

**Public Notice
2018 Proposed Legislative Rules**

The West Virginia Division of Air Quality has scheduled a public hearing for its 2018 proposed legislative rules on Tuesday, July 11, 2017 at the Division of Environmental Protection's Charleston headquarters, 601 57th Street S.E., Charleston, WV 25304. The public hearing will take place beginning at 6 p.m. in the Dolly Sods Conference Room. Oral and written comments will be made a part of the rulemaking record.

Copies of the rules are available from the Secretary of State's office or from the DEP at <http://www.dep.wv.gov/plo/Pages/Rules.aspx>. You may also obtain hard copies of the information by calling the phone number listed below. Written comments may also be submitted to the Public Information Office at the above address or e-mailed to dep.comments@wv.gov. The public comment period begins on June 9, 2017 and ends at the conclusion of the public hearing, July 11, 2017.

Division of Air Quality:

- 45CSR8 - Ambient Air Quality Standards
- 45CSR16 - Standards of Performance for New Stationary Sources
- 45CSR18 - Control of Air Pollution from Combustion of Solid Waste
- 45CSR23 - Control of Air Pollution from Municipal Solid Waste Landfills
- 45CSR25 - Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities
- 45CSR34 - Emission Standards for Hazardous Air Pollutants

Upon authorization and promulgation, rules 45CSR16, 45CSR25 and 45CSR34 will be submitted to the United States EPA (EPA) to fulfill federal obligations under the Clean Air Act (CAA), including delegations and authorizations. Upon authorization and promulgation of 45CSR8, the DAQ will submit the rule to the EPA as a revision to the State Implementation Plan pursuant to the federal CAA. Upon authorization and promulgation of 45CSR18, the DAQ will submit the rule to the EPA as a revision to the State 111(d)/129 Plan pursuant to the federal CAA and to fulfill obligations regarding delegation of the federal New Source Performance Standards. Upon authorization and promulgation of 45CSR23, the DAQ will submit the rule to the EPA as a revision to the State 111(d) Plan pursuant to the federal CAA and to fulfill obligations regarding delegation of the federal New Source Performance Standards.

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

(658831)



CHARLESTON NEWSPAPERS

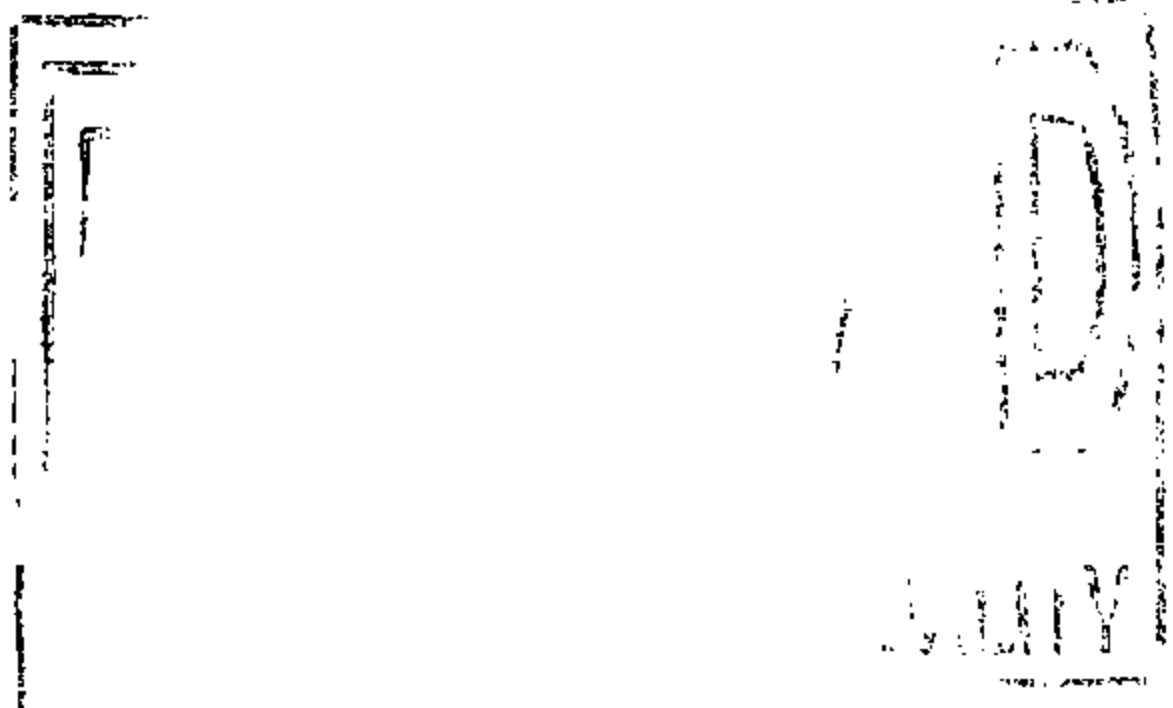
P.O. Box 2993
Charleston, West Virginia 25330
Billing 348-4898
Classified 348-4848
1-800-WVA-NEWS

