

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
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Other Documents or Information Filed

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

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Environmental Protection – Secretary's Office

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Health Care Authority

Medicine

Mining and Reclamation

Natural Resources

Optometry

Physical Therapy

Waste Management, Div. of Water & Waste Mgmt.

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NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
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 57th Street SE Charleston, WV 25304 Written Comments : July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57th 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 57th Street SE Charleston, WV 25304 Written Comments: July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57th 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 57th Street SE Charleston, WV 25304 Written Comments: July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57th Street SE Charleston, WV 25304

CHRONOLOGICAL INDEX, VOLUME XXXIV ISSUE 23			
NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
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 57th Street SE Charleston, WV 25304 Written Comments: July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57th 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 57th Street SE Charleston, WV 25304 Written Comments: July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57th 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 57th Street SE Charleston, WV 25304 Written Comments: July 11, 2017, 7:00 pm Dept. of Environmental Protection Public Information Office 601 57th Street SE Charleston, WV 25304

CHRONOLOGICAL INDEX, VOLUME XXXIV ISSUE 23			
NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Dietitians (31-1)	Licensure and Renewal Requirements Legislative	§30-25-4	Written Comments Only July 17, 2017, 12:00 pm WV Board of Licensed Dietitians 723 Kanawha Blvd. E Room 105 – Union Bldg. Charleston, WV 25301
Environmental Protection – Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	§22-22-3	Public Hearing: July 6, 2017, 6:00 pm Coopers Rock Room #1203-1204 WV Dept. of Environmental Protection 601 57th Street SE Charleston, WV 25304 Written Comments: July 6, 2017, 7:00 pm Patricia A. Hickman, Director Division of Land Restoration WV Dept. of Environmental Protection 601 57th Street SE Charleston, WV 25304
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Legislative	§§22-3-4, 22-3-12, 22-3-13(g), 22-3-23(i) and 22-3-35	Public Hearing: July 18, 2017, 6:00 pm Dept. of Environmental Protection Coopers Rock Room 601 57th Street Charleston, WV 25304 Written Comments: July 18, 2017, 6:00 pm Charles Sturey Dept. of Environmental Protection Div. of Mining and Reclamation 601 57th Street Charleston, WV 25304

CHRONOLOGICAL INDEX, VOLUME XXXIV ISSUE 23			
NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Waste Management, Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	§22-18-6	Public Hearing: July 6, 2017, 6:00 pm WV Dept. of Environmental Protection Coopers Rock Training and Conference Room 601 57th Street SE Charleston, WV 25304 Written Comments: July 6, 2017, 6:30 pm WV Dept. of Environmental Protection DWWM Hazardous Waste Rule Comments Attn: Julie Wandling 601 57th Street SE Charleston, WV 25304
Waste Management, Div. of Water & Waste Mgmt. (33-30)	Underground Storage Tanks Legislative	§22-17-6	Public Hearing: July 6, 2017, 6:00 pm WVDEP Headquarters Coopers Rock Training Room 601 57th Street SE Charleston, WV 25304 Written Comments: July 6, 2017, 6:30 pm WVDEP UST Rule Comments, Attn: Joe Sizemore 601 57th Street SE Charleston, WV 25304

NO NEW EMERGENCY RULES WERE FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE FOR HEARING**

