.50% to 0.99% MHI (5 points)
Rates = 1.00% to 1.24% MHI (10 points)
Rates = 1.25% to 1.49% MHI(15 points)
Rates = 1.50% to 1.74% MHI (20 points)
Rates = 1.75% to 1.99% MHI (25 points)
Rates $\geq$ 2.0% MHI (30 points)

Note: MHI = median household income by county or municipality as published by the West Virginia Infrastructure and Jobs Development Council (IJDC) at time of approval for funding by IJDC. If the project sponsor can clearly show that a magisterial district census income reflects the affordability more appropriately the magisterial district census data may be used in place of the county census data.
Rates are based on 3,400 gallons.

Public Health	
Compliance	
Affordability	
Total Points	

Tie Breaker:
If two or more systems have the same score, the following will be used as the tie- breaker.

1. Whichever system has the highest public health rating will be ranked highest.

2. In the event there is still a tie, then the system with the smaller population served will be ranked higher.

Definitions

EPA -- Environmental Protection Agency
MCL -- Maximum Contaminant Level
MHI -- Median Household Income
ETT -- Enforcement Tracking Tool
SWTR -- Surface Water Treatment Rule

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ATTACHMENT 2

Project Priority List/Comprehensive List

WEST VIRGINIA 20DWTRFA PROJECT PRIORITY LIST (PPL) COMPREHENSIVE LIST

RANKING	SYSTEM	COUNTY	PROJECT NAME	PROJECT DESCRIPTION	IJDC NUMBER	1½ PERCENT MHI	3400 CURRENT	3400 PROPOSED	AFFORDABILITY	DISADVANTAGED	DWTRF TERMS	NEW POPULATION	POINTS	HEALTH	COMPLIANCE	AFFORDABILITY	DWTRF FUNDING REQUESTED	TOTAL COST	BYPASS RATIONALE
1	Town of Franklin	Pendleton	Plant Upgrade/Line Replacement	The proposed project consists of 8" directional drill river crossing, upgrades at the Hanover Storage Tank, replacement of the altitude valve, and upgrades to the Morton Storage Tank. At the water treatment plant work includes: upgrade secondary water source, replace backwash pump, upgrade backwash tank, upgrade plant instrumentation, upgrade plant building, and upgrade sediment basin. Installation of two 40,000 gallon clear well tanks, new accelerator, VFD's on pump motors, new automatic transfer switch, and replace the plant emergency generator.	2019W-1843	$34.24	$33.75	$75.25	2.59	Yes	1%, 0.25% Admin, 30 years, Principal Forgiveness	1,702	80	30	20	30	$1,300,000	$3,473,319	Project design has not started and is not ready for construction.
2	Chestnut Ridge PSD	Barbour	Water System Improvements	This project will make improvements to the PSD's water distribution system, including water line and valve replacement, upgrading booster stations, replacing water meters and upgrades to the SCADA and telemetry systems.	2019W-1893	$33.29	$65.47	$65.47	2.53	Yes	1%, 0.25% Admin, 30 years, Principal Forgiveness	2,643	80	30	20	30	$1,000,000	$5,300,000	Design loan will be funded. Project design has not started and is not ready for construction.
3	City of Ronceverte	Greenbrier	Water system upgrade Phase I	The project will replace the 250,00-gal West End Tank and the 250,000-gal Briar Hill Tank. 2.3 miles of water main will be replaced to reduce water loss.	2019W-1760	$30.42	$52.29	$55.17	1.73	Yes	0.75%, No Admin, 30 years, Principal Forgiveness	960	75	40	10	25	$3,700,000	$4,200,000	Project will be funded
4	Town of Mill Creek	Randolph	Water System Improvements	This project will replace the water lines within the Town of Mill Creek's water distribution system.	2019W-1589	$30.94	$39.44	$51.44	2.09	Yes	Principal Forgiveness	974	70	30	10	30	$862,475	$4,832,475	Project will be funded
5	Town of Oceana	Wyoming	Water System Upgrade Phase II	Phase 2 of a water system upgrade project for the Town of Oceana and the surrounding area.	2019W-1840	$35.14	$39.23	$48.03	2.02	Yes	1%, 0.25% Admin, 30 years, Principal Forgiveness	1,397	70	30	10	30	$1,500,000	$4,000,000	Project design has not started and is not ready for construction.
6	Central Hampshire PSD	Hampshire	Augusta System Improvements	The project includes approximately 2.3 miles of 2-inch to 8-inch distribution line, one (1) hydropneumatic pump station, 14 gate valves, 4 fire hydrants, telemetry with software and other appurtenances. Also included in the project scope is meter replacement.	2019W-1793	$29.16	$35.12	$50.82	2.52	Yes	0.5%, 0.25% Admin, 30 years, Principal Forgiveness	1,039	70	30	10	30	$1,800,000	$2,783,000	Project design has not started and is not ready for construction.