LEGAL ADVERTISING INVOICE

INVOICE DATE	06/12/17
ACCOUNT NBR	094808103
SALES REP ID	0026
INVOICE NBR	037998001

BILLED TO

AIR QUALITY--WV DEP
601 57TH STREET SE
CHARLESTON WV 25304 USA



Please return this portion with your payment.
Make checks payable to: Charleston Newspapers

AMOUNT PAID: _____



CHARLESTON NEWSPAPERS

P.O. Box 2993
Charleston, West Virginia 25330
Billing 348-4898
Classified 348-4848
1-800-WVA-NEWS
FEIN 55-0676079

INVOICE DATE	06/12/17
ACCOUNT NBR	094808103
SALES REP ID	0026
INVOICE NBR	037998001

Legal pricing is based upon 65 words per column inch.
Each successive insertion is discounted by 25% of the first insertion rate.

The Charleston Gazette Mail rate is \$.14 per word.

ISSUE DATE	AD TYPE	PUB	DESCRIPTION		AD NUMBER	AD SIZE	RATE	GROSS AMOUNT	NET AMOUNT
			REFERENCE NBR	PURCHASE ORDER #		TOTAL RUN			
06/09	LEG	GZ	Public Notice 2018 P		0658831	1X0950	9.10	86.45	86.45
			037998001			9.50			
TOTAL INVOICE AMOUNT									86.45

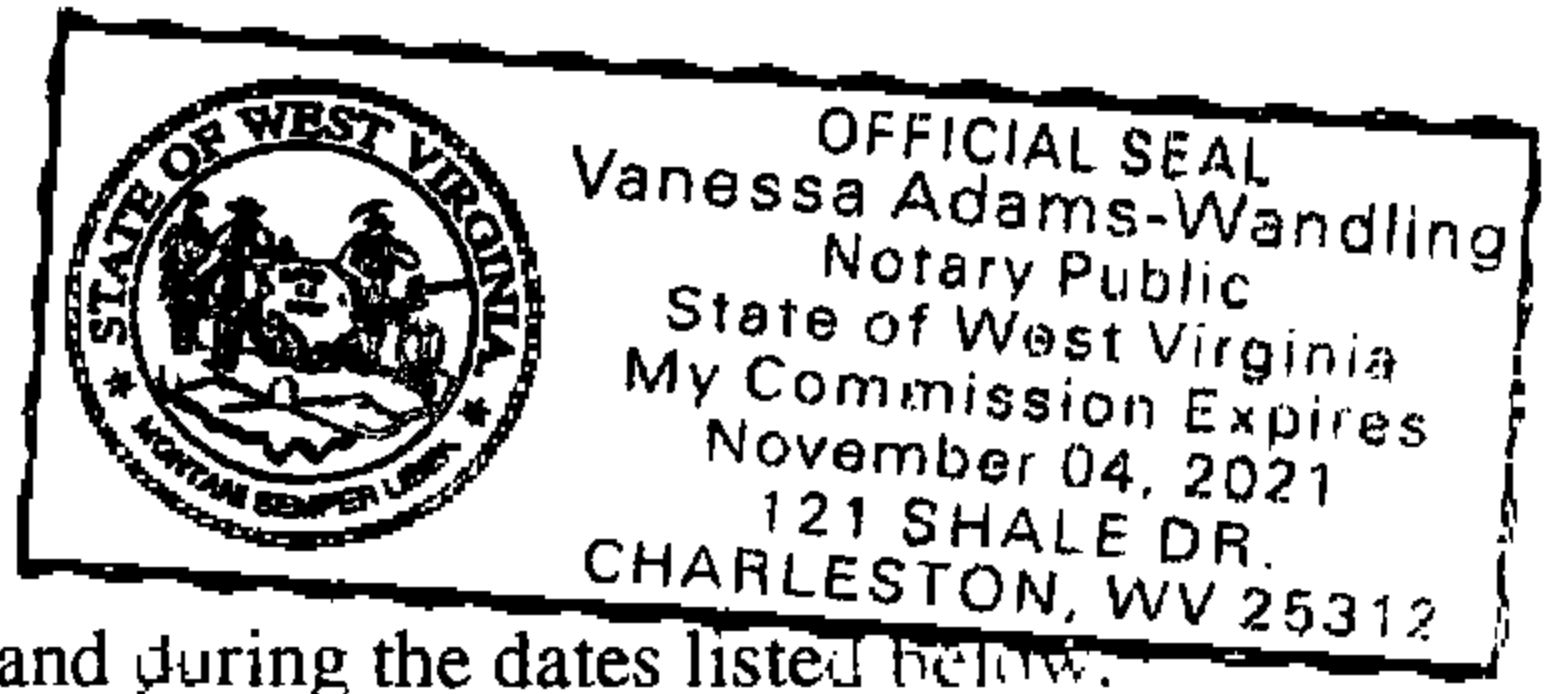
State of West Virginia, **AFFIDAVIT OF PUBLICATION**

