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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:

Governor's Executive Order

Health and Human Resources

Health Care Authority

Health Information Network

Medicine, WV Bd. Of

Occupational Therapy, WV Bd. Of

Occupational Pneumoconiosis Board

School Building Authority

CHRONOLOGICAL INDEX, VOLUME XXXIV ISSUE 39			
NO NEW PROPOSED RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

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

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

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

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	8	HEARING AID DEALERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	20	SANITARIANS
TITLE	24	OSTEOPATHY
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY
TITLE	31	DIETITIANS
TITLE	33	OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47)
TITLE	35	OFFICE OF OIL AND GAS
TITLE	36	COAL MINE HEALTH & SAFETY
TITLE	38	MINING & RECLAMATION
TITLE	42	LABOR
TITLE	45	OFFICE OF AIR QUALITY
TITLE	47	OFFICE OF WATER RESOURCES
TITLE	48	MINES TRAINING EDUCATION & CERTIFICATION
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	63	CONSERVATION AGENCY
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH & HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	82	CULTURE AND HISTORY
TITLE	85	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	164	SCHOOL BUILDING AUTHORITY
TITLE	172	STATE RAIL AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION – BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY
TITLE	184	PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE	191	FAMILY PROTECTION SERVICES BOARD
TITLE	194	MASSAGE THERAPY LICENSURE BOARD
TITLE	199	EXPLOSIVES & BLASTING
TITLE	204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy, WV Bd. Of (1-01)	Board Rules and Rules of Professional Conduct Legislative	6/23/2017	7/23/2017		7/28/2017	Modified & Approved 9/20/2017			
Administration (148-03)	State Owned Vehicles Legislative	6/26/2017	7/26/2017		7/26/2017				
Administration (148-6)	Parking Legislative	6/21/2017	7/21/2017		7/25/2017	Approved 8/29/2017			
Agriculture (61-01)	Animal Disease Control Legislative	6/28/2017	7/28/2017		7/28/2017				
Agriculture (61-1A)	Feeding of Untreated Garbage to Swine Legislative	6/22/2017	7/22/2017		7/27/2017				
Agriculture (61-2)	West Virginia Apiary Law Legislative	6/15/2017	7/16/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 9/18/2017			
Agriculture (61-11)	Public Markets Legislative	6/2 7/2017	7/27/2017		7/27/2017				
Agriculture (61-11B)	Auctioneers Legislative	6/26/2017	7/26/2017		7/28/2017				
Agriculture (61-14A)	Noxious Weeds Legislative	6/22/2017	7/22/2017		7/28/2017				
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	6/15/2017	7/16/2017		7/17/2017	Modified & Approved 8/29/2017 Filed 9/18/2017			
Agriculutre (61-23D)	Inspection of Nontraditional, Domesticated Animals Legislative	6/15/2017	7/16/2017		7/17/2017	Modified & Approved 9/20/2017			
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/7/2017	7/11/2017		7/21/2017	Modified & Approved 8/29/2017 Filed 8/24/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/7/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Athletic Commission (177-1)	WV State Athletic Commission Legislative	6/16/2017	7/16/2017		7/27/2017	Modified & Approved 9/20/2017			
Athletic Commission (177-2)	Regulation of Mixed Martial Arts Legislative	6/16/2017	7/16/2017		7/27/2017	Modified & Approved 9/20/2017			
Crime Delinquency and Correction (149-2)	Law Enforcement Training and Certification Standards Legislative	6/21/2017	7/24/2017		7/26/2017				
Crime Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	6/28/2017	7/28/2017		7/28/2017				
Culture and History (82-6)	Archives and History Library Services and Fee Guidelines Procedural	8/24/2017	10/2/2017						
Dietitians (31-1)	Licensure and Renewal Requirements Legislative	6/8/2017	7/17/2017		7/24/2017				
Education (126-25A)	Standards for Basic and Specialized Health Care Procedures (2422.7) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-28)	West Virginia's Universal Access to a Quality Early Education System (2525) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-44G)	WV College and Career Readiness Standards for World Languages (2520.7) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-44M)	WV College and Career Readiness Programs of Study/Standards for Career and Technical Education (2520.13) Legislative Exempt	8/10/2017	9/11/2017						

RULE MONITOR									
AGENCY/SERIES NO	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**SEC/STATE**	**LRMRC-ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Education (126-44O)	WV Pre-K Standards (Ages 3-5) (2520.15) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-44P)	WV Alternate Academic Achievement Standards (2520.16) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-73)	School Calendar (3234) Legislative Exempt	9/7/2017	10/10/2017						
Education (126-81)	Attendance (4110) Legislative Exempt	7/13/2017	8/14/2017						
Education (126-86)	Standards for School Nutrition (Policy 4321.1) Legislative Exempt	6/15/2017	7/17/2017					8/10/2017	1/2/2018
Education (126-92)	WV School Bus Transportation Policy and Procedures Manual (4336) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-099)	Expected Behavior in Safe and Supportive Schools (4373) Legislative Exempt	7/13/2017	8/14/2017						
Education (126-114)	Approval of Educational Personnel Preparation Programs (5100) Legislative Exempt	7/13/2017	8/14/2017						
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classification (5202) Legislative Exempt	7/13/2017 9/7/2017	8/14/2017 10/10/2017						
Environmental Protection – Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2017	7/6/2017		7/11/2017				
Fire Commission (87-2)	Electrician Licensing Rules Legislative	6/16/2017	7/17/2017		7/25/2017				
Fire Commission (87-3)	Hazardous Substance Emergency Response Training Programs Legislative	6/19/2017	7/19/2017		7/25/2017				
Health (64-03)	Public Water Systems Legislative	6/27/2017	7/27/2017		7/28/2017				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-12)	Hospital Licensure Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 8/29/2017 Filed 8/30/2017			
Health (64-17)	Food Establishments Legislative	6/27/2017	7/27/2017		7/28/2017				
Health (64-23A)	Technologically Enhanced Naturally Occurring Radioactive Material Legislative	6/27/2017	7/27/2017		7/28/2017				
Health (64-48)	Emergency Medical Services Legislative	6/27/2017	7/27/2017		7/28/2017				
Health (64-105)	Harm Reduction Programs Legislative	6/27/2017	7/27/2017		7/28/2017				
Health (64-106)	Home-Based Food Production Legislative	6/27/2017	7/27/2017	6/27/2017 Withdrawn 7/20/2017	7/28/2017				
Health (64-107)	Designation of Comprehensive, Primary and Acute Stroke-Ready Hospitals Legislative	6/27/2017	7/27/2017		7/28/2017				
Health (64-108)	Local Board of Health Plans of Combination Procedure Procedural	9/11/2017	10/11/2017						
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	6/26/2017	7/26/2017		7/27/2017	Approved 8/29/2017			
Health and Human Resources (69-13)	Development of Methodologies to Examine Needs for Substance Use Disorder Treatment Facilities within the State Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 ERD by 9/21/2017	7/28/2017				
Health and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 ERD by 9/21/2017	7/28/2017				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health Care Authority (65-13)	Financial Disclosure Rule Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017	7/28/2017				
Hearing Aid Dealers (8-01)	WV Board of Hearing Aid Dealers Legislative	6/23/2017	7/24/2017		7/26/2017	Approved 8/29/2017			
Highways (157-2)	Disposal, Lease and Management of Real Property and Appurtenant Structures and Relocation Assistance Legislative	6/22/2017	7/24/2017		7/28/2017				
Human Services (78-01)	Child Care Licensing Legislative	6/26/2017	7/26/2017		7/27/2017	Modified & Approved 9/20/2017			
Human Services (78-02)	Child Placing Agencies Licensing Legislative	6/26/2017	7/26/2017		7/27/2017	Modified & Approved 9/20/2017			
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/27/2017	7/26/2017		7/28/2017	Modified & Approved 9/20/2017			
Human Services (78-19)	Family Child Care Home Registration Requirements Legislative	6/26/2017	7/26/2017		7/27/2017	Modified & Approved 9/20/2017			
Human Services (78-20)	Informal and Relative Family Child Care Home Registration Requirements Legislative	6/26/2017	7/26/2017		7/28/2017				
Human Services (78-21)	Out-of-School Time Child Care Center Legislative	6/26/2017	7/26/2017		7/28/2017	Approved 9/20/2017			
Human Services (78-26)	Drug Screening of Applicants for Cash Assistance Under the Temporary Assistance for Needy Families Program (TANF) Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 ERD by 9/8/2017	7/28/2017				
Labor (42-10)	Zipline and Canopy Tour Responsibility Act Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017			
Labor (42-12)	Bedding and Upholstered Furniture Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Labor (42-17)	Amusement Rides and Amusement Attractions Safety Act Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017			
Labor (42-21)	Elevator Safety Act Legislative	6/21/2017	7/22/2017		7/27/2017	Approved with Amendments			
Labor (42-33)	Employer Wage Bonds Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017			
Labor (42-35)	Registration of Service Persons and Service Agencies Legislative	6/15/2017	7/17/2017	6/16/2017 Approved 7/20/2017	7/27/2017	Approved 9/20/2017			
Labor (42-36)	Registration of Weighing and Measuring Devices Used by Businesses in Commercial Transactions Legislative	6/15/2017	7/17/2017	6/16/2017 Approved 7/20/2017	7/27/2017	Approved 9/20/2017			
Licensed Practical Nurses (10-04)	Schedule of Fees for Services Rendered by the WV State Bd. Of Examiners for Licensed Practical Nurses Legislative	6/28/2017	7/28/2017		7/31/2017				
Lottery Commission (179-1)	State Lottery Rules Legislative	6/19/2017	7/21/2017		7/28/2017				
Lottery Commission (179-7)	Lottery Interpretive Rule Interpretive	9/5/2017	10/2/2017						
Massage Therapy Licensure Board (194-1)	General Provisions Legislative	6/19/2017	7/22/2017		7/26/2017				
Medicine (11-6)	Continuing Education for Physicians and Podiatrists Legislative	6/21/2017	7/21/2017		7/26/2017	Approved 8/29/2017			
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	7/11/2017	8/10/2017	9/11/2017 ERD by 10/23/2017	8/29/2017				
Miners' Health, Safety and Training (56-23)	Operating Diesel Equipment in Underground Mines in WV Legislative	6/22/2017	7/24/2017	6/22/2017 Approved 7/20/2017	7/27/2017				
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Legislative	6/6/2017	7/18/2017		7/27/2017				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-02)	Rules Controlling the Public Land Corporations Sale, Lease, Exchange or Transfer of Land or Minerals Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 8/29/2017			
Natural Resources (58-11)	Hunting, Fishing and Other Outfitters and Guides Legislative	6/23/2017	7/24/2017		7/28/2017				
Natural Resources (58-49)	General Hunting Legislative	6/23/2017	7/24/2017		7/28/2017				
Natural Resources (58-56)	Special Migratory Bird Hunting Legislative	6/23/2017	7/24/2017		7/28/2017				
Natural Resources (58-64)	Miscellaneous Permits and Licenses Legislative	6/23/2017	7/24/2017		7/28/2017				
Natural Resources (58-69)	Wildlife Disease Management Legislative	6/28/2017	7/28/2017		7/28/2017				
Optometry (14-01)	WV Board of Optometry Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 8/29/2017			
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	6/22/2017	7/24/2017		7/28/2017	Approved 9/20/2017			
Pharmacy (15-2)	Uniform Controlled Substances Act Legislative	5/11/2017	6/12/2017		7/28/2017	Approved & Modified 9/20/2017			
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	5/12/2017	6/12/2017		7/28/2017				
Pharmacy (15-8)	Controlled Substances Monitoring Program Legislative	6/15/2017	7/17/2017	6/15/2017 Approved 9/19/2017	7/28/2017	Approved & Modified 9/20/2017			
Pharmacy (15-10)	Pharmacist Recovery Networks Legislative	5/12/2017	6/12/2017		7/28/2017	Approved & Modified 9/20/2017			
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns Legislative	6/22/2017	7/24/2017		7/28/2017	Approved & Modified 9/20/2017			
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/15/2017	7/17/2017		7/28/2017				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Psychologists (17-01)	Fees Legislative	6/28/2017	7/28/2017		7/28/2017				
Psychologists (17-02)	Organization and Procedures of the Board of Examiners of Psychologists Procedural	6/28/2017	7/28/2017						
Psychologists (17-03)	Requirements for Licensure as a Psychologist and/or a School Psychologist Legislative	6/28/2017	7/28/2017		7/28/2017				
Psychologists (17-06)	Code of Ethics Legislative	6/28/2017	7/28/2017		7/28/2017				
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/19/2017	7/19/2017		7/27/2017				
Real Estate Appraiser Licensing & Cert. Bd. (190-2)	Requirements for Licensure and Certification Legislative	6/14/2017	7/17/2017		7/28/2017				
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers and Salespersons and the Conduct of Brokerage Business Legislative	6/23/2017	7/24/2017		7/27/2017				
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/26/2017	7/26/2017		7/27/2017				
Real Estate Commission (174-03)	Requirements for Real Estate Courses, Course Providers and Instructors Legislative	6/26/2017	7/26/2017		7/27/2017				
School Building Authority of WV (164-1)	School Building Authority Policy and Procedures Handbook Procedural	12/22/2016	1/23/2017						
THE ABOVE RULE EXPIRED 7/23/2017									
Secretary of State (153-1)	Electronic Filing and Formatting of Rules Procedural	8/25/2017	9/29/2017						
Secretary of State (153-18)	Procedures for Canvassing Elections Legislative	6/28/2017	7/28/2017		7/28/2017				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-27)	Procedures for Handling Ballots and Counting Write-In Votes in Counties Using Optical Scan Ballots Legislative	6/28/2017	7/28/2017		7/28/2017				
Secretary of State (153-34)	Licensing of Private Investigators and Security Guards Legislative	6/26/2017	7/26/2017		7/27/2017				
Secretary of State (153-39)	Vote by Mail Pilot Project Phase 2: Voting by Mail – Repeal Legislative	6/27/2017	7/27/2017		7/28/2017	Approved 8/29/2017			
Senior Services (76-3)	WV State Plan for Aging Programs Interpretive	7/7/2016	8/8/2016						
State Police (81-14)	WV Sex Offender Registration Act Procedural	7/20/2017	8/22/2017						
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/16/2017	7/17/2017		7/27/2017	Approved 8/29/2017			
Tax (110-13DD)	Farm-To-Food Bank Tax Credit Legislative	6/16/2017	7/17/2017		7/27/2017	Modified & Approved 8/29/2017 Filed 9/1/2017			
Tax (110-22)	Property Transfer Tax Legislative	6/19/2017	7/20/2017		7/27/2017	Approved 8/29/2017			
Tax (110-28)	Municipal Sales and Service and Use Tax Administration Legislative	6/16/2017	7/17/2016	6/13/2017 Approved 7/20/2017	7/28/2017	Modified & Approved 8/29/2017 Filed 9/8/2017			
Veterinary Medicine (26-1)	Organization and Operation and Licensing of Veterinarians Legislative	6/12/2017	7/13/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 8/29/2017			
Veterinary Medicine (26-5)	Certified Animal Euthanasia Technicians Legislative	6/12/2017	7/13/2017		7/18/2017	Approved & Modified 9/20/2017			
Veterinary Medicine (26-6)	Schedule of Fees Legislative	6/12/2017	7/13/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 8/29/2017			