7	Town of Worthington	Marion	Worthington Line Upgrades/Replacement	The project will make upgrades to the Town's distribution system and will include an interconnection between Four States and Monongah. The project also includes a water line extension to the Hunter Hill area that will serve five (5) new customers. The project will consist of the installation of approximately 18,000 LF of 8" and 19,000 LF of 2" water line; 10,000 LF of ¾" service line replacement; 28 valves; two (2) PRV Stations; 12 fire hydrants; two (2) solenoid master meters; (1) leak detection meters; 463 radio-read meters; all necessary piping, valves and appurtenances.	2019W-1810	$27.99	$27.12	$41.83	1.06	Yes	1%, 0.25% Admin, 30 years, Principal Forgiveness	1099	55	30	10	25	$3,366,390	$3,366,390	Project design has not started and is not ready for construction.
8	Cowen PSD	Webster	Water System Rehabilitation	This project will replace about 30,000 linear feet of 6-inch through 1-inch water line, about 210 service connections, (25) fire hydrants, (250) water meters, an intake pump, and all necessary valves and appurtenances. Also included will be the rehabilitation and improvements to the raw water intake, Nursing Home Booster Station, Scholz Booster Station, 105,000 gallon Nursing Home Tank, 200,000 gallon Cowen Tank.	2019W-1764	$34.36	$37.39	$36.95	1.52	Yes	0.5%, 0.25% Admin, 30 years, Principal Forgiveness	3,539	65	30	10	25	$2,821,000	$3,321,000	Project will be funded
9	Nettie-Leivasy PSD	Nicholas	Raw water line replacement and McCue Road extension	Raw water line replacement and McCue Road extension for 13 new customers.	2019W-1717	$40.80	$44.32	$55.13	1.63	Yes	0.75%, 0.5% Admin., 30 years, Principal Forgiveness	1431	60	30	10	20	$1,900,000	$2,191,100	Project will be funded with remaining 2019 grant funds.
10	Town of Pineville	Wyoming	Water System Improvements	The Town will be making upgrades and repairs at the water treatment plant, replacing portions of the distribution system, and replacing master meters in the system. The project is requesting a DWTRF design loan.	2020W-1891	$55.60	$45.00	$87.50	1.53	Yes	1%, 0.25% Admin, 30 years	2,792	60	30	10	20	$550,000	$8,343,282	Project design has not started and is not ready for construction.
11	Camden On Gauley	Webster	Cranberry Ridge & Gauley Mills Extension	This project will extend water service to 54 new customers in the areas of Cranberry Ridge and Gauley Mills. The project will include approximately 3.3 miles (17,500 LF) of 6" and 2" water mains, (1) booster pump station, (4) fire hydrants, and all necessary valves and appurtenances.	2019W-1827	$29.19	$44.42	$44.42	2.44	Yes	0.75%, 0.5% Admin., 30 years, Principal Forgiveness	701	55	20	5	30	$400,000	$1,389,006	Project design has not started and is not ready for construction.
12	Jumping Branch Nimitz PSD	Summers	Brooymore Rd./Mark Meador Rd. Extension	This project will provide water service to the Brooymore Rd. and Mark Meador Rd. areas of western Summers County. Residents experience low water quality and poor quality water issues in existing private wells. In addition, many residents haul water, use cisterns, and some report fecal contaminants in wells.	2019W-1815	$39.18	$57.94	$66.58	2.18	Yes	1%, 0.25% Admin, 30 years	1,414	55	20	5	30	$400,000	$4,811,800	Project design will be funded.
13	Jumping Branch Nimitz PSD	Summers	Madams Creek Waterline Ext.	To provide water service to the Madams Creek Rd. area of western Summers Co. Residents experience low water quality and poor quality water issues in existing private wells. In addition, many residents haul water, use cisterns, and some report fecal contaminants in wells.	2019W-1816	$39.18	$57.94	$74.82	2.45	Yes	0.5%, 0.25% Admin, 30 years	1,414	55	20	5	30	TBD	$4,418,500	Project design has not started and is not ready for construction.
14	New Haven PSD	Fayette	Contract 18 - Sandey Rd./Confluence/Elton Duff area	Water line extension to Sandey Rd./Confluence/Elton Duff area, including possible Springtown connector & Utility connector. Approximately 67 new customers.	2019W-1761	$37.81	$49.24	$52.81	1.75	Yes	1%, 0.25% Admin, 30 years, Principal Forgiveness	4,409	50	20	5	25	$2,493,325	$2,933,655	Project design has not started and is not ready for construction.