[Signature]

of

CHARLESTON GAZETTE MAIL,
do solemnly swear that the legal notice of:
Public Notice 2018 Propo

was duly published in said newspaper(s) at the stated price for the respective newspaper(s) and during the dates listed below.



Subscribed and sworn to before me this 13 day of July 2017

[Signature]

06/09/17-06/09/17

Notary Public of Kanawha County, West Virginia



WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXIV

Issue 23

June 9, 2017

A Weekly Publication

Administrative Law Division
Judy Cooper, Manager

Mac Warner
Secretary of State
Administrative Law Division
Bldg. 1, Suite 157K
1900 Kanawha Blvd. E.
Charleston, WV 25305-0770

(304) 558-6000
www.wvsos.com

CONTENTS

Chronological Index

Rule Monitor

Notices

- a. Legislative Rules
- b. Interpretive Rules
- c. Procedural Rules
- d. Emergency Rules
- e. Legislative Rule-Making Review Committee

Legislative Interims

Orders

Ethics Commission Opinions

Office of Tax Appeal Decisions

Other Documents or Information Filed

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

Air Quality

Auditor

Counseling

Dentistry

Dietitians

Environmental Protection – Secretary's Office

Ethics Commission

Executive Order

Grievances Report

Health Care Authority

Medicine

Mining and Reclamation

Natural Resources

Optometry

Physical Therapy

Waste Management, Div. of Water & Waste Mgmt.

CHRONOLOGICAL INDEX, VOLUME XXXIV ISSUE 23

NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>HEARING/COMMENT PERIOD/LOCATION</u>
Air Quality (45-8)	Ambient Air Quality Standards Legislative	§22-5-4	Public Hearing: July 11, 2017, 6:00 pm Dept. of Environmental Protection Dolly Sod's Conference Room #1125 601 57 th Street SE Charleston, WV 25304 Written Comments : July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57 th Street SE Charleston, WV 25304
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	§22-5-4	Public Hearing: July 11, 2017, 6:00 pm Dept. of Environmental Protection Dolly Sod's Conference Room #1125 601 57 th Street SE Charleston, WV 25304 Written Comments: July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57 th Street SE Charleston, WV 25304
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	§22-5-4	Public Hearing: July 11, 2017, 6:00 pm Dept. of Environmental Protection Dolly Sod's Conference Room #1125 601 57 th Street SE Charleston, WV 25304 Written Comments: July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57 th Street SE Charleston, WV 25304

CHRONOLOGICAL INDEX, VOLUME XXXIV ISSUE 23

NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>HEARING/COMMENT PERIOD/LOCATION</u>
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	§22-5-4	Public Hearing: July 11, 2017, 6:00 pm Dept. of Environmental Protection Dolly Sod's Conference Room #1125 601 57 th Street SE Charleston, WV 25304 Written Comments: July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57 th Street SE Charleston, WV 25304
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	§§22-5-4 and 22-18-6	Public Hearing: July 11, 2017, 6:00 pm Dept. of Environmental Protection Dolly Sod's Conference Room #1125 601 57 th Street SE Charleston, WV 25304 Written Comments: July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57 th Street SE Charleston, WV 25304
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	§22-5-4	Public Hearing: July 11, 2017, 6:00 pm Dept. of Environmental Protection Dolly Sod's Conference Room #1125 601 57 th Street SE Charleston, WV 25304 Written Comments: July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57 th Street SE Charleston, WV 25304