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 (33-20)	Hazardous Waste Management System Legislative	6/5/2017	7/6/2017		7/21/2017				
Waste Mgmt., Div. of Water & Waste Mgmt (33-30)	Underground Storage Tanks Legislative	6/5/2017	7/6/2017		7/25/2017				

WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION

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2017 SEP 27 A 9:

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

PROCEDURAL

EXPIRATION OF FILING OF PROCEDURAL RULE

AGENCY: School Building Authority of WV TITLE NUMBER: 164

SERIES NUMBER OF RULE: 1

TITLE OF RULE: School Building Authority Policy and Procedures Handbook

THE ABOVE RULE EXPIRED July 23, 2017 FOR FAILURE TO FINAL FILE WITHIN SIX MONTHS OF CLOSE OF COMMENT

Judy Cooper

DIRECTOR, ADMINISTRATIVE LAW DIVISION

Orders Report

Docket Number	Agency	Respondent	Date Rendered
17-3-11162-X	Health Care Authority	The Arc of the Three Rivers	9/21/2017
08-3-8888-H	Health Care Authority	Charleston Area Medical Center	9/21/2017
17-3/10-11167-X	Health Care Authority	Marshall Health Care Center LLC	9/22/2017
17-3/10-11168-X	Health Care Authority	Magnolia Holdings, LLC	9/21/2017
15-3-10660-Z	Health Care Authority	Personal Touch Home Care of West Virginia	9/21/2017
16-10-10823-A	Health Care Authority	Total Renal Care Inc	9/21/2017
17-11-11172-X	Health Care Authority	Weirton Medical Center Inc	9/21/2017
N/A	Medicine, West Virginia Board Of	Lap-Yang Joseph Li, MD	9/25/2017
N/A	Medicine, West Virginia Board Of	Bethany Morris Honce, MD	9/25/2017
N/A	Medicine, West Virginia Board Of	Ryan Christopher Hall, MD	9/25/2017
N/A	Medicine, West Virginia Board Of	Johnny Dy, MD	9/25/2017
N/A	Medicine, West Virginia Board Of	Robert A. Caveney, MD	9/25/2017
N/A	Medicine, West Virginia Board Of	Antonio Maravillas Domaoal, MD	9/25/2017

EXECUTIVE ORDER

STATE OF WEST VIRGINIA

At CHARLESTON

EXECUTIVE ORDER NO. 8-17

By the Governor

WHEREAS, in any fiscal year in which revenues are inadequate to make timely payments of the State's obligations, § 11B-2-20(e) of the Code of West Virginia authorizes monies to be borrowed from the Revenue Shortfall Reserve Fund by and pursuant to executive order, to be repaid, without interest, and redeposited to the credit of the Fund within ninety days of such withdrawal; and

WHEREAS, the revenues collected to date are inadequate to make timely payments of the State's obligations, necessitating that monies must be borrowed from the Revenue Shortfall Reserve Fund; and

WHEREAS, the amount to be borrowed does not exceed the amount necessary to make timely payments of the State's obligations and the amount to be borrowed does not exceed one and one-half percent of the general revenue estimate for fiscal year two thousand eighteen; and

WHEREAS, the exercise of this authority is necessary and appropriate to preserve the financial integrity of the State in furtherance of the best interests of its citizens.

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me as Governor by the Constitution and the laws of this State, do hereby **ORDER** the transfer of Sixty Million Dollars ($60,000,000) from the Revenue Shortfall Reserve Fund to the current year balance of the General Revenue Fund in order to make timely payments of the State's obligations.

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-eighth day of September, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fifth year of the State.

Jim Justice
GOVERNOR

By the Governor

Mac Warner
SECRETARY OF STATE

PUBLIC NOTICE

FILED

2017 SEP 27 P 1:

WEST VIRGINIA MEDICAID PROGRAM

STATE PLAN AMENDMENT 17-002

REGARDING

RECOVERY AUDIT CONTRACTOR (RAC) PROGRAM

Pursuant to 42 U.S.C. §1396a(a)(13)(1997) and 42 C.F.R. §447.205, the Department of Health and Human Resources ("Department"), Bureau for Medical Services ("BMS") provides notice of the filing of a state plan amendment (SPA), identified as SPA 17-002, regarding recovery audit contractor (RAC) program. The SPA exempts West Virginia from the RAC program, a program which mandates procurement of a contractor to perform Medicaid provider audits. The primary reason for the exemption is that there are no interested vendors in performing the audits, as most of West Virginia's Medicaid population is in the managed care program, which is not subject to RAC.

This SPA will be effective on October 1, 2017. The expected fiscal impact for fiscal year 2018 is $0. The expected fiscal impact for fiscal year 2019 is $0.

The SPA and this notice will be available for public inspection in each county office of the Department of Health and Human Resources during normal business hours, 8:30 a.m. to 4:30 p.m., beginning Friday, September 29, 2017 through Monday, October 30, 2017, and on the web at: www.dhhr.wv.gov/bms, then click "Public Notices" on the top toolbar.

Written comments may be sent to the West Virginia Department of Health and Human Resources, Bureau for Medical Services, 350 Capitol Street, Suite 251, Charleston, WV 25301-3706, or by email at SPAComments@wv.gov. Any written comments received will be available for review at the above address during normal business hours, 8:30 a.m. to 4:30 p.m., beginning Friday, September 29, 2017 through Monday, October 30, 2017. Comments will also be posted on the BMS website referenced above for review as soon as possible.

OTHER

PUBLIC NOTICE

FILED

2017 SEP 27 P 1:

WEST VIRGINIA MEDICAID PROGRAM

STATE PLAN AMENDMENT 17-003

REGARDING

ELIMINATION OF UPPER PAYMENT LIMIT (UPL) PROGRAM

Pursuant to 42 U.S.C. §1396a(a)(13)(1997) and 42 C.F.R. §447.205, the Department of Health and Human Resources ("Department"), Bureau for Medical Services ("BMS") provides notice of the filing of a state plan amendment (SPA), identified as SPA 17-003, elimination of upper payment limit (UPL) program. The SPA eliminates a program paying supplemental payments up to the amount of Medicare rates to hospital participating in the prospective payment system (PPS). The money will still be paid to the hospitals, but through capitation payments made to the managed care organizations, which manage 80% of the total Medicaid population in West Virginia now. This payment methodology is also known as a "direct payment program."

This SPA will be effective on October 1, 2017. The expected fiscal impact for fiscal year 2018 is $0. The expected fiscal impact for fiscal year 2019 is $0.

The SPA and this notice will be available for public inspection in each county office of the Department of Health and Human Resources during normal business hours, 8:30 a.m. to 4:30 p.m., beginning Friday, September 29, 2017 through Monday, October 30, 2017, and on the web at: www.dhhr.wv.gov/bms, then click "Public Notices" on the top toolbar.

Written comments may be sent to the West Virginia Department of Health and Human Resources, Bureau for Medical Services, 350 Capitol Street, Suite 251, Charleston, WV 25301-3706, or by email at SPAComments@wv.gov. Any written comments received will be available for review at the above address during normal business hours, 8:30 a.m. to 4:30 p.m., beginning Friday, September 29, 2017 through Monday, October 30, 2017. Comments will also be posted for review on the BMS website referenced above as soon as possible.

PUBLIC NOTICE

FILED

2017 SEP 27 P 1:

OTHER

WEST VIRGINIA MEDICAID PROGRAM

STATE PLAN AMENDMENT 17-004

REGARDING

REIMBURSEMENT FOR NEONATAL ABSTINENCE SYNDROME SERVICES

Pursuant to 42 U.S.C. §1396a(a)(13)(1997) and 42 C.F.R. §447.205, the Department of Health and Human Resources ("Department"), Bureau for Medical Services ("BMS") provides notice of the filing of a state plan amendment (SPA), identified as SPA 17-004, regarding reimbursement for treatment for neonatal abstinence syndrome services. The SPA sets forth a bundled reimbursement rate methodology for such services based on cost reports.

This SPA will be effective on October 1, 2017. The expected fiscal impact for fiscal year 2018 is $687.000. The expected fiscal impact for fiscal year 2019 is $687.000.

The SPA and this notice will be available for public inspection in each county office of the Department of Health and Human Resources during normal business hours, 8:30 a.m. to 4:30 p.m., beginning Friday, September 29, 2017 through Monday, October 30, 2017, and on the web at: www.dhhr.wv.gov/bms, then click "Public Notices" on the top toolbar.