OTHER

WEST VIRGINIA 20DWTRFA PROJECT PRIORITY LIST (PPL) COMPREHENSIVE LIST

RANKING	SYSTEM	COUNTY	PROJECT NAME	PROJECT DESCRIPTION	IJDC NUMBER	1½ PERCENT MHI	3400 CURRENT	3400 PROPOSED	AFFORDABILITY	DISADVANTAGED	DWTRF TERMS	NEW POPULATION	POINTS	HEALTH	COMPLIANCE	AFFORDABILITY	DWTRF FUNDING REQUESTED	TOTAL COST	BYPASS RATIONALE
15	New Haven PSD	Fayette	Contract 19 - Ramsey Extension	Water line extension to Cane Branch, Ramsey, Newton Rd., South Miller Ridge, Arrowwood Rd., Dotson Ridge & Lower Dotson Ridge, Whispering Pines. Approximately 73 new customers.	2019W-1760	$37.81	$49.24	$58.22	1.82	Yes	1%, 0.25% Admin, 30 years, Principal Forgiveness	4,438	45	20	5	25	$3,837,250	$4,841,616	Project design has not started and is not ready for construction.
16	Claywood Park PSD	Wood	Freeport Water Extension	This project is to extend water service to approximately 43 new customers in the Freeport Area of Wirt County. The project will consist of the installation of approximately 12,325 LF of 6", 4,100 LF of 4", 4,824 LF of 3", 1,125 LF of 2" water line, one (1) constant pressure booster station and all necessary valves and appurtenances.	2019W-1783	$46.99	$58.85	$59.85	.79	Yes	0.5%, 0.25% Admin, 30 years, Principal Forgiveness	44,038	45	20	0	25	$417,000	$1,137,000	Project will be funded.
17	Lashmeet PSD (WVAWC)	Mercer	Mary Branch Water Extension	Extension of public water to the Mary Branch area of Mercer County, West Virginia. 4 miles. Approximately 42 new customers.	2019W-1728	$37.70	$40.34	$51.84	1.70	Yes	1%, 0.25% Admin, 30 years	127	40	20	0	20	$907,845	$2,033,000	Project design has not started and is not ready for construction.
18	Tomlinson PSD	Hancock	New Water Treatment Plant and Distribution System Upgrades	This project proposes to build a new 640-GPM water treatment plant. The project will include a 250,000 gallon water storage tank, a 100,000 gallon water storage tank, 2 new booster pump stations, approximately 44,000 LF of 8-inch and smaller water line, and miscellaneous fire hydrants, valves and other appurtenances.	2017W-1494	$40.45	$31.18	$40.17	1.25	Yes	0.75%, 0.5% Admin., 30 years	3,613	40	20	5	15	$6,343,000	$6,343,000	Project will be funded with remaining 2019 grant funds
19	Town of Elizabeth*	Wirt	Munday Extension	This project extends water service to approximately 100 new customers in the Munday Road, Fala Hatchery Road, Enterprise Road and the Creston areas. The project includes approximately 10 miles (53,000 feet) of 6-inch distribution line, one (1) – 40 GPM booster pump station, 41 gate valves, 37 fire hydrants and other appurtenances.	2019W-1755	$40.99	$49.06	$50.06	1.33	Yes	0.75%, 0.5% Admin., 30 years, Principal Forgiveness	3,161	40	20	0	20	$3,000,000	$3,600,000	Project will be funded with remaining 2019 grant funds.
20	Salt Rock PSD (WVAWC)	Cabell	Waterline Extension Project	This project will extend water service to 106 new customers in the Upper Tom's Creek, Big Cabell Creek, Lower Heath Creek, Raccoon Creek, Cavill Creek and Frontage Road areas of Cabell County. The project will consist of approximately twelve (12) miles of 1" through 8" water line, one hundred and six (106) meter settings, twenty-eight (28) fire hydrants and all necessary valves and appurtenances.	2017W-1714	$30.30	$45.34	$35.10	1.72	Yes	0.75%, 0.5% Admin., 30 yrs. Principal Forgiveness	84,330	40	20	0	20	$3,264,840	$3,060,000	Project will be funded with remaining 2019 grant funds.