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/6/2017	7/11/2017						
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/6/2017	7/11/2017						
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/7/2017	7/11/2017						
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/7/2017	7/11/2017						
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/6/2017	7/11/2017						
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/6/2017	7/11/2017						
Architects (2-1)	Registration of Architect Legislative	7/7/2016	8/8/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/5/2016	SB 86 HB 2235 Bundled HB 2219	5/23/2017	7/1/2017
Auditor (155-1)	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	7/27/2016	8/26/2016		8/26/2016	Modified w/certain amendments & Approved 9/21/2016 Filed 9/21/2016	SB 89 HB 2297 Bundled HB 2219	6/5/2017	7/1/2017
Auditor (155-8)	Procedure for Local Levying Bodies to Apply for Permission to Extend Time to Meet as Levying Body Legislative	7/26/2016	8/26/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 9/21/2016	SB 90 HB 2238 Bundled HB 2219	6/5/2017	7/1/2017
Comm. & Tech. College Education (135-25)	Residency Classification for Admission and Fee Purposes Procedural	4/25/2017	5/25/2017					5/31/2017	7/1/2017
Comm. & Tech. College Education (135-35)	Correspondence, Business, Occupational and Trade Schools Legislative	12/12/2016	1/13/2017				HB 2706		
Comm. & Tech. College Education (135-52)	Annual Reauthorization of Degree-Granting Institutions Legislative	12/12/2016	1/13/2017				HB 2706		



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/6/2017 3:15:17 PM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE - LEGISLATIVE



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/6/2017 3:30:24 PM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)**

AGENCY Air Quality
RULE TYPE Legislative AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 45-08
RULE NAME Ambient Air Quality Standards

CITE AUTHORITY W.Va. Code § 22-5-4

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Tuesday, July 11, 2017 6:00 PM

LOCATION OF PUBLIC HEARING
Department of Environmental Protection
Dolly Sod's Conference Room #1125
601 57th Street S.E.
Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS
Tuesday, July 11, 2017 7:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Department of Environmental Protection
Public Information Office
601 57th Street, S.E.
Charleston, WV 25304

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Kristin A Boggs -- 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.

**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)**

AGENCY Air Quality
RULE TYPE Legislative AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 45-16
RULE NAME Standards of Performance for New Stationary Sources

CITE AUTHORITY W.Va. Code §22-5-4

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Tuesday, July 11, 2017 6:00 PM

LOCATION OF PUBLIC HEARING
Department of Environmental Protection
Dolly Sod's Conference Room #1125
601 57th Street, S.E.
Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS
Tuesday, July 11, 2017 7:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Department of Environmental Protection
Public Information Office
601 57th Street, S.E.
Charleston, WV 25304

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Kristin A Boggs -- 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.



Title-Series: 45-08



Rule Id: 16464



Document: 49415



Title-Series: 45-16



Rule Id: 16471



Document: 49423



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

cFILED

6/7/2017 11:10:24 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

cFILED

6/7/2017 1:44:05 PM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)**

AGENCY **Air Quality**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **45-18**
RULE NAME **Control of Air Pollution from Combusion of Solid Waste**

CITE AUTHORITY **W. Va. Code § 22-5-4**

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Tuesday, July 11, 2017 6:00 PM

LOCATION OF PUBLIC HEARING
**Department of Environmental Protection
Dolly Sods Conference Room #1125
601 57th Street, S.E.
Charleston, WV 25304**

DATE WRITTEN COMMENT PERIOD ENDS
Tuesday, July 11, 2017 7:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
**Department of Environmental Protection
Public Information Office
601 57th Street, S.E.
Charleston, WV 25304**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Kristin A Boggs -- 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.



Title-Series: 45-18



Rule Id: 16466



Document: 49425

**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)**

AGENCY **Air Quality**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **45-23**
RULE NAME **Control of Air Pollution from Municipal Solid Waste Landfills**

CITE AUTHORITY **W. Va. Code § 22-5-4**

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Tuesday, July 11, 2017 6:00 PM

LOCATION OF PUBLIC HEARING
**Department of Environmental Protection
Dolly Sods Conference Room #1125
601 57th Street, S.E.
Charleston, WV 25304**

DATE WRITTEN COMMENT PERIOD ENDS
Tuesday, July 11, 2017 7:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
**Department of Environmental Protection
Public Information Office
601 57th Street, S.E.
Charleston, WV 25304**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Kristin A Boggs -- 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.