Written comments may be sent to the West Virginia Department of Health and Human Resources, Bureau for Medical Services, 350 Capitol Street, Suite 251, Charleston, WV 25301-3706, or by email at SPAComments@wv.gov. Any written comments received will be available for review at the above address during normal business hours, 8:30 a.m. to 4:30 p.m., beginning Friday, September 29, 2017 through Monday, October 30, 2017. Comments will also be posted on the BMS website noted above for review as soon as possible.

PUBLIC NOTICE

FILED

2017 SEP 27 P 1:

WEST VIRGINIA MEDICAID PROGRAM

STATE PLAN AMENDMENT 17-005

REGARDING

ELIMINATION OF ENHANCED PAYMENT POOL

Pursuant to 42 U.S.C. §1396a(a)(13)(1997) and 42 C.F.R. §447.205, the Department of Health and Human Resources ("Department"), Bureau for Medical Services ("BMS") provides notice of the filing of a state plan amendment (SPA), identified as SPA 17-005, elimination of enhanced payment pool (EPP). The SPA eliminates a program paying supplemental or enhanced payments to certain qualifying rural or tertiary safety net hospitals. The money will still be paid to the hospitals, but through capitation payments made to the managed care organizations, which manage 80% of the total Medicaid population in West Virginia now. This payment methodology is also known as a "direct payment program."

This SPA will be effective on October 1, 2017. The expected fiscal impact for fiscal year 2018 is $0. The expected fiscal impact for fiscal year 2019 is $0.

The SPA and this notice will be available for public inspection in each county office of the Department of Health and Human Resources during normal business hours, 8:30 a.m. to 4:30 p.m., beginning Friday, September 29, 2017 through Monday, October 30, 2017, and on the web at: www.dhhr.wv.gov/bms, then click "Public Notices" on the top toolbar.

Written comments may be sent to the West Virginia Department of Health and Human Resources, Bureau for Medical Services, 350 Capitol Street, Suite 251, Charleston, WV 25301-3706, or by email at SPAComments@wv.gov. Any written comments received will be available for review at the above address during normal business hours, 8:30 a.m. to 4:30 p.m., beginning Friday, September 29, 2017 through Monday, October 30, 2017. Comments will also be posted for review on the BMS website referenced above as soon as possible.

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR PUBLIC HEALTH
OFFICE OF ENVIRONMENTAL HEALTH SERVICES

Jim Justice
Governor

Bill J. Crouch
Cabinet Secretary

OTHER

FILED
2017 SEP 26 P 2:22
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

MEMORANDUM

To: Interested Parties

From: Robert W. DeCrease, P. E.
Drinking Water Treatment Revolving Fund

Date: September 26, 2017

Subject: Town of New Haven
Water System Improvements Project
Environmental Review (FONSI)
DWTRF Project Number: **17DWTRFA009**
Mason County

Please find enclosed the Town of New Haven Water System Improvements Project Finding of No Significant Impact **(FONSI).**

The review process indicated significant environmental impacts would not result from the proposed action. Consequently, a preliminary decision not to prepare an Environmental Impact Statement has been made.

This action is based on a careful review of the Environmental Information Document and other supporting data. These documents are on file in the West Virginia Bureau for Public Health, Environmental Engineering Division, and are available for public review upon request.

Comments supporting or disagreeing with this preliminary decision may be submitted for consideration to Christopher Thomas, at 350 Capitol Street, Room 313, Charleston, West Virginia 25301-3713. You may also FAX your comments to (304) 558-0691. After evaluating the comments received, the Bureau will make a decision no sooner than thirty (30) calendar days from the date of this FONSI. No administrative action will be taken with respect to this proposal during this time frame.

RWD:cwt

Distribution List:

Town of New Haven
Region II Regional Council
Division of Culture & History
U.S. Fish and Wildlife Service
West Virginia Development Office
West Virginia Division of Natural Resources
West Virginia Bureau of Public Health

350 Capitol Street, Room 313
Charleston, West Virginia 25301-3713
Telephone: (304) 558-2981

FILED
2017 SEP 26 P 2:22
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

FINDINGS OF NO SIGNIFICANT IMPACT

September 26, 2017

TO: ALL INTERESTED PARTIES

In accordance with the state regulations found in Title 64, Series 49, "Drinking Water Treatment Revolving Fund", the Bureau for Public Health, Environmental Engineering Division, has performed an environmental review on the proposed project described below and on the attached environmental assessment:

Town of New Haven
218 5th Street
New Haven, WV 25265
WVIJDC Project #: **2014W-1540**
SRF Project #: **17DWTRFA009**

Water Distribution System Improvements Project

(Official Project Name and Number)

Town of New Haven
218 5th Street
New Haven, WV 25265

(Project Applicant)

Town of New Haven
Mason County, WV

(Project Location, City, County, State)

$ 6,456,585

(Estimated Drinking Water Treatment Revolving Fund Financial Share)

$ 7,305,585

(Estimated Total Project Cost)

ENVIRONMENTAL ASSESSMENT

for the

Town of New Haven Water System Improvement Project

WV IJDC Project No.: **2014W-1540/** SRF Project No.: **17DWTRFA009**

OTHER

I. PROPOSED PROJECT:

The Town of New Haven's Water Distribution System Improvements Project will replace the existing water distribution system and existing well pumps, construct a new 450,000 gallon water storage tank to serve both the Town of Hartford and the Town of New Haven, rehabilitate the existing wells, and demolish two (2) water storage tanks.

The proposed Water Distribution System Improvements Project will include approximately 12,058 linear feet of 8-inch, 41,181 linear feet of 6-inch C900 waterline, 15,400 linear feet of 2-inch waterline, 44 fire hydrant assemblies, 110 gate valves, 748 meter settings, a 450,000 gallon water storage tank, a pressure reducing valve with vault, (2) well rehabilitations and pump/motor replacement, and all necessary appurtenances for the project.

II. PURPOSE AND NEED:

The Town of New Haven's original water system was constructed in the 1940s and consists mainly of cast iron, asbestos cement, and galvanized pipe. The most modern portions of the Town's system were constructed in the 1960s and are of the same pipe material as the original. A few small extensions and line replacements have been completed over the years. Due to the age of the pipe, pipe failures are occurring with increased frequency and severity. Replacing these old water lines will greatly improve the reliability of the water system and reduce the risk of contaminated water from broken or leaking water lines.

The WV Public Service Commission, in its Final Joint Staff Memorandum dated December 14, 2012 and Final Order dated March 14, 2013 regarding Case No. 12-1125-WS-PC recommended that the Town of Hartford consider transferring the operation and/or ownership of the water system to Mason County Public Service District (MCPSD) or some other utility.

Mason County PSD has little interest in accepting the Town of Hartford's water system or providing them water. The Mason County PSD agrees that it would be appropriate for the Town of New Haven to sell water to the Town of Hartford.

The Towns of Hartford and New Haven will execute a water purchase agreement. Upon completion of the proposed project, the Town of New Haven will supply the Town of Hartford with all their water demands.

III. DESCRIPTION OF EXISTING ENVIRONMENT WITHOUT THE PROJECT:

The proposed project will replace the old, failing water system and provide water to the Town of Hartford. If the project is not constructed, water pressure will continue to decrease and

water loss will continue to increase. Operation and Maintenance costs will increase exponentially until the system fails completely and all customers cease to have a reliable source of potable water and fire protection. The Town of Hartford would be required to find an alternative source of potable water and fire protection.

IV. EVALUATION OF ALTERNATIVES:

NO ACTION

No action will require the continuous location and repair of waterline breaks and expensive operation and maintenance on failing equipment. Without the required repairs and replacement of antiquated equipment, catastrophic failure is probable. Potable water and fire protection will cease for all customers. The Town of New Haven must ensure residents have sufficient, safe, and accessible water. The Town must take reasonable steps to avoid loss of water service, and for that reason, the no action option will not be discussed further in this report.

OPTIMIZE EXISTING FACILITIES

The existing equipment, valves, fire hydrants, tanks, and meters have far surpassed their useful life. Except for a few, minor extensions, every asset of the water distribution system is over 50 years of age and in need of replacement. Except for the water tanks, no existing facilities have been identified that can be rehabilitated or repaired. The costs associated with rehabilitating the failing tanks and completing the work to be in compliance with State and Federal requirements would surpass the cost to build a new water storage tank. If the existing tanks were rehabilitated, they are not at the elevation required to serve the highest customers in either New Haven or Hartford.

WATER DISTRIBUTION SYSTEM IMPROVEMENTS

The proposed project covers all the Town of New Haven's incorporated areas as well as areas outside the corporate limits that are currently served with potable water. The proposed project will replace the existing water distribution system to include all lines, hydrants, meters, valves, erect a new 450,000 gallon water storage tank, rehabilitate the wells, replace the well pumps, and other appurtenances.

V. DESCRIPTION OF EXISTING ENVIRONMENT:

Through the use of an Environmental Screening Checklist the following environmental factors have been addressed (references have been provided as appropriate) and it has been determined this project has no significant impact on any of these elements:

1. **Archeological and Historic Preservation Act of 1974** – A letter from the WV Division of Culture and History regarding the Town of New Haven's Water System Replacement project, dated June 29, 2016 states: "In our opinion, no architectural historic properties will be affected by the proposed project." (see attached letter)

2. **National Historic Preservation Act of 1966** – No impact on historical sites, reference above.

3. **Clean Air Act, Pub. L. 84-159** – "The Contractor shall exercise every reasonable precaution throughout the life of the project to keep air pollution to a minimum." – Town of New Haven Water System Improvements Project Plans and Specifications.

4. **Endangered Species Act** – A letter from the United States Department of the Interior, Fish and Wildlife Service – dated May 26, 2013 – states that "we have made a 'no effect' determination that the project will not affect federally-listed endangered and threatened species." A letter from WV Division of Natural Resources – dated March 29, 2013– states that "We have no known records of any RTE species or sensitive habitats within the project area." (see attached letters)

5. **Protection of Wetlands** – As stated by Chapman Technical Group "no work will be completed within the boundaries of known wetland." The project engineer reviewed the National Wetlands Inventory map for the area and located all wetlands to verify that construction activity would not interfere with the known wetlands.

6. **Fish and Wildlife Coordination Act** – Reference item #4.

7. **Wild and Scenic River Act** – A letter from the WV Division of Natural Resources – dated June 7, 1999 – states that "A segment of the Bluestone River in Summers County is the only Wild and Scenic designation in the State." Re-affirmed by letter- dated January 23, 2009. (See attached letters)

8. **Farmland Protection Policy** – A letter from the Natural Resources Conservation Service dated April 8, 2013 states that "Based on a review of the documents you submitted, the Water Distribution System Replacement for the town of New Haven does impact a very small acreage of Statewide important farmland..." The form AD-1006 was completed and it was determined that the level of impact does not fall under protection of Farmland Protection Policy Act. (see attached letter)

9. **Flood Plain Management** – It is recognized that encroachment upon floodplains can decrease the natural flood-control resiliency of these geographical areas. This project will have no permanent, above ground facilities that will be constructed in the 100-year floodplain plus 3 feet as a part of this project. As stated in the email from Chapman Technical Group, the 100-year floodplain plus 3 feet elevation for this region is approximately 584 feet above sea level. The only above ground structures for the Town of New Haven is the water storage tank at a base elevation of 860 feet, and the existing well house equipment and controls sit at an elevation of approximately 586 feet. In some areas, when no practicable alternative exists, water mains may be constructed within flood plains, however, this construction will cause no impediment to the flow of flood waters.

10. **Safe Drinking Water Act** – This project was approved by the West Virginia Infrastructure and Jobs Development Council Water Technical Review Committee (approved September 4, 2014).

OTHER

11. **Environmental Justice** – Executive Order 12898 requires federally funded activities to identify and address disproportionately high and adverse human health effects of the activities on minority and low income populations. This project has no impact on environmental justice. (See attached certification)

12. **Lead Paint Abatement** – Note 6 on the New Haven project plans states "... the existing coatings on the tank may contain detectable levels of toxic metals... The contractor is responsible for conducting appropriate testing and complying with the specified requirements, as well as Local, State, and Federal regulations regarding handling, disposal, worker protection, and environmental protection."