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

Mac Warner
Secretary of State
State of West Virginia

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Toll Free: 1-866-SOS-VOTE
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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
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	13	OCCUPATIONAL THERAPY
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	20	SANITARIANS
TITLE	24	OSTEOPATHY
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY
TITLE	33	OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47)
TITLE	35	OFFICE OF OIL AND GAS
TITLE	36	COAL MINE HEALTH & SAFETY
TITLE	38	MINING & RECLAMATION
TITLE	42	LABOR
TITLE	45	OFFICE OF AIR QUALITY
TITLE	47	OFFICE OF WATER RESOURCES
TITLE	48	MINES TRAINING EDUCATION & CERTIFICATION
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	63	CONSERVATION AGENCY
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH & HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	82	CULTURE AND HISTORY
TITLE	85	WORKERSCOMPENSATION BY THE INSURANCE COMMISSION
TITLE	86	VETERANS AFFAIRS
TITLE	87	FIRE COMMISSION
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL & CORRECTIONAL FACILITY AUTHORITY
TITLE	96	WORKFORCE WEST VIRGINIA
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	113	HEALTH INSURANCE PLAN
TITLE	114	INSURANCE
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMM.
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY & TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTION
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	157	DIVISION OF HIGWAYS
TITLE	158	ETHICS COMMISSION
TITLE	162	CONSOLIDATED PUBLIC RETIREMENT BOARD
TITLE	172	STATE RAIL AUTHORITY
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION – BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY
TITLE	184	PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE	191	FAMILY PROTECTION SERVICES BOARD
TITLE	199	EXPLOSIVES & BLASTING
TITLE	204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY
TITLE	205	OUTDOOR HERITAGE CONSERVATION FUND
TITLE	207	COALFIELD COMMUNITY DEVELOPMENT
TITLE	210	GOHELP

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	Modifed 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		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Counseling (27-2)	Licensed Professional Counselor Fees Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 1/10/2017 Filed 1/25/2017	SB 100 HB 2244 Bundled HB 2219	6/5/2017	7/1/2017
Counseling (27-3)	Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 1/10/2017 Filed 1/25/2017	SB 101 HB 2245 Bundled HB 2219	6/5/2017	7/1/2017
Counseling (27-9)	Marriage and Family Therapist Fees Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 1/10/2017 Filed 1/25/2017	SB 102 HB 2246 Bundled HB 2219	6/5/2017	7/1/2017
Counseling (27-10)	Marriage and Family Therapist License Renewal and Continuing Professional Education Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 1/10/2017 Filed 1/25/2017	SB 99 HB 2247 Bundled HB 2219	6/5/2017	7/1/2017
Dentistry (5-9)	Application Procedures for Licensure or Certificate Procedural	5/3/2017	6/3/2017					6/8/2017	7/10/2017
Dietitians (31-1)	Licensure and Renewal Requirements Legislative	6/8/2017	7/17/2017						
Education (126-15)	Regulations and English Language Proficiency Standards for English Learners (2417) Legislative Exempt	4/13/2017	5/15/2017						
Education (126-16)	Regulations for the Education of Students with Exceptionalities (2419) Legislative Exempt	4/13/2017	6/11/2017						
Education (126-44N)	21st Century Learning Skills & Tech. Tools Content Standards & Objectives for WV Schools (2520.14) Legislative Exempt	1/11/2017	2/10/2017					4/13/2017	7/1/2017
Education (126-44U)	WV College and Career Readiness Dispositions and Standards for Student Success for Grades K-12 (2520.19) Legislative Exempt	1/11/2017	2/10/2017					3/9/2017	7/1/2017