21	Kanawha Falls PSD	Fayette	System Improvements	This project will replace all the existing water meters with radio read meters, make repairs to the Low water storage Tank to increase it's useful life, add telemetry for all tanks and booster stations, and at the water treatment plant replace the filters, backwash pumps, high service pumps & suction lines, install waste/trolley system for high service pumps, clean the clearwell and all necessary piping, valves and appurtenances.	2019W-1799	$37.89	$29.56	$45.45	1.50	Yes	1%, 0.25% Admin, 30 years, Principal Forgiveness	2,410	40	10	10	20	$3,342,000	$3,842,000	Project design has not started and is not ready for construction.
22	Wellsburg Water System	Brooke	Water System Improvements	The project will consist of the replacement of existing water lines in the City of Wellsburg, with all the appurtenances included. Also, upgrades to the City's water treatment plant, including electrical upgrades, sludge process automation, automation in the filtration process and improved backwash solids processing.	2019W-1537	$39.11	$36.73	$44.14	1.69	Yes	1%, 0.25% Admin, 30 years, Principal Forgiveness	4,320	40	10	10	20	$5,472,438	$6,407,438	Project design has started but is not ready for construction.
23	Greenbrier County PSD #2	Greenbrier	Charmco to Rainelle Extension	This project extends water service to approximately 110 new customers from Charmco to Rainelle. The project includes approximately 4.5 miles (23,603 feet) of 2-inch to 8-inch distribution line, one (1) – pressure-reducing station, one (1) 30,000-gallon water storage tank, 11 gate valves, 15 fire hydrants, 10 flushing hydrants and other appurtenances.	2019W-1745	$41.40	$44.29	$54.05	1.55	Yes	0.75%, 0.5% Admin., 30 years, Principal Forgiveness	1,390	35	20	0	15	$2,250,000	$2,250,000	Project design has not started and is not ready for construction.
24	Craigsville PSD	Nicholas	Water Treatment Plant and Distribution System Upgrades	This project will upgrade the existing water treatment plant to 900 gpm and installing a dedicated waterline from the water treatment plant to existing elevated water storage tanks. The project will consist of a new raw water intake screen and hydrobrust system, raw water pump station, flocculator, sedimentation basin, filter equipment, backwash solids pump station, chemical feed system, painting four (4) existing water tanks, approximately 4 miles of 10" water line, and all necessary appurtenances.	2015W-1390	$32.59	$31.45	$36.46	1.40	Yes	0.75%, 0.5% Admin., 30 years, Principal Forgiveness	1,813	35	10	10	15	$2,313,000	$8,096,000	Project will be funded
25	City of Follansbee	Brooks	Water Treatment Plant and Distribution System Upgrades	This project proposes to make improvements to the Hooverson Heights water treatment plant including the raw water intake. Portions of the distribution system of both the Hooverson Heights and Follansbee systems will be replaced to help reduce the high unaccounted water loss. Four existing tanks will be cleaned and two others tanks will be painted to extend the useful life of the tanks.	2015W-1736	$43.32	$18.12	$42.32	1.25	Yes	0.75%, 0.5% Admin., 30 years	4,970	35	10	10	15	$4,500,000	$4,500,000	Project design has not started and is not ready for construction.