VI. CLIMATE CHANGE/ENERGY EFFICIENCY

A greenhouse gases evaluation was conducted for this project. This evaluation concluded that a reduction of approximately 26,585 lbs/yr of carbon dioxide released based on the projection of benefits this project proposes with the replacement of nearly 95% of the water distribution system which should in turn reduce the unaccounted for water the system currently experiences. An energy efficiency evaluation was also conducted as part of the review, and determined that the well pumps were the only equipment that was being upgraded that uses electricity. Variable Frequency Drive pumps were analyzed against conventional pumps, and in conclusion conventional pumps were chosen by the project team based on the nature of booster station operation. They found pumping for less time is a more economical way to go than getting a higher efficiency pump that will operate longer in this case.

VII. ENVIRONMENTAL CONSEQUENCES:

Primary adverse impacts will be limited to dust, noise, air pollution, and soil erosion during the construction phase of the project. These impacts should be short-term and minimized by work practices and engineering controls.

VIII. MITIGATING MEASURES:

The contract specifications for the Town of New Haven Water System Improvements project go over several methods and requirements to follow to limit or avoid dust releases, excess sound, and other normal construction disturbances.

IX. PUBLIC PARTICIPATION:

Several public meetings for the project were held by the Town of New Haven, to list a couple were August 8, 2016, October 14, 2016, October 17, 2016. No comments were raised regarding environmental concerns.

X. DOCUMENTATION:

References used to complete this Environmental Assessment are noted in **Section V**.

Statutory Checklist

All DWTRF funded projects must comply with the following environmental statutes and executive orders.

Project Sponsor: Town of New Haven **Phone:** 304-882-3203

Address: 218 Fifth Street P.O. Box 217 New Haven, WV 25265-0217

Public Water System: Town of New Haven **County:** Mason

Project: Water System Improvements Project

Statutory or Regulatory Compliance	Affected By Project?		Compliance?		Mitigating Measures Required?		Mitigating Measures Complete?	References (must be included for each statute)
	Yes	No	Yes	No	Yes	No	Date or NA	
Archeological & Historic Preservation Act of 1974		X	X			X	NA	WV Div. Cult/Hist
National Historic Preservation Act of 1966		X	X			X	NA	WV Div. Cult/Hist
Clean Air Act, Pub. L. 84-159, as amended	X		X		X		During Construction Period	Contract Documents
Coastal Barrier Resources Act								NA
Coastal Zone Management								NA
Endangered Species Act		X	X			X	NA	US Fish & Wildlife, WVDNR
Protection of Wetlands		X	X			X	NA	Engineer's Statement
Fish and Wildlife Coordination Act		X	X			X	NA	US Fish & Wildlife
Wild & Scenic Rivers Act		X	X			X	NA	WVBPH
Farmland Protection Policy	X		X			X	Form AD-1006 was completed and no additional mitigation measures are required	NRCS
Floodplain Management		X	X			X	N/A.	Engineer's Statement
Safe Drinking Water Act		X	X			X	NA	WVBPH
Environmental Justice		X	X			X	NA	WVBPH
Lead Paint Abatement on Water Tanks	X		X		X		During Construction Period	Contract Plans

Prepared By: Christopher W. Thomas **Title:** EIT

Signature: Christopher W. Thomas **Date:** September 26, 2017 **Telephone:** 304-356-4325

Address: WVBPH, 350 Capitol Street, Room 313, Charleston, WV 25301

OTHER

WEST VIRGINIA
Division of Culture and History

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300
Randall Reid-Smith, Commissioner
Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EO/AA Employer

June 29, 2016

Ms. Amanda Sutphin, P.E.
Project Engineer
Chapman Technical Group
200 Sixth Avenue
St. Albans, WV 25177

RE: Town of New Haven Water System Replacement Project
FR#: 13-488-MS-3

Dear Ms. Sutphin:

We have reviewed the Phase I archaeological survey abbreviated technical report prepared and submitted by Cultural Resource Analysts, Inc. for the above referenced project. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

The report addresses our concerns regarding the presence of cultural resources within the proposed project area. Systematic survey conducted in the project area did not identify any archaeological resources. We concur with the consultant's conclusion that no further archaeological investigations are necessary. In our opinion, no archaeological historic properties will be affected by the proposed project. No further consultation is necessary.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Carolyn Kender, Archaeologist, at (304) 558-0240.*

Sincerely,

Lora A. Lamarre-DeMott
Senior Archaeologist

LLD/CMK

CC: Ms. Carrie Grimm, P.E. – Triad Engineering

MAR-27-2013 WED 08:22 AM USFWS WVFO FAX NO. 13046367824 P. 01

TRIAD ENGINEERING, INC.

MD · OH · PA · VA · WV

TRIAD Listens, Designs & Delivers

March 18, 2013

US Fish and Wildlife Service
WV Field Office
694 Beverly Pike
Elkins, WV 26241

RECEIVED
MAR 25 2013
WVFO

Subject: Town of New Haven
Triad Project No. 04-12-0004

To Whom It May Concern:

The Town of New Haven is in the process of performing an environmental review in order that it may assess the environmental impacts of replacing its water system in Mason County, West Virginia.

The entire water system is proposed to be replaced. Enclosed is an Aerial Location map that depicts the proposal's area of potential effect for all construction activities.

The Town of New Haven is located approximately 20 miles northeast of the City of Point Pleasant. Replacing the entire water distribution system including all lines, hydrants, meters, valves and other appurtenances will provide adequate fire protection and give the maintenance personnel more control of the system as well as decrease water loss and time spent making repairs. Construction of a new water storage tank will eliminate two (2) old tanks and provide one (1) location for all stored water. With a new water system and one (1) centralized water storage tank, the Town of New Haven will be able to make an interconnection with the Town of Hartford and provide them with all of their water demands.

A new water booster station and water storage tank will be constructed as part of this project. The booster and tank will be located as shown on the attached drawings. Waterline will be installed, to the fullest extent feasible, on existing road right-of-way approximately 42 inches below existing ground elevation. If necessary, waterline will be installed on private property after the necessary easements are obtained.

The proposal should not represent a "major construction ...

OTHER

United States Department of the Interior

FISH AND WILDLIFE SERVICE

West Virginia Field Office
694 Beverly Pike
Elkins, West Virginia 26241

In response to your letter above, we have made a "no effect" determination that the project will not affect federally-listed endangered or threatened species. Therefore no biological assessment or further section 7 consultation under the Endangered Species Act is required with the Fish and Wildlife Service. Should project plans change, or if additional information on listed and proposed species becomes available, this determination may be reconsidered.

Definitive determinations of the presence of waters of the United States, including wetlands, in the project area and the need for permits, if any, are made by the U.S. Army Corps of Engineers. They may be contacted at: Huntington District, Regulatory Branch, 502 Eighth Street, Huntington, West Virginia 25701, telephone (304) 399-5710.

Reviewer's signature and date
March 2013

Acting Field Supervisor's signature and date

DIVISION OF NATURAL RESOURCES

Wildlife Resources Section
Operations Center
P.O. Box 67
Elkins, West Virginia 26241-3235
Telephone (304) 637-0245
Fax (304) 637-0250

Earl Ray Tomblin
Governor

Frank Jezioro
Director

March 29, 2013

Mr. Jack E. Ramsey
Triad Engineering, Inc.
4980 Teays Valley Road
Scott Depot, WV 25560

Dear Mr. Ramsey:

We have reviewed our files for information on rare, threatened and endangered (RTE) species and sensitive habitats for the area of the proposed water system improvements project for the Town of New Haven, Mason County, WV (Project No. 04-12-0004).

We have no known records of any RTE species or sensitive habitats within the project area. The Wildlife Resources Section knows of no surveys that have been conducted in the area for rare species or rare species habitat. Consequently, this response is based on information currently available and should not be considered a comprehensive survey of the area under review.

The information provided above is the product of a database search and retrieval. This information does not satisfy other consultation or permitting requirements for disturbances to the natural resources of the state, and further consultation may be required.

Thank you for your inquiry, and should you have any questions please feel free to contact me at the above number, extension 2048. Enclosed please find an invoice.

Sincerely,

Barbara Sargent
Environmental Resources Specialist
Wildlife Diversity Unit

enclosure

S:\Monthly\Barb\Invoices\Triad.doc

REC'D APR 01 2013

OTHER

DIVISION OF NATURAL RESOURCES
Wildlife Resources Section
Capitol Complex, Building 3, Room 812
1900 Kanawha Boulevard, East
Charleston WV 25305-0664
Telephone (304) 558-2771
Fax (304) 558-3147
TDD 1-800-354-6087

Cecil H. Underwood
Governor

John S. Rader
Director

June 7, 1999

Mr. Daniel A. Parker
Environmental Resources Specialist
Bureau for Public Health
Office of Environmental Health Services
815 Quarrier Street, Suite 418
Charleston, WV 25301

Dear Mr. Parker:

You recently inquired about Congressionally designated Wild and Scenic Rivers in West Virginia. A segment of the Bluestone River in Summers County is the only Wild and Scenic designation in the State. Other rivers that have some federal status are: segments of the Gauley and Meadow Rivers in Nicholas and Fayette counties are in a federally designated National Recreation Area; and a segment of the New River in Fayette County is designated as a National River. Each of these have differing levels of protection and are administered by the National Park Service.

Other rivers in the state have been studied, but no other designations have been made. You were particularly interested in the Ohio River. There are no federal designations for the Ohio River. If you have questions or require other information, please do not hesitate to call.

Sincerely,

Gordon C. Robertson
Deputy Chief

DIVISION OF NATURAL RESOURCES
Wildlife Resources Section
Operations Center
P.O. Box 67
Elkins, West Virginia 26241-3235
Telephone (304) 637-0245
Fax (304) 637-0250

Joe Manchin III
Governor

Frank Jezioro
Director

RECEIVED
JAN 26 2009
By

January 23, 2009

Mr. Daniel A. Parker
Bureau of Public Health
Department of Health and Human Resources
Capitol and Washington Streets
1 Davis Square, Suite 200
Charleston, WV 25301

Dear Mr. Parker:

Thank you for contacting the Wildlife Diversity Program regarding Wild and Scenic Rivers in West Virginia. Nothing has changed in the state since Mr. Robertson's 1999 letter. A segment of the Bluestone River in Summers County is the only river holding Wild and Scenic designation in the state. The other rivers with any federal designation are those administered by the National Park Service: the Gauley and Meadow rivers in Nicholas and Fayette counties and the New River in Fayette County.

Please contact me if you should require more information.

Sincerely,

Barbara Sargent
Environmental Resources Specialist
Wildlife Diversity Program

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
1550 Earl Core Road, Suite 200
Morgantown, WV 26505

(304) 284-7560 (Phone)
(304) 284-4639 (Fax)

April 8, 2013

Jack E. Ramsey, PE
Utilities Engineering Manager, Triad Engineering, Inc.
4980 Teays Valley Road
Scott Depot, WV 25560

RE: Farmland Conversion Impact Rating, Town of New Haven, Water Distribution System Replacement, Triad Project No. 04-12-0004, Mason County, WV

Dear Mr. Ramsey:

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

The Farmland Protection Policy Act (FPPA – Public Law 97-98, 7 U.S.C. 4201) established the farmland conversion rating system to evaluate the impacts Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use **and** are implemented by a Federal agency or with the assistance from a Federal agency. Assistance from a Federal agency includes loans, financial and technical assistance.

Based on a review of the documents you submitted, the Water Distribution System Replacement for the town of New Haven **does** impact a very small acreage of Statewide important farmland, as reflected in the attached fillable AD-1006 form. Please fill out the 12 criteria in Part VI, directions are attached. If the **TOTAL POINTS** in **Part VII** are all under 160, the project will **not** fall under the protection of FPPA. Under reason for Selection, you might write: "Total points are under 160, project does not fall under the protection of the Farmland Protection Policy Act". I do not need a return copy.

If you have questions regarding this matter, please contact Ron Wigal, Environmental Specialist, at 304-284-7566.