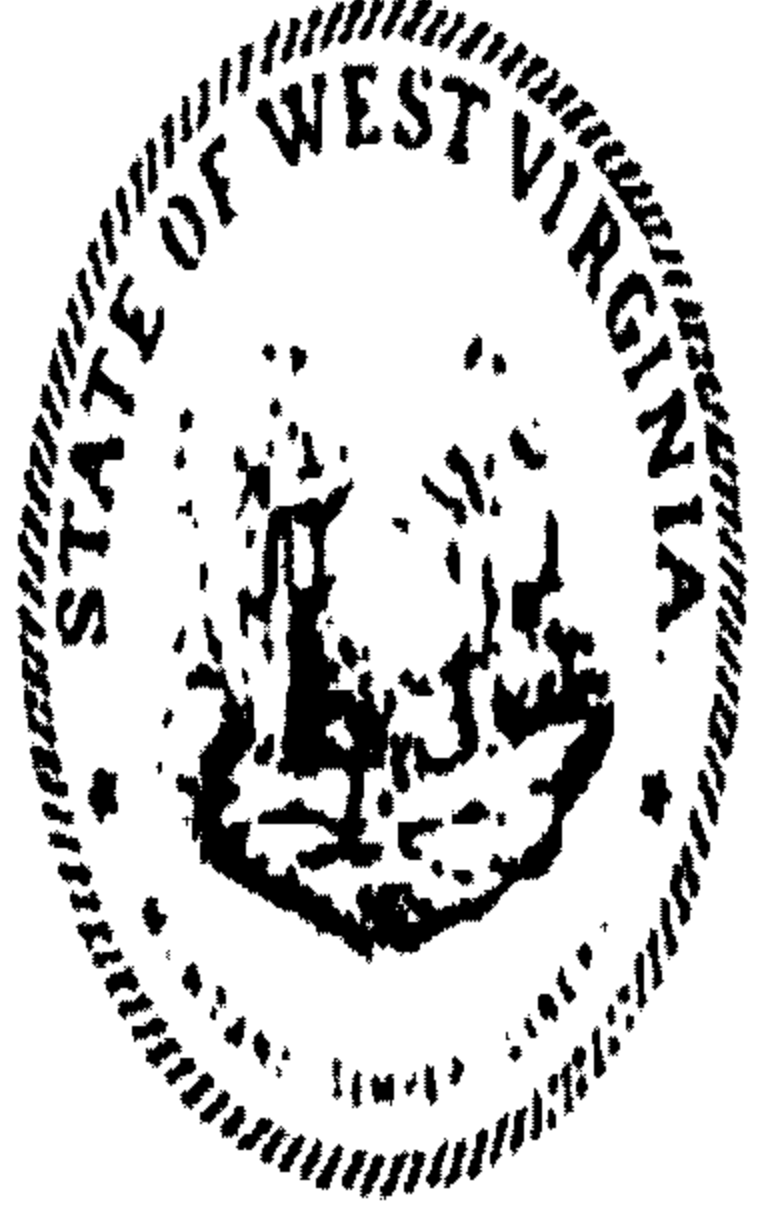
Title-Series: 45-23



Rule Id: 16467



Document: 49427



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/6/2017 3:25:08 PM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/6/2017 3:27:31 PM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)

AGENCY Air Quality
RULE TYPE Legislative AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 45-25
RULE NAME Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities

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

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Tuesday, July 11, 2017 6:00 PM

LOCATION OF PUBLIC HEARING
Department of Environmental Protection
Dolly Sods Conference Room #1125
601 57th Street, S.E.
Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS
Tuesday, July 11, 2017 7:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Department of Environmental Protection
Public Information Office
601 57th Street, S.E.
Charleston, WV 25304

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Kristin A Boggs -- 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.

FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)

AGENCY Air Quality
RULE TYPE Legislative AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 45-34
RULE NAME Emission Standards for Hazardous Air Pollutants

CITE AUTHORITY W.Va. Code §22-5-4

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Tuesday, July 11, 2017 6:00 PM

LOCATION OF PUBLIC HEARING
Department of Environmental Protection
Dolly Sods Conference Room #1125
601 57th Street, S.E.
Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS
Tuesday, July 11, 2017 7:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Department of Environmental Protection
Public Information Office
601 57th Street, S.E.
Charleston, WV 25304

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Kristin A Boggs -- 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.