OTHER

ATTACHMENT 3

Funding List Detailed Description With
- Green Project Reserve
- Additional Subsidization

WEST VIRGINIA 2013WTRFA PROJECT PRIORITY LIST (PPL) COMPREHENSIVE LIST

RANKING	SYSTEM	COUNTY	PROJECT NAME	PROJECT DESCRIPTION	IJDC NUMBER	% PERMANENT SUBS	AMT CUMULATIVE	AMT PROPOSED	SCHEDULE READINESS TO AGREE	ADMIN ABILITY	PRIOR TIMING	PRIOR PERF. LATION	POINTS	RATIO	COMPLIANCE	AFFORD. ABILITY	2013 PERMANENT SUBSIDIZATION	TOTAL CORE	BYPASS BATCHING
33	City of Beckley	Raleigh	Water Meter Replacement	The City seeks to replace or rehabilitate 2,000 meters and service lines in the water system. Any funding or grant assistance, additional improvements and actions necessary to meet the requirements of the Safe Drinking Water Act (SDWA) (2013) Drinking Water	3030W-1390	33.30	52.77	529.39	1.32	No	24,0.25% Adam. 28 pts	0.250	30	10	10	10	$2,000,000	$2,000,000	Project design has not started and is not ready for construction
32	Parkersburg Utility Board	Wood	Lane Highway Improvements	Replacement of undersized and deteriorated water lines under Highway 50, Lanham Street, Bank Street, Harrisburg Pike, Lubeck Road, Emerson Avenue, Jones Ct WTP Backwash Basin, and roads. (This funds Emerson and other sections and improvements	3030W-1393	63.31	119.02	532.24	1.27	No	24,0.25% Adam. 28 pts	0.250	30	0	10	10	$1,000,000	$1,000,000	Project design has not started and is not ready for construction
31	City of Princeton	Princeton	Water Treatment Plant Backwash Improvements	(This project will upgrade and restore the Princeton Water Utility's 4.0 MGD water treatment plant. Upgrades will include replacement of the backwash pumps, a chemical feed system, and two clearwell tanks with slight marine applications. Improvements to the existing filter building and removal of the existing filter building and removal of the existing sludge drying bed will also be accomplished. The existing sludge drying bed will	3010W-1773	54.18	124.04	541.98	1.27	Yes	24,0.25% Adam. 28 pts	0.250	22	10	0	15	$1,000,000	$2,174,000	Project design has not started and is not ready for construction

Changes on Grades PSD and Calhoun PSD were completed using 2010 Census Data. All other projects were scored using 2013 Census Data

* This project will be a consolidation project.