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-67)	Comprehensive School Counseling Programs (2315) Legislative Exempt	5/18/2017	6/19/2017						
Education (126-126)	Procedures for Designated Hiring and Transfer of School Personnel (Policy 5000) Legislative Exempt	3/9/2017	4/10/2017					5/18/2017	6/19/2017
Environmental Protection – Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2017	7/6/2017						
Health Care Authority (65-30)	Rural Health Systems Grant Program Legislative	6/9/2016	7/11/2016	6/7/2016 Approved 6/17/2016 Amendment 8/24/2016 Approved 9/14/2016 Amendment 12/16/2016 Approved 12/29/2016	8/24/2016	Modified & Approved 12/6/2016 Filed 12/16/2016	SB 124 HB 2260 Bundled SB 125		
Health Care Authority (65-31)	Hospital Assistance Grant Program Legislative	6/7/2016	7/11/2016	6/7/2016 Approved 6/10/2016 Amendment 8/24/2016 Approved 9/14/2016 Amendment 12/16/2016 Approved 12/29/2016	8/24/2016	Modified & Approved 12/6/2016 Filed 12/16/2016	SB 125 HB 2261 Bundled SB 125		
Higher Ed. Policy Commission (133-7)	WV Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program Legislative	11/18/2016	12/18/2016		12/20/2016		HB 2706		
Higher Ed. Policy Commission (133-25)	Residency Classification for Admission and Fee Purposes Procedural	4/4/2017	5/4/2017					5/9/2017	6/9/2017
Higher Ed. Policy Commission (133-42)	WV Higher Education Grant Program Legislative	11/18/2016	12/18/2016		12/20/2016		HB 2706		
Higher Ed. Policy Commission (133-48)	Research Trust Fund Legislative	11/18/2016	12/18/2016		12/21/2016		HB 2706		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Ed. Policy Commission (133-52)	Annual Reauthorization of Degree-Granting Institutions Legislative	11/18/2016	12/18/2016		12/21/2016		HB 2706		
Medicine (11-1A)	Licensing and Disciplinary Procedures: Physicians, Podiatrists Legislative	6/1/2016	6/30/2016		7/12/2016	Modified & Approved 8/22/2016 Filed 9/1/2016	SB 129 HB 2264 Bundled HB 2219	6/5/2017	7/5/2017
Medicine (11-1B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	5/31/2016	6/30/2016		7/12/2016	Modified & Approved 8/22/2016 Filed 9/1/2016	SB 130 HB 2265 Bundled HB 2219	6/5/2017	7/5/2017
Medicine (11-5)	Dispensing of Legend Drugs by Practitioners Legislative	7/12/2016	8/11/2016		8/24/2016	Modified & Approved 9/21/2016 Filed 9/26/2016	SB 131 HB 2266 Bundled HB 2219	6/5/2017	7/5/2017
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Legislative	6/6/2017	7/18/2017						
Natural Resources (58-6)	Awarding of Matching Grants for Local Litter Control Programs-Repeal Legislative							6/2/2017	6/2/2017
Natural Resources (58-24)	Point System for the Revocation of Hunting – Repeal Legislative	7/26/2016	8/26/2016		8/29/2016	Approved 12/6/2016	SB 134 HB 2231 Bundled SB 134	6/2/2017	6/2/2017
Optometry (14-10)	Continuing Education Legislative	7/19/2016	8/22/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/3/2016	SB 138 HB 2272 Bundled HB 2219	6/7/2017	6/7/2017
Osteopathic Medicine (24-2)	Osteopathic Physician Assistants Legislative	7/25/2016	8/25/2016		8/29/2016	Modified & Approved 9/21/2016	SB 140 HB 2274 Bundled HB 2219	5/9/2017	7/1/2017
Pharmacy (15-2)	Uniform Controlled Substances Act Legislative	5/11/2017	6/12/2017						
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	5/12/2017	6/12/2017						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-10)	Pharmacist Recovery Networks Legislative	5/12/2017	6/12/2017						
Physical Therapy (16-4)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	3/16/2016	4/18/2016		4/22/2016	Approved 9/1/2016	SB 144 HB 2232 Bundled HB 2219	6/5/2017	9/1/2017
Public Service Commission (150-37)	Telephone Conduit Occupancy Legislative	6/7/2016	7/15/2016		8/26/2016	Modified & Approved 12/7/2016 Filed 12/13/2016	SB 145 HB 2278 Bundled HB 2219	5/17/2017	8/1/2017
Racing Commission (178-5)	Pari-Mutuel Wagering Legislative	7/13/2016	8/12/2016		8/18/2016	Modified & Approved 9/21/2016 Filed 9/19/2016	SB 147 HB 2280 Bundled SB 127	5/3/2017	8/1/2017
School Building Authority of WV (164-1)	School Building Authority Policy and Procedures Handbook Procedural	12/22/2016	1/23/2017						
Secondary School Activities Comm. (127-2)	Athletics, Provisions Governing Eligibility Legislative Exempt	5/18/2017	6/19/2017						
Secondary School Activities Comm. (127-3)	Provisions Governing Contests Legislative Exempt	5/18/2017	6/19/2017						
Secretary of State (153-8)	Electioneering Prohibitions Interpretive	5/9/2017	6/9/2017						
Senior Services (76-3)	WV State Plan for Aging Programs Interpretive	7/7/2016	8/8/2016						
Social Work Examiners (25-5)	Continuing Education for Social Workers and Providers Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 9/21/2016	SB 155 HB 2288 Bundled HB 2219	5/25/2017	7/1/2017
Speech-Language Pathology & Audiology (29-1)	Licensure of Speech-Pathology and Audiology Legislative	7/15/2016	8/18/2016		8/22/2016	Modified & Approved 1/10/2017 Filed 1/23/2017	SB 156 HB 2289 Bundled HB 2219	5/3/2017	7/1/2017
Veterinary Medicine (26-4)	Standards of Practice Legislative	3/10/2016	4/11/2016		6/15/2016	Modified & Approved 9/21/2016 Filed 9/28/2016	SB 163 HB 2296 Bundled HB 2219	5/8/2017	7/1/2017