Sincerely,

Robert N. Pate

Robert N. Pate, Resource Soil Scientist

cc: Ron Wigal-Environmental Specialist, NRCS, Morgantown, WV

Helping People Help the Land

An Equal Opportunity Provider and Employer

OTHER

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request 3/18/13
Name Of Project Town of New Haven, Triad Project #04-12-0004	Federal Agency Involved Undetermined
Proposed Land Use Water Distribution System Replacement	County And State Mason County, West Virginia

PART II *(To be completed by NRCS)* — Date Request Received By NRCS 3/18/13

Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)	Yes ☐	No ☒	Acres Irrigated N/A	Average Farm Size 2,740 acres
Major Crop(s) Corn, Hay	Farmable Land In Govt. Jurisdiction Acres: 207,180	% 50	Amount Of Farmland As Defined in FPPA Acres: 207,180	% 50
Name Of Land Evaluation System Used USDA	Name Of Local Site Assessment System None		Date Land Evaluation Returned By NRCS 3/18/13	

PART III *(To be completed by Federal Agency)*	Alternative Site Rating Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	2.0			
B. Total Acres To Be Converted Indirectly	0.0			
C. Total Acres In Site	2.0	0.0	0.0	0.0

PART IV *(To be completed by NRCS) Land Evaluation Information*

A. Total Acres Prime And Unique Farmland	0.0			
B. Total Acres Statewide And Local Important Farmland	0.0			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	0.0			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	0.0			

PART V *(To be completed by NRCS) Land Evaluation Criterion*
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points) 0 | 0 | 0 | 0

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points				
1. Area In Nonurban Use	15				
2. Perimeter In Nonurban Use	10				
3. Percent Of Site Being Farmed	20				
4. Protection Provided By State And Local Government	20				
5. Distance From Urban Builtup Area	15				
6. Distance To Urban Support Services	15				
7. Size Of Present Farm Unit Compared To Average	10				
8. Creation Of Nonfarmable Farmland	10				
9. Availability Of Farm Support Services	5				
10. On-Farm Investments	20				
11. Effects Of Conversion On Farm Support Services	10				
12. Compatibility With Existing Agricultural Use	10				
TOTAL SITE ASSESSMENT POINTS	160	0	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	3	0	0	0
Total Site Assessment *(From Part VI above or a local site assessment)*	160	0	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	3	0	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes ☐ No ■

Reason For Selection:

(See Instructions on reverse side)

This form was electronically produced by National Production Services Staff

Form AD-1006 (10-83)

Environmental Justice (EJ) Impact Analysis Certification

1. Applicant's name and proposed project name or description: Town of New Haven Water Distribution System Improvements Project

2. Are there any identified EJ (minority or low income population) areas within or nearby the proposed project area?

☐ Yes ☒ No

3. Is the applicant's proposed project likely to result in a change in the current land use patterns (types of land use, development densities)?

☐ Yes ☒ No

4. Does a demographic analysis indicate the applicant's proposed project may disproportionately affect any significant EJ populations?

☐ Yes ☒ No

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

5. Identify, describe, and provide locations of EJ population _____

6. If a disproportionate adverse effect is expected to impact an EJ population, identify type/level of public outreach implemented. _____

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

8. Are adverse impacts appreciably more severe or greater in magnitude than the adverse impacts expected on non-minority/high-income populations?

☐ Yes ☒ No

9. Are alternatives and/or mitigation required to avoid impacts to EJ populations?

☐ Yes ☒ No

If yes, describe action. _____

10. I certify that this certification accurately describes the impact to EJ populations and

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

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

Honorable Jerry Spradling, Mayor — Printed Name & Title of Certifying Official

Jerry Spradling — Signature

10-27-16 — Date

OTHER

FILED

2017 OCT 27 A 11:

SECRETARY OF STATE

REVISED

July 1, 2017 – June 30, 2018

INTENDED USE PLAN

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

September 2017

TABLE OF CONTENTS

		Page
I.	**INTRODUCTION**	1
II.	**PROJECTS**	1
A.	Project Funding Requirements	1
B.	Project Priority List Process	2
C.	Bypass Procedure	3
D.	Emergency Projects	4
E.	Loan Terms and Fees	4
F.	Project Selection and Loan Activities	6
G.	Additional Subsidization	6
H.	Green Infrastructure (Green Project Reserve – GPR)	6
I.	Davis Bacon Wage Rates	6
J.	Asset Management Implementation Effect on Loan Rates	7
K.	American Iron and Steel	7
L.	Disadvantaged Business Enterprise	7
III.	**FINANCIAL STATUS**	7
A.	Total Amount of Funds in the DWSRF (Construction & Set-Asides)	7
B.	Uses of the New Funds (Construction & Set-Asides)	10
C.	Types of Projects to be Funded	11
D.	Project Benefits Reporting (PBR) and National Information Management Systems (NIMS)	11
IV.	**GOALS OF THE DWTRF**	11
A.	Short Term Goals	11
B.	Long Term Goals	11
V.	**SET-ASIDE ACTIVITIES**	12
A.	Administration	12
B.	State Program Management	13
C.	Technical Assistance	13
D.	Local Assistance and Other State Activities	14
VI.	**PUBLIC COMMENT PROCESS**	14

TABLES

TABLE 1	Funds Awarded Prior to/During State Fiscal Year 2016 (Construction & Set-Asides)	7
TABLE 2	Funds Awarded During State Fiscal Year 2017 (Construction & Set-Asides)	8
TABLE 3	Funds Requested State Fiscal Year 2018 (Construction & Set-Asides)	8
TABLE 4	Funds Disbursed or Obligated Through June 2018 (Construction & Set-Asides)	9
TABLE 5	Uses of New/Requested Funds (Construction & Set-Asides)	10

ATTACHMENTS

ATTACHMENT 1	DWTRF Project Priority Ranking System	15
ATTACHMENT 2	Project Priority List/Comprehensive List B	19
ATTACHMENT 3	Funding List Detailed Description B	22
ATTACHMENT 4	Public Comment Process/Response	24

OTHER

I. INTRODUCTION

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 2018 (FFY 2017) Capitalization Grant funds totaling $8,241,000 and will require a 20% state match of $1,648,200. The available State Program Cash Match (1:1) is $747,500. The West Virginia Infrastructure and Jobs Development Council (Infrastructure Council) commited the funds for the required 20% match at its July 2017 meeting.

From the FFY 2017 Capitalization Grant, $5,458,468 (along with the state match, projected earned interest and loan repayments) 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.

This REVISED IUP includes new projects that recently expressed an interest in receiving DWTRF funding. The new projects were added to the Project Priority List to enable them to be eligible for DWTRF funding. These new projects will not change the Funding List of projects since their priorities are low at this time until the projects are fully reviewed and approved by the Infrastructure Council. There are no changes to the set-aside programs.

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. One hundred percent (100%) of this year's planned funding will go to systems with less than 10,000 population.

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.*

OTHER

July 1, 2017 – June 30, 2018 Intended Use Plan (Revised)

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. 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 letter of commitments 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 2017 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. Only the McDowell County PSD project will not be an equivalency project.

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.

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.

July 1, 2017 – June 30, 2018 Intended Use Plan (Revised)

OTHER

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. 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 $7,106,668 ($5,458,468 of federal funds and $1,648,200 state

OTHER

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 1.5% of Median Household Income (MHI) for 4,000 gallon monthly usage as defined by the Infrastructure Council rules or 1.25% for 3,400 gallons if approved by the Infrastructure Council after September 20, 2014. 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 use the same data and criteria for medium household income and typical residential usage rates as the Infrastructure Council to achieve consistency in affordability and financial evaluations by state funding agencies. 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 may be provided to water systems for a design loan or for construction if special circumstances occur for the project. The disadvantaged loan interest rate will be 0.75%. The non-disadvantaged water systems will be eligible for 2.75% loans.

b) If DWTRF funding replaces another agency's grantor 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.

Administrative Fees

The OEHS administrative fee for projects is 0.5% 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.

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 20% of assistance provided is in the form of additional subsidies (principal forgiveness). OEHS has the authority to offer principal forgiveness loans in an amount up to 100% 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 four projects that are eligible to receive $1,650,000 in subsidization for disadvantaged water systems. The 20% amount of the capitalization grant funds is $1,648,200 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 or state prevailing wages (whichever is higher or applicable) for all construction contracts. All loan recipients must also follow all federal DB Wage Rate requirements.

OTHER

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 0.25%. Conversely, those systems who had an approved AMP, but have not maintained the AMP, will be assessed an additional 0.25% above their eligible loan rate. 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 exceeding $6,500,000 per year. The Administrative fee from loans has an annual income exceeding $600,000 which would sustain the administrative staff in perpetuity.

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 2017 and shows the projected disbursed and obligated amounts through 2016.

TABLE 1. FUNDS AWARDED PRIOR TO STATE FISCAL YEAR 2016 (Construction & Set-Asides)

U.S. Environmental Protection Agency (Total from 1998 through and including 2016)*	$194,015,782
WV State Match – Infrastructure Council (Total from 1998 through and including 2016)	$34,889,557
WVDHHR: 10% Set-Aside State Match (Total from 1998 through and including 2016)	$12,729,100
SUB-TOTAL	$241,634,439

Loan Repayments (Principal only 2858) as of 12/31/16	$42,581,263
Admin. Fee plus Fee Investment Interest as of 12/31/16	$4,972,887
Interest (2858 Interest Repayment) Loans as of 12/31/16	$5,692,511
Interest Earnings (WVSTO Reinvestment Income 2858 & 2856) WV DWTRF as of 12/31/16	$3,710,464
TOTAL	**$309,795,114**

* Table 1 does not include the in-kind services for the following grants:
FS-99390003 - $10,000 for Northbridge Environmental Program Manager Support (4%)
FS-99390006 - $134,176 for AWOP/PBT Contractor Support (10%)
2F-99390009 - $250,000 for Admin Support of ARRA Projects (4%)
FS-99390010-1 - $250,000 for Admin Support of Projects (4%)
FS-99390010-1 - $200,000 for Compliance/Enforcement Contractor Support (10%)
FS-99390011 - $150,000 for Administration Support of Projects (4%)
FS-99390011 - $74,458 for Compliance/Enforcement Contractor Support (4%)
FS-99390011 - $25,542 for Compliance/Enforcement Contractor Support (10%)
FS-99390011 - $100,000 for AWOP/PBT Contractor 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 (15%)
FS-99390015 - $200,000 for Capacity and Development (15%)
FS-99390015 - $300,000 for Source Water Protection (15%)

TABLE 2. FUNDS AWARDED DURING STATE FISCAL YEAR 2017 (Construction & Set-Asides)

U.S. Environmental Protection Agency (FS-99390016) (Grant)	$8,312,000
WV State Match - Infrastructure Council (FS-993900016)	$1,662,400
WVDHHR: 10% Set-Aside State Match (FS-993900016) (Approp)	$647,500
TOTAL	**$10,621,900**

TABLE 3. FUNDS AWARDED DURING STATE FISCAL YEAR 2018 (Construction & Set-Asides)

U.S. Environmental Protection Agency (FS-99390017) (Grant)	$8,241,000
WV State Match - Infrastructure Council (FS-993900017)	$1,648,200

WVDHHR: 10% Set-Aside State Match (FS-993900017) (Approp)	$747,500
TOTAL	**$10,636,700**

Table 3 includes (FS-99390017) $75,000 for Source Water Protection (15%) In-Kind Services

TABLE 4. SET-ASIDE FUNDS DISBURSED OR PROJECTED THROUGH STATE FISCAL YEAR 2018 & CONSTRUCTION LOANS & COMMITMENTS THROUGH JUNE 2018 (Construction & Set-Asides)

(Table 4 "Cumulative Grant Funds Received Thru 6/30/2016" includes the in-kind services for the capitalization grants)