Title-Series: 45-25



Rule Id: 16468



Document: 49419



Title-Series: 45-34



Rule Id: 16469



Document: 49421

Public Notice
2018 Proposed Legislative Rules

The West Virginia Division of Air Quality has scheduled a public hearing for its 2018 proposed legislative rules on Tuesday, July 11, 2017 at the Department of Environmental Protection's Charleston headquarters, 601 57th Street S.E., Charleston, WV 25304. The public hearing will take place beginning at 6 p.m. in the Dolly Sods Conference Room. Oral and written comments will be made a part of the rulemaking record.

Copies of the rules are available from the Secretary of State's office or from the DEP at <http://www.dep.wv.gov/pio/Pages/Rules.aspx>. You may also obtain hard copies of the information by calling the phone number listed below. Written comments may also be submitted to the Public Information Office at the above address or e-mailed to dep.comments@wv.gov. The public comment period begins on June 9, 2017 and ends at the conclusion of the public hearing, July 11, 2017.

Division of Air Quality:

- 45CSR8 - *Ambient Air Quality Standards*
- 45CSR16 - *Standards of Performance for New Stationary Sources*
- 45CSR18 - *Control of Air Pollution from Combustion of Solid Waste*
- 45CSR23 - *Control of Air Pollution from Municipal Solid Waste Landfills*
- 45CSR25 - *Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities*
- 45CSR34 - *Emission Standards for Hazardous Air Pollutants*

Upon authorization and promulgation, rules 45CSR16, 45CSR25 and 45CSR34 will be submitted to the United States EPA (EPA) to fulfill federal obligations under the Clean Air Act (CAA), including delegations and authorizations. Upon authorization and promulgation of 45CSR8, the DAQ will submit the rule to the EPA as a revision to the State Implementation Plan pursuant to the federal CAA. Upon authorization and promulgation of 45CSR18, the DAQ will submit the rule to the EPA as a revision to the State 111(d)/129 Plan pursuant to the federal CAA and to fulfill obligations regarding delegation of the federal New Source Performance Standards. Upon authorization and promulgation of 45CSR23, the DAQ will submit the rule to the EPA as a revision to the State 111(d) Plan pursuant to the federal CAA and to fulfill obligations regarding delegation of the federal New Source Performance Standards.

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

FILED
2017 JUN - 5 P 1:46
OFFICE WEST VIRGINIA
SECRETARY OF STATE

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

FILED

2017 JUN - 5 A 11:52

OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

June 5, 2017

LEGAL NOTICE

Sonia D. Chambers, Chair, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **June 2, 2017**.

CERTIFICATE OF NEED APPLICATION RECEIVED

June 1, 2017 - Good Samaritan Society Barbour County, Belington, Barbour County, CON File #17-7-11104-P, for the establishment of outpatient therapy services at 216 Samaritan Circle, Belington; capital expenditure: \$4,000.

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

May 31, 2017 - Lifetree Medical Services, LLC, Cabin Creek, Kanawha County, CON File #17-1/2/3/4/6/7/8/10-11091-P, for the development of ambulatory health care services through the provision of mid-level practitioner services at nursing homes located in the following counties: Boone, Braxton, Cabell, Clay, Fayette, Greenbrier, Hardy, Harrison, Lincoln, Marshall, McDowell, Mercer, Summers, Wayne, Webster and Wyoming; capital expenditure: \$10,000.

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

May 31, 2017 - Review cycle begins;

June 30, 2017 - 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;

July 5, 2017 - 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;

July 31, 2017 - Decision on the project will be issued by the Authority.

Public Notice

2018 Proposed Legislative Rules

The West Virginia Division of Air Quality has scheduled a public hearing for its 2018 proposed legislative rules on Tuesday, July 11, 2017 at the Department of Environmental Protection's Charleston headquarters, 601 57th Street S.E., Charleston, WV 25304. The public hearing will take place beginning at 6 p.m. in the Dolly Sods Conference Room. Oral and written comments will be made a part of the rulemaking record.

Copies of the rules are available from the Secretary of State's office or from the DEP at <http://www.dep.wv.gov/pio/Pages/Rules.aspx>. You may also obtain hard copies of the information by calling the phone number listed below. Written comments may also be submitted to the Public Information Office at the above address or e-mailed to dep.comments@wv.gov. The public comment period begins on June 9, 2017 and ends at the conclusion of the public hearing, July 11, 2017.