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Waste Mgmt., Div. of Water & Waste Mgmt (33-01A)	Disposal of Completion Waste Interpretive	3/16/2017	4/16/2017						
Waste Mgmt., Div. of Water & Waste Mgmt (33-20)	Hazardous Waste Management System Legislative	6/5/2017	7/6/2017						
Waste Mgmt., Div. of Water & Waste Mgmt (33-30)	Underground Storage Tanks Legislative	6/5/2017	7/6/2017						

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.

Title-Series: 45-08 Rule Id: 16464 Document: 49415

WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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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: 45-16 Rule Id: 16471 Document: 49423

WEST VIRGINIA
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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.
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Charleston, WV 25304

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Title-Series: 45-18 Rule Id: 16466 Document: 49425

WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER
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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

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.

Title-Series: 45-25 Rule Id: 16468 Document: 49419

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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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: 45-34 Rule Id: 16469 Document: 49421

FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Auditor**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **No** TITLE-SERIES **155-01**
RULE NAME **Standards for Requisitions for Payment Issued by State Officers on the Auditor**

CITE AUTHORITY §155CSR1

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
2219	§64-9-4	04/08/2017

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE

Saturday, July 01, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE

Friday, July 01, 2022

Lea Ann Richards – 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: 155-01 Rule Id: 10267 Document: 49402

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FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Auditor**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **No** TITLE-SERIES **155-08**
RULE NAME **Procedure For Local Levying Bodies To Apply for Permission To Extend Time To Meet Its Levying Body**

CITE AUTHORITY §155CSR8

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
2219	§64-9-4	04/08/2017

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE

Saturday, July 01, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE

Friday, July 01, 2022

Lea Ann Richards – 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: 155-08 Rule Id: 10266 Document: 49403

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LEGISLATIVE

FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Counseling**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **27-02**

RULE NAME **Licensed Professional Counselor Fees**

CITE AUTHORITY **30-31**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
2219	**64-9-6**	**04/08/2017**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE

Saturday, July 01, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE

Thursday, July 01, 2027

Roxanne E Clay – 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: 27-02 Rule Id: 10261 Document: 49405

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FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Counseling**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **27-03**

RULE NAME **Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements**

CITE AUTHORITY **30-31**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
2219	**64-9-6**	**04/08/2017**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE

Saturday, July 01, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE

Thursday, July 01, 2027

Roxanne E Clay – 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: 27-03 Rule Id: 10262 Document: 49408

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LEGISLATIVE

FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Counseling**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **27-09**
RULE NAME **Marriage and Family Therapist Fees**

CITE AUTHORITY **30-31**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
2219	**64-9-6**	**04/08/2017**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE
Saturday, July 01, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE
Thursday, July 01, 2027

Roxanne E Clay – 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: 27-09 Rule Id: 10260 Document: 49409

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FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Counseling**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **27-10**
RULE NAME **Marriage and Family Therapist License Renewal and Continuing Professional Education Requirements**

CITE AUTHORITY **30-31**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
2219	**64-9-6**	**04/08/2017**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE
Saturday, July 01, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE
Thursday, July 01, 2027

Roxanne E Clay – 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: 27-10 Rule Id: 10264 Document: 49410

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LEGISLATIVE

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

AGENCY **Dietitians**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **31-01**
RULE NAME **Licensure and Renewal Requirements**

CITE AUTHORITY **§ 30-25-4**

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Monday, July 17, 2017 12:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
WV Board of Licensed Dietitians
723 Kanawha Blvd., E.
Room 105 - Union Bldg.
Charleston, WV 25301