2020 Funding List Detailed Description

RANKING	SYSTEM	PROJECT DESCRIPTION	DWTRF TERMS	POPULATION	ESTIMATED DATE OF CONSTRUCTION	GREEN PROJECT DESIGNATION	GREEN PROJECT RESERVE	PRINCIPAL FORGIVENESS	TOTAL DWTRF ASSISTANCE FROM GRANT	TOTAL PROJECT COST
2	Chestnut Ridge PSD	Design Loan Only for 2020. This project will make improvements to the PSD's water distribution system, including water line and valve replacement, upgrading booster stations, replacing water meters and upgrades to the SCADA and telemetry systems.	Principal Forgiveness	2643	Design Loan Only	N/A	$0	$500,000	$500,000	$3,472,318
3	City of Roosevelt	The project will replace the 250,00-gal West End Tank and the 239,000-gal Bitter Hill Tank. 2.3 miles of water main will be replaced to reduce water loss.	0.75%, 0.5% Admin., 30 years, Principal Forgiveness	960	November-20	N/A	$0	$600,000	$3,700,000	$4,200,000
4	Town of Mill Creek	This project will replace the water lines within the Town of Mill Creek's water distribution system.	Principal Forgiveness	974	November-20	N/A	$0	$862,475	$862,475	$6,432,475
7	Cowen PSD	This project will replace about 30,000 linear feet of 6-inch through 1-inch water line, about 230 service connections, (25) fire hydrants, (250) water meters, an intake pump, and all necessary valves and appurtenances. Also included will be the rehabilitation and improvements to the raw water intake, Nursing Home Booster Station, Bolair Booster Station, 105,000 gallon Nursing Home Tank, 200,000 gallon Cowen Tank, and adding a portable	0.5%, 0.25% Admin, 30 years, Principal Forgiveness	3,139	December-20	N/A	$0	$500,000	$2,821,000	$3,321,000
10	Jumping Branch Nimitz PSD	This project will provide water service to the Broomstraw Rd. and Mark Meador Rd. areas of western Summers County. Residents experience low water quality and poor quality water issues in existing private wells.	1%, 0.25% Admin, 30 years	1,414	Design Loan Only	N/A	$0	$0	$400,000	$4,811,800
13	Claywood Park PSD	This project is to extend water service to approximately 45 new customers in the Freeport Area of Watt County. The project will consist of the installation of approximately 12,325 LF of 6", 4,100 LF of 4", 4,824 LF of 3", 1,125 LF of 2" water line, one (1) constant pressure booster station and all necessary valves and appurtenances.	0.5%, 0.25% Admin, 30 years, Principal Forgiveness	44,028	September-20	N/A	$0	$196,000	$637,000	$1,137,000
21	Craigsville PSD	This project will upgrade the existing water treatment plant to 900 gpm and installing a dedicated waterline from the water treatment plant to existing elevated water storage tanks. The project will consist of a new raw water intake screen and hydrobeam system, raw water pump station, flocculator, sedimentation basin, filter equipment, backwash solids pump station, chemical feed system, painting four (4) existing water tanks, approximately 4 miles of 10" water line, and all necessary appurtenances.	0.75%, 0.5% Admin., 30 years, Principal Forgiveness	1,813	December-20	N/A	$0	$400,000	$1,335,965	$8,086,000
Total							$0	$2,558,475	$10,256,440	$27,988,275

2020 Capitalization Grant Amount: $11,011,000

$0 No Green Project Reserve Required	$2,202,200 20% Minimum Principal Forgiveness Required	$10,256,440 Total Amount of Grant Construction Funds Available*

OTHER

ATTACHMENT 4

Public Comment Process/Response

OTHER

JULY 1, 2020 – JUNE 30, 2021
REVISED INTENDED USE PLAN
PUBLIC COMMENT PROCESS

The public comment for this IUP will be during the period of December 28, 2020 through January 29, 2021. OEHS will post the Revised IUP on the website and make it available at all district offices and the central office. The draft Revised IUP will be sent to key stakeholders for comment. A public notice will be published in the West Virginia Register (State Register) on December 24, 2020 concerning the web posting and public comment period. A public meeting will be held on January 22, 2021 at 3pm in the OEHS central office to receive public comments.

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

FILED
2020 DEC 21 A 11: 54
OFFICE WEST VIRGINIA
SECRETARY OF STATE

December 21, 2020

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **December 18, 2020**.

LETTERS OF INTENT RECEIVED

December 18, 2020 – Berkeley Medical Center, Martinsburg, Berkeley County, CON File #20-9-12005-H, for the addition of four NICU beds and the conversion of the NICU to a Level III NICU; capital expenditure: $11,000.