Set-Aside Funds	Cumulative Grant Funds Received Thru 6/30/2016	Additional Funds From FS-99390017	Minus In-Kind Services	Total Incoming Funds	Cumulative Funds Disbursed as of 12/31/16	Projected Disbursements From Jan '17 Thru June '18	Funds Remaining 6/30/2018
Administration (4%)	$6,513,376	$250,000	$1,013,137	$5,750,239	$5,224,806	$375,000	$150,433
Small Systems Technical Assistance (2%)	$3,365,491	$230,000		$3,595,491	$3,122,044	$420,000	$53,447
Program Management Federal (10%)	$14,699,352	$1,302,532	$359,718	$15,642,166	$13,976,456	$1,600,000	$65,710
Program Management State Match (10%)	$13,284,132	$747,500		$14,031,632	$12,067,133	$1,380,000	$584,499
Total Program Management	$27,983,484	$2,050,032	$359,718	$29,673,798	$26,043,589	$2,980,000	$650,209
Local Assistance (15%)	$22,873,130	$1,000,000	$1,286,300	$22,586,830	$20,383,167	$1,710,000	$493,663
Total Set-Aside Funds	$60,735,481	$3,530,032	$2,659,155	$61,606,358	$54,773,606	$5,485,000	$1,347,752
	Cumulative Construction Funds 6/30/2016	Construction Funds SFY2017 July 1, 2016 to Dec. 31, 2016	Projected Funds from January 2017 to June 2017	Projected Activity in SFY2018	Cumulative Construction Funds 6/30/2018		
Construction Assistance Funds From Cap Grant	$146,564,433		$5,967,468	$0	$152,531,901		
20% State Match For Cap Grant	$34,889,557		$1,750,000	$0	$36,639,557		
Loan Repayments (Principal Only)	$39,581,263	$3,000,000	$3,000,000	$6,000,000	$51,581,263		
Interest On Loans	$4,652,887	$320,000	$320,000	$640,000	$5,932,887		
Interest Earnings	$5,342,511	$350,000	$350,000	$700,000	$6,742,511		
Total Funds For Loans	$231,030,651	$3,670,000		$7,340,000	$253,428,119		
Closed Loans	$216,347,000	$12,158,438	$0	$0	$228,505,438		
Letters of Commitment	$0	N/A	$0	$0	$0		
Planned Future Letters of Commitment		0	$16,716,000	$8,206,681	$24,922,681		
Total Committed/Planned Funds	$0	$0	$16,716,000	$8,206,681	$24,922,681		
Funds Remaining To Be Committed					$0		$0
	Cumulative Administration Fees Thru 6/30/2016	Administration Fees SFY2017 July 1, 2016 to Dec. 31, 2016	Projected Fees from January 2017 to June 2017	Projected Fees in SFY 2018	Cumulative Administration Fees 6/30/2018		
Administrative Fees on DWTRF Assistance	$4,652,887	$320,000	$320,000	$640,000	$5,932,887		

OTHER

Administrative Fees Withdrawals	$192,136	$50,852	$44,000	$95,000	$381,988		
Net Administrative Fees	$4,460,751	$269,148	$276,000	$545,000	$5,550,899		$5,550,899
Total Program Funds	$296,226,883	$7,469,180	$2,935,155	$69,491,358	$313,141,824		$6,898,651

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	$250,000	$0	$0	$0	$0	$0	$250,000
Technical Assistance	$230,000	$0	$0	$0	$0	$0	$230,000
State Program Management	$1,302,532	$0	$747,500	$0	$0	$0	$2,050,032
Local Assistance	$1,000,000	$0	$0	$0	$0	$0	$1,000,000
Construction	$5,458,468	$1,648,200	$0	$0	$0	$0	$7,106,668
Total	$8,241,000	$1,648,200	$747,500	$0	$0	$0	$10,636,700

Notes to Table 5:

- Administrative Fees, Interest Earnings, and Loan Repayments are included in the grant application.
- The State Program Management match includes $555,032 from the PWSS Overmatch "Gift".
- Local Assistance includes $75,000 for in-kind services for Source Water.
- 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

OTHER

OEHS is proposing to fund four 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 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 2018 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 final development of an automated data collection system for private laboratories to forward results of total organic compounds.

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.

A. Administration ($250,000)

The SDWA authorizes the State to use 4% of the Capitalization Grant for administration of the DWTRF program. Only $250,000 of the 4% is being requested for this activity reserving the right to use the remaining $79,640 in future SRF Grants. 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 fully utilize the WDA, which already administers state-funded construction loans to public wastewater and water systems.

B. State Program Management ($1,302,532 – Federal; $747,500 - State Match Cash; $555,032 State Gift Non-Cash) (Includes $478,432 reduction of federal fund reserves)

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. The federal funds will utilize $478,432 from the 10% set-aside reserves. It will support the water systems needing to improve their facilities and security through source water grants. This year federal funds are requested from the reserve account. These funds require a dollar-for-dollar match and this match is made through state appropriations and the "Gift That Keeps on Giving".

C. Technical Assistance ($230,000 which includes $164,820 from this grant plus a reduction of the 2% reserve account in the amount of $65,180)

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 plus $65,180 from reserves of previous SRF Grants for this activity. 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.

OTHER

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

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 $1,000,000 is being requested for this set-aside and adds $236,150 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 mobile training unit, 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. $75,000 In-Kind Service funds from this set-aside will be used for the EPA or its contractor to support the Source Water Assessment program evaluation study of the Public Water Supplies Source Water Protection Plans as well as the effects on surface water and groundwater resources.

VI. PUBLIC COMMENT PROCESS

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

OTHER

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 particular 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 in order to receive DWTRF assistance.
- Projects that address a problem where a system has significant microbiological violations. The project must ensure compliance in order 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

OTHER

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.
Rates based on 4,000 gallons if approved by IJDC prior to September 20, 2014 or 3,400 gallons if approved by IJDC after September 20, 2014.

Public Health	
Compliance	
Affordability	
Total Points	

Tie Breaker:
In the event that 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

ATTACHMENT 2

Project Priority List/Comprehensive List

OTHER

WEST VIRGINIA 17DWTRFB PROJECT PRIORITY LIST (PPL) COMPREHENSIVE LIST

RANK	SYSTEM	COUNTY	PRIVATE FUND	PROJECT DESCRIPTION	EPA NUMBER	CUMULATIVE FUNDING	AMOUNT REQUESTED	AFFORDABILITY	DISADVANTAGED	PRIVATE	MBE/WBE	CONSOLIDATE	AFFORDABILITY	PROJECT COST	STATUS REMARKS
1	Valley Grove PSD	Ohio	Pleasant Creek Water Project II	The proposed will replace the existing water system entirely including Pleasant Creek, Stonecoal, and Grandview communities and provide a natural system for the Valley Grove PSD. It will consist of installing 1.1 million gallon water storage tank, 1.0 million gallon booster station, 30 miles of water lines, and appurtenances.	5401010	$1,000,000	$1,000,000	$1,000,000	7.64	Yes	Principal Forgiveness	100	15	75	15	$1,000,000	Project is dependent upon receipt of PER. Will fund if sufficient funds remain.
2	Williamstown	Tyler	Phase 1 - Water System Improvements	The proposed will involve improvements to the Glen Fork PSD's existing water distribution system and will provide service to Glen Fork, Dutchman Creek, Center Ridge, Sunday Road, Sunday Road Extension, Lone Pine Road, Rathbone Road, Hardscrabble Road, Lone Pine Road, Eastern Road and Pole Lane Road.	5401010	$1,000,000	$1,000,000	$1,000,000	7.64	Yes	Principal Forgiveness	100	15	75	15	$4,000,000	Project dependent upon receipt of PER. Will fund if sufficient funds remain.
3	Cameron, City of	Marshall	Water System Improvements	The proposed is to replace deteriorated water lines within the City of Cameron and to extend water services to 57 new residences along Cherry Street, 57 on the Jones Run/US 250/21 and 27 on US 250/21 (Main Street) and Clarks Run Road. Approximately 25,500 LF of 6" and 12,000 LF of 4" water lines will be installed to serve the new customers. Currently served by pressure reducing valves, with the proposed project the entire system will be served by water towers. New valves will be installed throughout the system.	5401010	$4,000,000	$3,999,999	$3,999,999	5.83	Yes	Principal Forgiveness	100	15	75	15	$5,333,333	Project dependent upon receipt of PER. Will fund if sufficient funds remain.
4	Clarksburg PSD	Harrison	Salem/Lumberport Water Treatment Project	The proposed project is to construct a water treatment plant, 2.0 MGD, and a 1.0 MG water storage tank. The project will also include the construction of 3 booster pump stations, 2 pressure reducing stations, 2 interconnections with Salem and Lumberport, and approximately 15 miles of water lines.	5401010	$20,000,000	$20,000,000	$20,000,000	5.92	Yes	Principal Forgiveness	100	15	75	15	$26,666,667	Project dependent upon receipt of PER. Will fund if sufficient funds remain.
5	Town of Hartford	Mason	Water Distribution & System Improvements Project	The proposed project is to replace the entire Town of Hartford's system of galvanized water lines that are undersized and deteriorated. The project will also include the construction of a 1.0 MG elevated storage tank, booster pumping station, water lines from the Town of New Haven, and appurtenances. The project will consist of approximately 120,000 LF of 8" water lines, 120,000 LF of 6" water lines, and 30,000 LF of 4" water lines. The project will also include the construction of a 1.0 MG elevated storage tank, booster pumping station, water lines from the Town of New Haven, and appurtenances. The project will consist of approximately 120,000 LF of 8" water lines, 120,000 LF of 6" water lines, and 30,000 LF of 4" water lines.	5401010	$19,000,000	$19,000,000	$19,000,000	5.73	Yes	Principal Forgiveness	100	15	75	15	$25,333,333	Project dependent upon receipt of PER. Will fund if sufficient funds remain.
6	Ohio County PSD	Hancock	Water System Extension Phase II (Wheeling Service Area)	The proposed project is to install a new 1.0 MG elevated storage tank, a 500,000 gallon booster pumping station, water mains, and appurtenances. The project will include a 500,000 gallon water storage tank, a 100,000 gallon booster pumping station, 30,000 LF of 12" water line, 30,000 LF of 8" water line, 30,000 LF of 6" water line, and appurtenances.	5401010	$9,000,000	$9,000,000	$9,000,000	5.47	Yes	Principal Forgiveness	100	15	75	15	$12,000,000	Project dependent upon receipt of PER. Will fund if sufficient funds remain.
7	Hampshire County PSD	Hampshire	Phase 2 - Interconnection Improvements	The proposed will replace 7 miles of deteriorated leaking water mains, install fire hydrants, and provide looping to improve water quality and fire protection. The project will also provide a new interconnection with the Romney PSD.	5401010	$240,000	$240,000	$240,000	5.45	Yes	Principal Forgiveness	100	15	75	15	$320,000	Project dependent upon receipt of PER. Will fund if sufficient funds remain.
8	Town of Fayetteville	Fayette	Water System Improvements	The proposed will replace aerodrive mixing in tanks #1 and #2 with new 50 gallon per minute (gpm) mixers and add a 0.25 MG standpipe. The project will also include replacing high service pumps #1 and #2 with new 1,000 gpm pumps, replacing 1,000 LF of 6" water line along Fayette Avenue, and other miscellaneous improvements.	5401010	$2,000,000	$1,999,999	$1,999,999	5.27	Yes	Principal Forgiveness	100	15	75	15	$2,666,667	Project dependent upon receipt of PER. Will fund if sufficient funds remain.
9	Town of Rainelle	Greenbrier	Water System Improvements	The proposed project is to make improvements to the Town water distribution system including the new water station. Portions of the distribution system will be replaced and looped to improve water pressure and flow. Improvements to help reduce the high unaccounted water loss. Four existing tanks need to be rehabilitated and three tanks will need to be painted, as well as correct any deficiencies that the tanks will need to be painted, as well as correct any deficiencies that the tanks will need to be painted, as well as correct any deficiencies that the