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

Yes
Grady M Bowyer – 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: 31-01 Rule Id: 16481 Document: 49429

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

AGENCY **Environmental Protection - Secretary's Office**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **60-03**
RULE NAME **Voluntary Remediation and Redevelopment Rule**

CITE AUTHORITY **W. Va. Code § 22-22-3**

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Thursday, July 06, 2017 6:00 PM

LOCATION OF PUBLIC HEARING
Coopers Rock Room #1203-1204
West Virginia Department of Environmental Protection
601 57th Street SE
Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS
Thursday, July 06, 2017 7:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Patricia A. Hickman, Director
Division of Land Restoration
WV Department of Environmental Protection
601 57th Street SE
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: 60-03 Rule Id: 16474 Document: 49411

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LEGISLATIVE

FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Medicine**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **11-01A**
RULE NAME **Licensing and Disciplinary Procedures: Physicians; Podiatrists**

CITE AUTHORITY **W. Va. Code §30-3-7(a)(1); §30-1D-1(d); and §64-9-11**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
HB 2219	**64-9-9(a)**	**04/08/2017**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE

Wednesday, July 05, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE

Tuesday, July 05, 2022

Mark A Spangler – 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: 11-01A Rule Id: 10137 Document: 49404

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FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Medicine**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **11-01B**
RULE NAME **Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants**

CITE AUTHORITY **W. Va. Code §30-1-7(a); §30-3E-3(a)(1)-(10), and §30-1D-1(d)**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
HB 2219	**64-9-9(b)**	**04/08/2017**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE

Wednesday, July 05, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE

Tuesday, July 05, 2022

Mark A Spangler – 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: 11-01B Rule Id: 10147 Document: 49406

FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Medicine**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **11-05**
RULE NAME **Dispensing of Legend Drugs by Practitioners**

CITE AUTHORITY **W. Va. Code §30-3-7(a)(1); §30-3E-2(3); and §60A-3-301**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
HB 2219	**64-9-9(c)**	**04/08/2017**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE
Wednesday, July 05, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE
Tuesday, July 05, 2022

Mark A Spangler – 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: 11-05 Rule Id: 10223 Document: 49407

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

AGENCY **Mining And Reclamation**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **38-02**
RULE NAME **West Virginia Surface Mining Reclamation**

CITE AUTHORITY **§§22-3-4,22-3-12, 22-3-13(g),22-3-23(i), and 22-3-35**

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Tuesday, July 18, 2017 6:00 PM

LOCATION OF PUBLIC HEARING
Department of Environmental Protection
Cooper Rock Room
601 57th Street
Charleston, West Virginia 25304

DATE WRITTEN COMMENT PERIOD ENDS
Tuesday, July 18, 2017 6:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Charles Sturey
Department of Environmental Protection
Division of Mining and Reclamation
601 57th Street
Charleston, West Virginia 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: 38-02 Rule Id: 16431 Document: 49414

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LEGISLATIVE

FORM 6 -- NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Natural Resources**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **58-06**
RULE NAME **Awarding of Matching Grants for Local Litter Control Programs**

CITE AUTHORITY §20-7-25

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
134	§64-10-1(f)	04/08/2017

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE
Friday, June 02, 2017

Patricia J White -- 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: 58-06 Rule Id: 10180 Document: 49399

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MAC WARNER
ADMINISTRATIVE LAW DIVISION

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FORM 6 -- NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Natural Resources**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **58-24**
RULE NAME **Point System For the Revocation of Hunting - Repeal**

CITE AUTHORITY §§20-1-7, 20-2-38

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
134	§64-10-1(a)	04/08/2017

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE
Friday, June 02, 2017

Patricia J White -- 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: 58-24 Rule Id: 10259 Document: 49400

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MAC WARNER

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LEGISLATIVE

FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Optometry**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **14-10**
RULE NAME **Continuing Education**

CITE AUTHORITY **§30-8-1, et.seq, §30-1-7a**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
HB2219	**§64-9-10**	**04/08/2017**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE

Wednesday, June 07, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE

Saturday, June 07, 2025

Pamela P Carper – 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: 14-10 Rule Id: 10231 Document: 49426

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MAC WARNER

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FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Physical Therapy**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **16-04**
RULE NAME **Fees for Physical Therapist and Physical Therapist Assistant**

CITE AUTHORITY **30-20-1**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
HB 2219	**§64-9-6**	**04/08/2017**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE

Friday, September 01, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE FOLLOWING DATE

Thursday, September 01, 2022

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.