December 18, 2020 – United Physicians Care, Inc., Morgantown, Monongalia County, CON File #20-6-12006-P, for the development of an ambulatory health care facility in Harrison County through the acquisition of a physician practice; capital expenditure: $305,000.

APPLICATION FOR EXEMPTION RECEIVED

December 15, 2020 – Grafton City Hospital, Grafton, Taylor County, CON File #20-6-12003-X, for the development of 10 crisis beds to be located in an unused and secure ward of the hospital.

APPLICATION DECLARED COMPLETE AND UNDER REVIEW

An application 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.

EXPEDITED APPLICATION

December 14, 2020 - Kanawha Hospice Care, Inc., Charleston, Kanawha County, CON File #20-3-11992-Z, for the provision of home health services in Putnam County; capital expenditure: $29,000.

The review cycle for the above-referenced project is as follows:

December 15, 2020 – Review cycle begins;

January 14, 2021 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to

affected persons;

January 19, 2021 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

February 16, 2021 – Decision on the project will be issued by the Authority.

PROJECTS DETERMINED NOT REVIEWABLE

December 15, 2020 – REM West Virginia, Boston, MA, CON File #20-1-11988-X, for the development of a new administrative office at 195 Davis Street, Princeton, Mercer County; capital expenditure: $180,000.

December 15, 2020 – Recovery Resource Group LLC, Huntington, Cabell County, CON File #20-2-12000-X, for the complete relocation of its services from 522 9th Street, Huntington, to 900 20th Street, Huntington; no capital expenditure.

December 17, 2020 – UPMC Children's Hospital of Pittsburgh, Pittsburgh, Pennsylvania, CON File #20-10-11989-X, for the complete relocation of the Children's Specialty Care Center – Wheeling from the campus of Wheeling Hospital at 1 Medical Park, Wheeling, Ohio County, to 110 Sims Circle, Triadelphia, Ohio County; capital expenditure: $25,000.

PROJECTS EXEMPT FROM REVIEW

December 14, 2020 - E.A. Hawse Health Center, Inc., Baker, Hardy County, CON File #20-8-11996-X, for the addition of a new service location at 22347 Northwestern Pike, Romney, Hampshire County.

December 14, 2020 – E.A. Hawse Health Center, Inc., Baker, Hardy County, CON File #20-8-11997-X, for the addition of a new service location at 325 East Main Street, Wardensville, Hardy County.

December 14, 2020 – E.A. Hawse Health Center, Inc., Baker, Hardy County, CON File #20-8-11998-X, for the addition of a new service location at 422 S. Main Street, Moorefield, Hardy County.

December 16, 2020 – Tug River Health Association, Inc., Gary, McDowell County, CON File #20-1-11999-X, for the addition of a new service site at 200 12th Street Ext., Suite 101, Princeton, Mercer County.

RENEWAL GRANTED

December 15, 2020 - RSCR West Virginia, Inc., Louisville, KY, CON File #18-7-11445-BH, for the development of a four-bed intermediate care facility for individuals with intellectual disabilities (ICF/IID) in Barbour County serving adults; capital expenditure: $45,000.

Renewal granted through February 1, 2021.

NOTICE OF SUBSTANTIAL COMPLIANCE

The following project has been implemented in substantial compliance with the decision issued in this matter and the case file is now closed:

December 15, 2020 - East Mountain Health Advantage, Inc., Winchester, Virginia, CON File #18-9-11348-P, for the construction of a medical office building in Berkeley County; capital expenditure: $16,679,123.

NOTICE OF CONDITIONAL SUBSTANTIAL COMPLIANCE

The following project has been implemented in conditional substantial compliance pending the submission of final cost figures:

December 17, 2020 - Acuity Specialty Hospital – Ohio Valley, L.P., Steubenville, Ohio, CON File #15-10-10549-H, for the addition of 16 beds to its existing 13 bed Long-Term Acute Care Hospital within Wheeling Hospital, Wheeling, Ohio County, in West Virginia; capital expenditure: $7,459,588.

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