Division of Air Quality:

- 45CSR8 - *Ambient Air Quality Standards*
- 45CSR16 - *Standards of Performance for New Stationary Sources*
- 45CSR18 - *Control of Air Pollution from Combustion of Solid Waste*
- 45CSR23 - *Control of Air Pollution from Municipal Solid Waste Landfills*
- 45CSR25 - *Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities*
- 45CSR34 - *Emission Standards for Hazardous Air Pollutants*

Upon authorization and promulgation, rules 45CSR16, 45CSR25 and 45CSR34 will be submitted to the United States EPA (EPA) to fulfill federal obligations under the Clean Air Act (CAA), including delegations and authorizations. Upon authorization and promulgation of 45CSR8, the DAQ will submit the rule to the EPA as a revision to the State Implementation Plan pursuant to the federal CAA. Upon authorization and promulgation of 45CSR18, the DAQ will submit the rule to the EPA as a revision to the State 111(d)/129 Plan pursuant to the federal CAA and to fulfill obligations regarding delegation of the federal New Source Performance Standards. Upon authorization and promulgation of 45CSR23, the DAQ will submit the rule to the EPA as a revision to the State 111(d) Plan pursuant to the federal CAA and to fulfill obligations regarding delegation of the federal New Source Performance Standards.

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



west virginia department of environmental protection

SIGN-IN SHEET

Public Hearing on proposed 2018 Division of Air Quality Rules 45CSR8, 45CSR16, 45CSR18, 45CSR23, 45CSR25, and 45CSR34.

July 11, 2017, 6:00 p.m.

The Department of Environmental Protection asks for the information below so that agency staff may provide responses and information about decisions to you. The information you voluntarily provide on this sheet becomes part of the public record related to this topic and may be released if requested under the Freedom of Information Act.

Name (please print)	Address	Organization	Phone	E-mail	Comment Y/N
<i>Wally [unclear]</i>		<i>County [unclear]</i>			
<i>[unclear]</i>					

BEFORE THE WEST VIRGINIA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
DIVISION OF AIR QUALITY

In re: 45CSR16 - *Standards of Performance for New
Stationary Sources*

Transcript of proceedings had at a public hearing in the above-styled matter taken at the West Virginia Department of Environmental Protection, Division of Air Quality, Conference Room, 601 57th Street, S. E., Charleston, West Virginia, commencing at 6:10 p.m., on the 11th day of July 2017, pursuant to notice.

MISSY L. YOUNG, C.C.R.
POST OFFICE BOX 13622
SISSONVILLE, WEST VIRGINIA 25360
304-539-6192

P R O C E E D I N G S

1
2 MS. JENNINGS: This public hearing will now come
3 to order on this 11th day of July, 2017 at the West
4 Virginia Department of Environmental Protection
5 Headquarters. Comments and testimony will be accepted
6 until the close of this hearing and will be made part of
7 the rulemaking record. Any question regarding revisions to
8 the rules should be included with your comments, and any
9 such question will be addressed as part of the response to
10 comments in the rulemaking record.

11 The purpose of this public hearing is to accept
12 comments on proposed revisions to rule 45CSR16 - Standards
13 of Performance for New Stationary Sources.

14 This rule establishes and adopts national
15 standards of performance for new stationary sources and
16 other regulatory requirements promulgated by the EPA
17 pursuant to the federal Clean Air Act. This rule codifies
18 general procedures and criteria to implement standards of
19 performance for new stationary sources set forth in 40 CFR
20 Part 60. Revisions to this rule are necessary to maintain
21 consistency with current federal regulations, and for the
22 State to fulfill its responsibilities under the Clean Air
23 Act and enable DEP to continue to be the primary

1 enforcement authority for such national standards
2 promulgated by EPA. Revisions to the rule include annual
3 incorporation by reference of the federal regulations as of
4 June 1, 2017.

5 The floor is now open for comments.

6 There being nothing further, this public hearing
7 for proposed rule 45CSR16 is concluded.

8 (WHEREUPON, the hearing was
9 concluded at 6:16 p.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