Title-Series: 16-04 Rule Id: 10093 Document: 49401

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LEGISLATIVE

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

AGENCY **Waste Management Division Of Water And Waste Management**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **33-20**
RULE NAME **Hazardous Waste Management System**

CITE AUTHORITY **W. Va. Code § 22-18-6**

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Thursday, July 06, 2017 6:00 PM

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

DATE WRITTEN COMMENT PERIOD ENDS
Thursday, July 06, 2017 6:30 PM

WRITTEN COMMENTS MAY BE MAILED TO
WV Department of Environmental Protection
DWWM Hazardous Waste Rule Comments
Attention: Julie Wandling
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: 33-20 Rule Id: 16463 Document: 49412

WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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

AGENCY **Waste Management Division Of Water And Waste Management**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **33-30**
RULE NAME **Underground Storage Tanks**

CITE AUTHORITY **22-17-6**

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Thursday, July 06, 2017 6:00 PM

LOCATION OF PUBLIC HEARING
WVDEP Headquarters
Coopers Rock Training Room
601 57th Street, S.E.
Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS
Thursday, July 06, 2017 6:30 PM

WRITTEN COMMENTS MAY BE MAILED TO
WVDEP
UST Rule Comments; Attn: Joe Sizemore
601 57th St. 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: 33-30 Rule Id: 16470 Document: 49413

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PROCEDURAL

FORM 5 – NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY **Dentistry WV Board of**
RULE TYPE **Procedural** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **5-09**
RULE NAME **Application Procedures for Licensure or Certificate**

CITE AUTHORITY **§30-4-6**

RULE IS LEGISLATIVE EXEMPT
Yes
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW
§29A-3-1 et seq

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE EFFECTIVE DATE OF THIS RULE IS
Monday, July 10, 2017

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

Yes
Susan Combs – 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: 5-09 Rule Id: 16432 Document: 49430

Orders Report

Docket Number	Agency	Respondent	Date Rendered
VCRB-2015-116	Ethics Commission	Eric L. Hodges	6/1/2017
17-2-11085-X	Health Care Authority	A Brighter Future for West Virginia Inc	5/26/2017
17-2-11036-A	Health Care Authority	AF-CH-HH, LLC	5/25/2017
17-2-11086-X	Health Care Authority	Camden-on-Gauley Medical Center Inc	5/26/2017
17-11-11087-X	Health Care Authority	Crittenton Services Inc	5/26/2017
15-9-10410-BH	Health Care Authority	Jefferson Medical Center	5/23/2017
17-1-11081-X	Health Care Authority	New Life Clinics Inc	5/26/2017
17-3-11090-X	Health Care Authority	Thomas Memorial Hospital	5/26/2017
17-7-11061-X	Health Care Authority	Valley Health Care Inc	5/23/2017
17-7-11062-X	Health Care Authority	Valley Health Care Inc	5/23/2017
08-3-8888-H	Health Care Authority	Charleston Area Medical Center	6/2/2017
17-8-11108-X	Health Care Authority	Developmental Center & Workshop Inc	6/1/2017
17-12-11092-X	Health Care Authority	Integrated Resources Inc	6/1/2017
17-5-11015-A	Health Care Authority	LHCG LXXXIX, LLC	6/2/2017
17-5-11015-A	Health Care Authority	LHCG XC, LLC	6/2/2017
17-2-11075-X	Health Care Authority	NCGCare Acquisition LLC	5/31/2017
03-3-761-H	Health Care Authority	Putnam General Hospital	6/2/2017
17-9-11084-X	Health Care Authority	Winchester Community Mental Health Center Inc	6/2/2017

WEST VIRGINIA ETHICS COMMISSION ADVISORY OPINIONS	
NO.	**OPINION SOUGHT**
2017-16	The Director of a State Agency asks Whether the Ethics Act permits the agency's annual educational publication to include the Director's name, title and photograph and the names of the Governor and the agency's Commissioners, Section Chiefs and specialists in the agency.