OTHER

ATTACHMENT 3

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

WEST VIRGINIA 17DWTRFB PROJECT PRIORITY LIST (PPL) COMPREHENSIVE LIST

| RANK | ID STFX# | CAT. | PROJECT NAME | PROJECT DESCRIPTION | PPL SCORE | % PERC. EXP. | 1600-4000 | 1600-4000 | NEPOMD- | BOARD/AS- | 1 DAY | 1 DAY | 1 DAY

ATTACHMENT 4

Public Comment Process/Response

OTHER

2017 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
1	LeClaire/Credit County PSD	This project will make improvements to the Elaine Road PSD's existing water distribution system and extend potable water to Beech Run, Hemlock Road, Upper Chalybs Run, Jackson Road/Hickory Road, Wolfe Ridge Road, Pomeroy/Syrkle Road, Auria Road/Bridlecock Lane, Ambrosia Ridge/Windy Camp Road, Kolton Road and Dishmire Run Road.	Principal Forgiveness	962	November-17	N/A	$0	$500,000	$500,000	$6,000,000
2	Eldon Road PSD	This project will make improvements to the Eldon Road PSD's existing water storage tanks and installing an interconnection for the Town of Hartford. The project will consist of a new booster pump station, approximately eleven (11) miles of 6", 8" & 12" water line, demolition of two (2) 150,000 gallon water storage tanks (Downtown Tank (1916) and Haven Heights Tank (1962) which were both painted in 2004), a 500,000 gallon water storage tank, forty-six (46) fire hydrants, twenty-five (25) blow-off assemblies and all necessary service lines, flow meters, telemetry, valves and appurtenances.	0.5%, 0.5% Admin., 30 yrs. Principal Forgiveness	2,765	October-17	N/A	$0	$250,000	$1,000,000	$6,500,000
3	Claysonville Municipal Water Works	The project will replace 3 miles of deteriorated lead water mains, install fire hydrants and any necessary valves and appurtenances in an effort to improve the current drinking water to consumers.	0.5%, 0.5% Admin., 30 yrs	2,311	September-17	N/A	$0	$0	$900,000	$2,329,000
10	Town of New Haven	This project will include the replacement of the entire distribution system and storage tanks and installing an interconnection for the Town of Hartford. The project will consist of a new booster pump station, approximately eleven (11) miles of 6", 8" & 12" water line, demolition of two (2) 150,000 gallon water storage tanks (Downtown Tank (1916) and Haven Heights Tank (1962) which were both painted in 2004), a 500,000 gallon water storage tank, forty-six (46) fire hydrants, twenty-five (25) blow-off assemblies and all necessary service lines, flow meters, telemetry, valves and appurtenances.	0.5%, 0.5% Admin., 30 yrs. Principal Forgiveness	1,615	September-17	N/A	$0	$1,000,000	$5,233,464	$6,794,000
Total							$0	$1,750,000	$7,717,464	$21,823,000

2017 Capitalization Grant Amount: $8,750,000

Green Project Reserve Required	20% Principal Forgiveness Required	Total Amount of Grant Construction Funds Available
$0	$1,750,000	$7,717,464

Bureau for Public Health
Office of Environmental Health Services
REVISED 2017-18 Intended Use Plan B Review
For the
Drinking Water Treatment Revolving Fund (DWTRF)
Notice of Public Meeting and Public Comment Period

The Bureau for Public Health, Office of Environmental Health Services, will hold a public meeting on October 25, 2017 from 3:00 p.m. to 3:15 p.m. to accept written or oral comments on the **REVISED** July 1, 2017 through June 30, 2018 Draft Intended Use Plan B (IUP) for the West Virginia Drinking Water State Revolving Fund program, including the construction loan fund. The REVISED IUP B contains additional projects requesting consideration of DWTRF funding. The meeting will be held at the West Virginia Bureau for Public Health, Environmental Engineering Division, 350 Capitol Street, Room 345, Charleston, WV and is open to the public.

A copy of the proposed IUP will be available for public review on or before September 29, 2017 at the following locations:

Charleston Central Office	(304) 356-4301
Wheeling District Office	(304) 238-1145
Fairmont District Office	(304) 368-2530
Kearneysville District Office	(304) 725-9453
Beckley District Office	(304) 256-6666
St. Albans District Office	(304) 722-0611

A copy of the proposed IUP will also be available for public review on the Bureau for Public Health website at http://www.wvdhhr.org/oehs/eed/i&cd/

The public may submit written comments by mail, e-mail, facsimile (304-558-0691) or other delivery to:

Robert W. DeCrease
350 Capitol Street, Room 313
Charleston, WV 25301-3713
Email: robert.w.decrease@wv.gov

All comments must be received by 12:00 noon, October 30, 2017.

Please include your name, return address, e-mail address, daytime telephone number and indicate any organization that you may represent. Prior to any final action on this IUP, the Bureau for Public Health will address only comments relevant to IUP issues.

OTHER

JULY 1, 2017 – JUNE 30, 2018

***REVISED* INTENDED USE PLAN**

PUBLIC COMMENT PROCESS

The public comment for this REVISED IUP will be during the period of September 29, 2017 through October 30, 2017. OEHS will post the IUP on the website and make it available at all district offices and the central office. The draft IUP will be sent to key stakeholders for comment. A public notice will be published in the West Virginia Register (State Register) on September 29, 2017 concerning the web posting and public comment period. A public meeting will be held on October 25, 2017 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
2017 SEP 25 A 9:3
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

OTHER

September 18, 2017

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **September 15, 2017**.

LETTER OF INTENT RECEIVED

September 14, 2017 – Good Samaritan Society Barbour County, Belington, Barbour County, CON File #17-7-11176-P, for the provision of outpatient therapy services including physical, occupational and speech therapies; capital expenditure: $4,000.

APPLICATION FOR EXEMPTION RECEIVED

September 12, 2017 – Hope Healthcare Riverview Operations, LLC, Barboursville, Cabell County, CON File #17-2-11174-X, for the acquisition of the licensed operations of The Village at Riverview, Inc., an assisted living facility located in Cabell County.

HEARING NOTICE

The Administrative Hearing and Prehearing Conference have been SCHEDULED in the following matter:

United Hospital Center, Inc., Bridgeport, Harrison County, CON File #17-6-11131-Z, for the provision of home health services in Preston County; capital expenditure: $35,000.

Prehearing Conference: **November 30, 2017 at 1:30 p.m.**
Administrative Hearing: **December 7, 2017 at 9:00 a.m.**

The prehearing conference and administrative hearing in the above-referenced matter will be held in the office of the Health Care Authority, 100 Dee Drive, Charleston, West Virginia 25311-1600, unless otherwise noted.

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

Jim Justice
Governor

HEALTH CARE AUTHORITY

Bill J. Crouch, Cabinet Secretary
West Virginia Department of
Health and Human Resources

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

September 18, 2017

NEWS ITEM

FILED
2017 SEP 25 A 9:2
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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

September 13, 2017 - United Hospital Center, Inc., Bridgeport, Harrison County, CON File #17-6-11163-H, for the addition of an operating room and related renovations; capital expenditure: $4,120,000.

September 14, 2017 - First Center LLC and Citenik Properties LLC, Charleston, Kanawha County, CON File #17-2-11142-NH, for the development of a 97 bed nursing home in Cabell County; capital expenditure: $20,000,000.

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

The review cycle begins on **September 15, 2017**.

On or before **October 16, 2017**, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will **October 20, 2017**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.

The Decision on the projects referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decisions will be issued on or before **November 14, 2017**.

100 Dee Drive • Charleston, West Virginia 25311-1600 • 304.558.7000 • 304.558.7001/Fax • 1.888.558.7002/Toll Free
www.hca.wv.gov

OTHER

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

9/18/17
Date

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

WEST VIRGINIA HEALTH INFORMATION NETWORK

FILED
2017 SEP 27 A 11: 2[illegible]
[illegible] OF STATE

Jim Justice
Governor

Sonia Chambers
Interim Chief Operations Officer

Joe Letnaunchyn
Chair

September 27, 2017

Honorable Mac Warner
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Re: State Register
Entry of Notice

Dear Secretary Warner,

Pursuant to Legislative Rule 65 C.S.R. §28 5.6.a, the West Virginia Health Information Network is to publish its written patient notice and a list of all then current participating organizations during the first week of January, April, July, and October of each year in the State Register.

The current participating organizations as of October 1, 2017:

ABC Pediatrics
Acuity Specialty Hospital
Adena Health & Rehabilitation Center
Advanced Cardiovascular Services
Advanced Diabetes & Endocrine Center
Advantage Healthcare for Women
Aledade, Inc.
Alternative Home Health
American Medical Facilities Management
Andres L. Rago, MD
Appalachian Highway Med Surgical Clinic
Appalachian Regional Healthcare
Appalachian Surgical Associates
Arbors at Marietta
Arbors at Woodsfield
Arturo Y. Lim, MD
Associates Specialists, Inc.
Asthma & Allergy Center
Astoria Place of Barnesville
Barbour County Health Dept.
Bassam N. Shamma, MD
Beckley Physicians Group
Beckley Raleigh County Health Dept.
Bee Healthy Pediatrics
Belington Community Medical Services
Belmont Manor
Berkeley County Health Dept.
Big Creek Medical Center
Blue Ridge Internal Medicine
Bluefield-Hematology-Oncology Associates
Bluestone Health Associates
Boone County Health Dept.
Boone Memorial Hospital
Brackenrich Family Medicine
Brandon Cestaric Family Practice
Braxton County Health Dept.
Braxton County Memorial Hospital
Braxton Primary Care
Brian D. Houston, MD
Bridgeport Express Care
Broaddus Hospital
Brook County Health Dept.
Cabell Huntington Hospital
Cabin Creek Health Systems
CAMC Physicians Group
Camden Clark Medical Group
Camden Clark Physicians Corp.
Cardinal Pediatrics
Carehaven of Pleasants
Change, Inc.
Charles D. Bess
Charles F. Whitaker, MD
Charleston Area Medical Center
Charleston Digestive Disease
Charleston Endocrinology
Charleston Family Practice Group
Charleston Gastroenterology Assoc.
Charleston Internal Medicine
Charleston Medical Associates
Charleston Nephrology Hypertension & Transplant
Charleston Neurology Associates, Inc.
Charleston Obstetrics & Gynecology