Proceedings

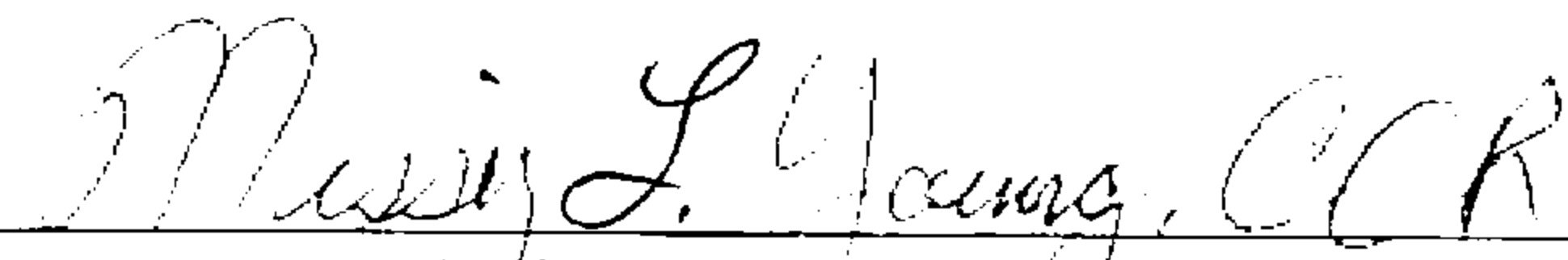
4

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, to-wit:

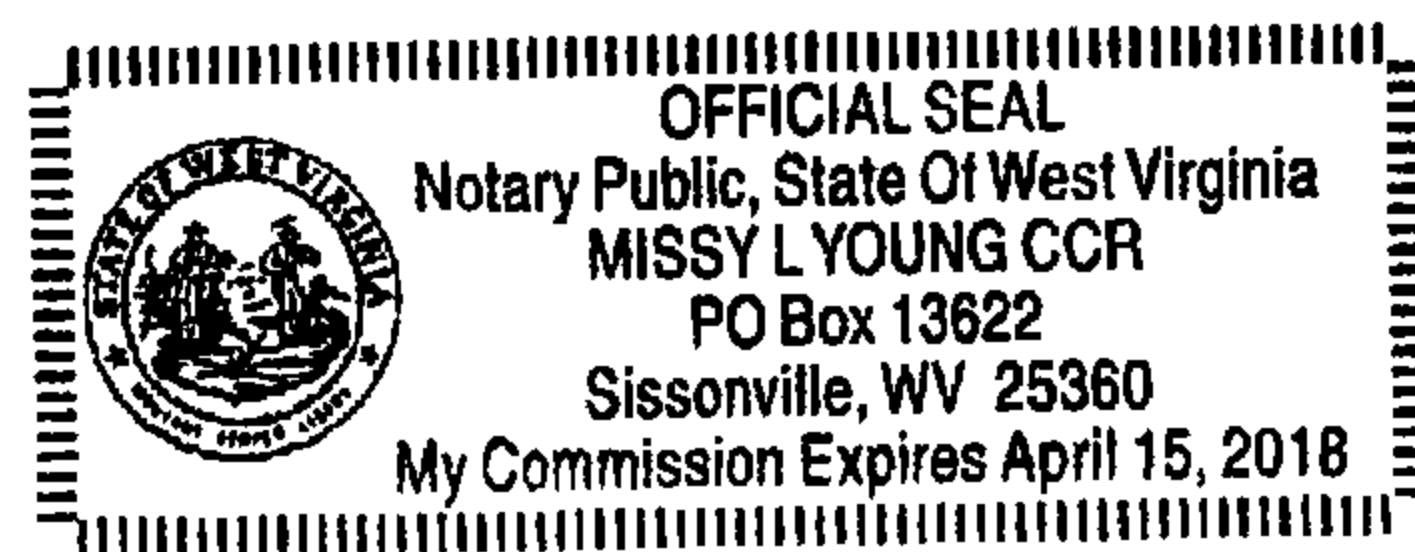
I, the undersigned, Missy L. Young, a Certified Court Reporter and Notary Public within and for the State of West Virginia, duly commissioned and qualified, do hereby certify that the foregoing, was taken to the best of my skill and ability, a true and accurate transcript of all the proceedings had in the aforementioned matter.

Given under my hand and official seal this 14th day of July, 2016.



Certified Court Reporter
Notary Public for the State of West Virginia

My commission expires April 15, 2018.



MISSY L. YOUNG, C.C.R. 304-539-6192

45CSR16
STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

RESPONSE TO COMMENTS

On June 9, 2017, the Division of Air Quality (DAQ) commenced a public comment period for a minimum of 30 days and subsequently held a public hearing on July 11, 2017 to accept oral comments on proposed revisions to legislative rule 45CSR16. Written comments were accepted through the conclusion of the public hearing on Tuesday, July 11, 2017. No written comments were received regarding proposed revisions to rule 45CSR16, and no attendee of the public hearing provided relevant verbal comment.