WEST VIRGINIA ETHICS COMMISSION'S COMMITTEE ON OPEN GOVERNMENTAL MEETINGS ADVISORY OPINIONS	
NO.	**OPINION SOUGHT**
2017-01	A City Council Member-Elect for the City of Morgantown asks whether the Open Governmental Proceedings Act applies to a gathering of elected municipal officials during the time between their election and the time they assume the full duties and authority of their elected office.

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2016-1064-KanED	**Ronald E. Shaffer**	Kanawha County Board Of Education	4/5/2017
2016-1687-JefED	**Donna Joy**	Jefferson County Board Of Education	5/16/2017
2016-1712-BooED	**Teresa Chapman-Davidson**	Boone County Board Of Education	5/17/2017
2017-1184-MAPS	**Robert Paul Tate, Jr.**	Corrections	5/18/2017
		Parkersburg Correctional Center	5/18/2017
2016-1702-KanED	**Paul H. Townsend**	Kanawha County Board Of Education	5/22/2017
2017-1370-KanED	**Kelli Wright**	Kanawha County Board Of Education	5/22/2017
2016-1741-CONS	**Sandra L. Jeffries, et al.**	Health And Human Resources	5/23/2017
		William R. Sharpe, Jr. Hospital	5/23/2017
2017-0795-DOT	**Todd W. Keplinger**	Highways	5/23/2017
2016-1604-CONS	**Matt Johnson**	Highways	5/23/2017
	Robert Newlon	Highways	5/23/2017
2016-1703-CabED	**Lauren Rebekah Werthammer**	Cabell County Board Of Education	5/30/2017

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 4-17

By the Governor

WHEREAS, the Office of Economic Opportunity, through Executive Order 4-12, was transferred to the Department of Commerce, Office of the Secretary from the Governor's Office; and

WHEREAS, the Office of Economic Opportunity administers and coordinates programs and services to low-income families to alleviate the causes of poverty in communities and to increase self-sufficiency of those served; and

WHEREAS, the Office of Economic Opportunity ensures the integrity of programs by providing funding, training, technical assistance and oversight for a statewide network of partners that increases economic opportunities for individuals, families, and communities in West Virginia; and

WHEREAS, the Office of Economic Opportunity and the services it provides are compatible with the mission of the West Virginia Development Office, and the Secretary of the Department of Commerce oversees the West Virginia Development Office, and to leverage expertise and improve efficiencies and effectiveness wishes to merge this functional unit into the Office of Community Development, a division of the West Virginia Development Office, and give this new merged division a new name: the Office of Community Advancement and Development.

EXECUTIVE ORDER

NOW, THEREFORE, I, JIM JUSTICE, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER** and **DIRECT** that the Office of Economic Opportunity is hereby transferred from the Department of Commerce, Office of the Secretary to the West Virginia Development Office, effective June 10, 2017. The transfer of the Office of Economic Opportunity shall include the transfer of all personnel, property, equipment, records, documents, books, maps, charts, plans, grants, contracts, programs, literature of any kind, and any and all federal and state funds heretofore allotted to the Office of Economic Opportunity, and that it shall heretofore be merged with the Community Development division and which shall henceforth be called the Office of Community Advancement and Development within the West Virginia Development Office.

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

By the Governor

DONE at the Capitol, in the City of Charleston, State of West Virginia, this eighth day of June, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fourth year of the State.

GOVERNOR

Mac Warner

SECRETARY OF STATE

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

OTHER

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

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.

HEARING NOTICES

The Administrative Hearing and Prehearing Conference have been CANCELLED in the following matters:

June 1, 2017 – Southern Home Care Services, Inc., Jefferson County, Kentucky, CON File #17-1-10989-PC, for the provision of personal care services in Mercer County.

June 1, 2017 – Southern Home Care Services, Inc., Jefferson County, Kentucky, CON File #17-5-10990-PC, for the provision of personal care services in Wood County.

June 1, 2017 – Southern Home Care Services, Inc., Jefferson County, Kentucky, CON File #17-2-10994-PC, for the provision of personal care services in Cabell County.

June 1, 2017 – Southern Home Care Services, Inc., Jefferson County, Kentucky, CON File #17-3-10995-PC, for the provision of personal care services in Kanawha County.

ORDERS ISSUED

June 1, 2017 - Genesis Eldercare Rehabilitation Services, LLC, Kennett Square, Pennsylvania, CON File #16-9-10781-P, for the provision of medically necessary rehabilitation services, including physical therapy, occupational therapy and speech therapy, as well as respiratory therapy and wellness service in patients' homes or in other community settings in Berkeley and Jefferson counties.

It is ORDERED that Genesis' Motion to Dismiss Berkeley Medical Center as an Affected Person is DENIED. While the Authority finds Genesis used an unreliable survey to demonstrate need, Berkeley's Motion for Summary Judgment is DENIED. Genesis is ORDERED to conduct a new expedited survey of similarly situated providers to determine whether need for the project can be demonstrated. As the applicant is currently in violation of Certificate of Need law, it is further ORDERED that Genesis cannot establish any additional sites until all outstanding issues and violations have been resolved.

June 1, 2017 - Genesis Eldercare Rehabilitation Services, LLC, Kennett Square, Pennsylvania, CON File #16-1/2/3/4/5/6/7-10782-P, for the provision of medically necessary rehabilitation services, including physical therapy, occupational therapy and speech therapy, as well as respiratory therapy and wellness service in patients' homes or in other community settings in Barbour, Boone, Cabell, Fayette, Greenbrier, Harrison, Jackson, Kanawha, Lewis, Lincoln, Marion, Mason, Mercer, Monongalia, Putnam, Nicholas, Summers, Taylor, Raleigh, and Wayne counties.

It is ORDERED that Genesis' Motion to Dismiss United Hospital Center as an Affected Person is DENIED. While the Authority finds Genesis used an unreliable survey to demonstrate need, United's Motion for Summary Judgment is DENIED. Genesis is ORDERED to conduct a new expedited survey of similarly situated providers to determine whether need for the project can be demonstrated. As the applicant is currently in violation of Certificate of Need law, it is further ORDERED that Genesis cannot establish any additional sites until all outstanding issues and violations have been resolved.

OTHER

PROJECTS DETERMINED NOT REVIEWABLE

June 1, 2017 – Integrated Resources, Inc., Mullens, Wyoming County, CON File #17-1/2-11092-X, for the addition of supported employment in Raleigh and Summers Counties and approval of Job Development Services in Logan, McDowell, Mercer, Mingo, Raleigh, Summers and Wyoming Counties; no capital expenditure.

June 1, 2017 – Developmental Center & Workshop, Inc., Keyser, Mineral County, CON File #17-8-11108-X, for the expansion of the square footage to the area where behavioral health services are currently provided; capital expenditure: $200,000.

EXEMPTION APPLICATIONS APPROVED

June 2, 2017 – Winchester Community Mental Health Center, Inc., Winchester, Virginia, CON File #17-9-11084-X, for the development of an integrated behavioral health facility with wraparound services and programs designed to meet the needs of the underserved communities of Berkeley and Jefferson counties.

May 31, 2017 – NCGCare Acquisition, LLC, Richmond, Virginia, CON File #17-2-11075-X, for the acquisition of Starlight Behavioral Health Services, Inc.

RENEWALS GRANTED

June 2, 2017 – Putnam General Hospital, Hurricane, Putnam County, CON File #03-3-7617-H, for the renovation and expansion of its campus and the addition of 12 acute care beds; capital expenditure: $31,586,934.

Renewal granted through June 30, 2018.

June 2, 2017 – Charleston Area Medical Center, Charleston, Kanawha County, CON File #08-3-8888-H, for the addition of four inpatient/outpatient operating rooms at General Hospital; capital expenditure: $8,500,000.

Renewal granted through December 30, 2017.

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:

June 2, 2017 – LHCG LXXXIX, LLC and LHCG XC, LLC, Lafayette, Louisiana, CON File #17-5-11015-X, for the acquisition and joint venture of Pleasant Valley Hospital, Inc.'s home health and hospice agency providing services in West Virginia and Ohio; capital expenditure: $909,000.