Charleston Pain Management Consult.
Chesapeake Medical Center
CHH Family Medicine Merritt's Creek
City Pediatrics
Clarksburg Surgical Specialists
Clay County Health Dept.
Clay-Battelle Health Services Association
Coalfield Health Center
Community Care of WV
Comprehensive Health Solutions
Comprehensive Surgical Associates
Comprehensive Womens Care
Convenience Clinics of America
Core Health Care
Cornerstone Health Care
Country Club Rehabilitation Campus
David Patton, MD
Davis Health System
Davis Medical Center
Davis Medical Center Provider Group
Derm One
Digestive Care Center
Digestive Disease Center of Ohio Valley
Dignity Hospice
DLM Internal Medicine
Doctor's Urgent Care
Dr. David S. Ratliff, Inc.
Dr. John E. Capito
Dr. Leonard A. Fichter
Dr. Raghda Sahloul
Dr. Rick L. Houdersheldt
Dr. Saima Khan
Dunbar Medical Associates
E. Brad McCoy, DO
E. A. Hawes Health Center
Eastbrook
Eastern Panhandle CARE Clinic
Eastern Panhandle Pediatrics
Edward A. Filcheck, PLLC
Elkins Express Care
Erin V. Stoehr, DO
Express Med Pharmaceuticals, Inc.
F.G. Powderly, MD
Fairmont ENT Associates, Inc.
Fairmont Physicians Network
Fairmont Regional Medical Center
Family Care Clinic
Family Care Health Center
Family Health Associates of the Kanawha Valley
Family Healthcare Associates
Family Medicine of Berkeley Springs
Farukh A. Khan, MD
Fayette County Health Dept.
Foot & Ankle Clinic
Forest Hill Care Center
Fresenius Medical Care Holdings, Inc.
Friday G. Simpson, MD
Genesis Administrative Services, Inc.
Genesis Health Care
Glenwood Park
Grafton City Hospital
Grant County Health Dept.
Grant Memorial Hospital
Greenbrier County Health Dept.
Greenbrier Manor
Greenbrier Physicians
Gregory Borowski, MD
Gregory Scott Harrah, MD
Hampshire County Health Dept.
Hampshire Memorial Hospital
Hasan Medical, Inc.
Health Access, Inc.
HealthSouth Mountainview Regional Rehab Hospital
HealthSouth Rehabilitation Hospital of Huntington
HealthSouth Western Hills
Healthy Habits Wellness Center
Heartland of Lansing
Heartland of Martinsburg
HHP Internal Medicine Associates
Highland Hospital Association
HIMG
Holbrook Nursing Home
Hopemont Hospital
Hospice Care Corp.
Hospice of Huntington
Hospice of Potomac Valley Hospital
Hospice of Southern West Virginia
Hospice of the Panhandle
Iaeger Family Clinic
Interim Health Care of SE Ohio, Inc.
Interim Healthcare of Morgantown
Intrepid USA Home Health
Jackie Withrow Hospital
Jackson County Health Dept.
Jackson General Hospital
Jana Peters, DO
Jarrell Family Medicine
Jayne Canterbury, DO
Jefferson Med Peds, Inc.
Jefferson Pharmacy
John A. Wade, Jr., MD
John D. Holloway, MD
John M. Clark, MD & Associates
John Manchin, Sr. Healthcare
Kanawha Charleston Health Dept.
Kanawha Hospice Care
Kanawha Medical Center
Kanawha Nephrology
Kelly M. Pitsenbarger, MD
Kendall L. Wilson, Jr., DO
Kid Care West Pediatrics
Kidney Associates
Kidney Specialists, PLLC
Lakin Hospital
Lewis County Health Dept.
Lincoln County Health Dept.
Lisa Hill, MD
Logan Pediatrics
Logan Regional Medical Center
Lori Tucker, DO

OTHER

Love Family Practice Group
Madison Medical
Mapleshire Nursing & Rehabilitation Center
Marilyn Horacek, MD
Mark J. Cinalli, OD
Marshall U. SOM/Marshall Health
Martinsburg Internal Medicine Associates
Martinsburg Pediatrics
Matthew A. Cupp, MD
Meadowbrook Acres Nursing Center
Meadow Kidney Care
Medi Home Health Agency
Melrose Family Medicine
Mely Lim, MD
Mercer Medical Group
Michael M. Boustany, MD
Midland Behavioral Health
Mid-Ohio Valley Health Dept.
Mid-Ohio Valley Medical Group
Mid-Ohio Valley Medicine & Pediatrics
Milan Puskar Health Right
Minnie Hamilton Health System
Modern Care Ob/Gyn
Monongahela Valley Association of Health Centers
Monongalia County Health Dept.
Monongalia General Hospital
Monongalia Pediatric & Youth Associates
Monroe Health Center
Montgomery General Hospital
Morgantown Obstetrics & Gynecology
Morgantown Pulmonary Associates
Mountain Hospice
Mountain Medical Associates
Mountain State Medical Specialties
Mountain State Medicine & Rheumatology
Mountaineer Community Health Center
MVA-Fairmont Clinic
Nephrology & Hypertension Associates
Neurological Associates
Northern WV Home Health
Northwood Health Systems
Oar Medical Services
Ohio Valley Asthma & Allergy Institute
Ohio Valley Health Services & Education
Ohio Valley Physicians
Ohio Valley Sleep Diagnostics
Orthopedic & Spine Surgery Associates
Orthopedic Healthcare Associates
Panhandle Home Health
Park Health
Parkersburg Podiatry
Parkersburg Surgical Associates
Partners in Women's Health Care
Patel, Inc.
Pediatric & Family Physicians of Morgan City
Pediatric Associates
Pediatric Partners
Pendleton Community Care
Peterson Rehab Hospital
Pineview Gynecology
Pleasant Valley Hospital
Pleasant Valley Hospital Home Health & Hospice
Pleasant Valley Hospital Nursing & Rehab Center
Pocahontas Memorial Hospital
Potomac Valley Hospital
Premier Medical Group
Prestera Center for Mental Health Services, Inc.
Prestige Primary Care Associates
Preston Memorial Hospital
Preston-Taylor Community Health Centers
Prime Care 12
Princeton Community Hospital Association
Princeton Family Health Care
Princeton Health Care Center
Process Strategies
Professional Endocrinology Associates
Pulmonary Associates of Charleston
Putnam Family Practice Associates
Pyramid Counseling
Rainelle Medical Center
Raleigh Cardiology
Raleigh General Hospital
Raleigh Street Podiatry
Randall J. Hill, MD
Randolph County Eye Care Center
Randolph Elkins Health Dept.
Ravenswood Chiropractic Center
Ravi Yalamanchili, MD, P.A
Renal Consultants
Reynolds Medical Group
Reynolds Memorial Hospital
Ritchie Regional Health Center
River Valley Medicine & Pediatrics
Riverview Pediatrics
Riverview Primary Care
Roane General Hospital
Robert C. Byrd Clinic
Robert C. Yee, MD
Robert E. Jones, MD
Ronald D. Pearse, EdD
Rosewood Center
Rowena Gonzales-Chambers, MD
Rural Emergency Trauma Institute
Salem Family Medicine
Samuel K. Roberts, MD
Sanjay Bharti, MD
Schwarzenberg & Schwarzenberg
Scott C. Lostetter, DO
Shadyside Care Center
Shenandoah Valley Medical Systems
Shirey & Shirey
Sistersville General Hospital
South Branch Surgical Associates
South Charleston Cardiology Associates, PLLC
South Charleston Dermatology
South Charleston Pediatrics
Southeastern Home Care
Southern Highlands CMHC, Inc.
Spring Hill Primary Care Physicians
St. Francis Hospital

100 Dee Drive Charleston, West Virginia 25311 – 1600 304.558.4503 Fax: 304.558.2734 www.wvhin.org

St. George Medical Clinic
St. Joseph's Hospital of Buckhannon
St. Mary's Medical Center
St. Mary's Medical Management
Stanford Medical Clinic
Stanton Cardiology Center
Stonerise Healthcare
Stonewall Jackson Memorial Hospital
Summersville Pediatrics
Summersville Regional Medical Center
Summit Health Care, Inc.
Suncrest Ob/Gyn
Sundale Nursing Home
Susan C. Capelle, MD
Teays Internal Medicine
Teays Pediatrics
Thacker Family Physicians
The Doctor's House
The Maples Health Care
The Myers Clinic
The Orthoclinic
The Rheumatology Group
Thomas Memorial Hospital
Thoracic and Cardiovascular Associates
THS Physician Partners
Travel MD
Tug River Health Associates
United Hospital Center, Inc.
Valeo Medical
Valley Health System
Valley Health Systems, Inc.
Valley Hospice
Ward Paine, MD
Webster County Memorial Hospital
Wedgewood Family Practice
Wee Care Pediatrics
Weirton Medical Center
Welch Community Hospital
Wellspring Family Medicine Terra Alta
West Virginia Eye Consultants
West Virginia Primary Care
Westbrook Health Services
Wetzel County Hospital
Wheeling Health Right
Wheeling Hospital
William A. Cline, DO
William C. Mercer, MD
Williams Family Practice
Williamson Health & Wellness Center
Williamson Memorial Hospital
Willow Ridge
Wirt County Health Services Association
Womancare, Inc.
Women's Health Care of Morgantown
Women's Health Center of WV
Wood County Senior Citizens Association
Worthington Nursing & Rehab Center
WV Bureau of Public Health
WV Center of End of Life Care
WV Department of Health & Human Resources
WV Health Right
WV Heart & Vascular Institute
WV Primary Care Inc.
WVMI
WVU Health Research Center
WVU Medicine
Wyoming County Health Dept.
Yeager & Smith Family Medicine
Youth Health Services, Inc.
Ziad Kahwash, MD

OTHER

Please publish this notice **in its entirety** in the State Register in accordance with the Administrative Procedures Act. In addition, we request that you return one copy to us with your stamp acknowledging receipt. Thank you for your assistance in this matter.

Sincerely,

Denise Hershey

Denise Hershey, CFO
Enclosures

100 Dee Drive Charleston, West Virginia 25311 – 1600 304.558.4503 Fax: 304.558.2734 www.wvhin.org

WVHIN
WEST VIRGINIA HEALTH INFORMATION NETWORK

PATIENT NOTICE

Your health care provider has agreed to participate in the West Virginia Health Information Network (WVHIN), a Health Information Exchange (HIE). The WVHIN's HIE provides the fast and secure exchange of test results and reports among hospitals, labs, x-ray facilities, doctors and insurance companies.

WHO WILL HAVE ACCESS TO MY HEALTH RECORD?

Doctors, hospitals, pharmacies, insurance companies and other health care providers that are participants of the WVHIN's HIE will be able to see your health records when they are treating you or when paying for your health care. They may receive an alert when you become hospitalized or are seen for emergency care.

WHAT INFORMATION IS IN MY ELECTRONIC MEDICAL RECORD?

Your health care provider uses an electronic medical record to keep track of the treatment provided to you. This electronic record may include your...

- medical history
- lab and imaging results
- medications
- allergies
- known drug reactions
- doctor's and nurse's notes

WVHIN's HIE **is not** a complete record of your health history. It is simply a way for your health care providers to access the health information they need to provide you with the best possible care.

WHAT ABOUT MY SENSITIVE HEALTH RECORDS?

Federal and State laws protect the privacy of certain kinds of medical records. These include...

- drug or alcohol abuse treatment records
- psychotherapy notes
- goods and services that you have paid for out-of-pocket and request to keep private

When required by law, your consent will be obtained before the WVHIN's HIE will allow the sharing of your sensitive health records.

WHAT ARE THE BENEFITS TO ME?

WVHIN's HIE allows doctors and hospitals, pharmacies, insurance companies and other health care providers to view all of your available health records in order to provide you with better care, to coordinate your care, and/or to ensure proper payment is made for the services you receive. WVHIN's HIE may prevent you from having to fill out the same forms and carry your lab, x-ray results and medications to different doctors. Sharing your health record through the WVHIN's HIE may prevent you from having to have tests repeated. Most importantly, sharing your health record through the WVHIN's HIE may allow your doctors to have access to life saving information in the event of a medical emergency.

OTHER

ARE THERE PRIVACY RISKS AND HOW IS MY PRIVACY PROTECTED?

Doctors, hospitals and anyone else who is treating you are already responsible for keeping your health records private. The only added risk is that your health record will now be seen through the computer rather than by mail or fax.

The WVHIN uses modern technology to keep your health records private and safe. The WVHIN protects your privacy by...

- encrypting your health record so only the people who need to see it can
- requiring use of passwords
- tracking who looks at your health record through the WVHIN's HIE

DO I HAVE TO PARTICPATE IN THE WVHIN?

To allow your health record to be shared through the WVHIN's HIE you do not need to take action.

If you do not wish to participate you must Opt-Out. Opting-out means that doctors and other health care providers **will not** be able to access your health record through the WVHIN's HIE. You have several options for opting out of the WVHIN's Health Information Exchange. You may visit the WVHIN website at www.wvhin.org or ask your health care provider for a Request to Opt-Out form.

EVEN IF YOU CHOOSE NOT TO PARTICIPATE (OPT-OUT):

The WVHIN will keep your personal information (name, address, birth date, etc.) on file in its Master Patient Index to permanently record your decision to opt-out.

Your doctor or health care provider will still be able to use the WVHIN's HIE to report and/or view...

- communicable diseases
- immunization data
- quality reports
- other required public health information to state and federal agencies.
- dispensed controlled substances

It is important to understand that choosing to opt-out of the WVHIN's HIE **does not** mean your health information cannot be shared electronically. Health care providers may use other electronic methods such as secure email or electronic lab results delivery to share patient information. Read your health care provider's notice of privacy practices for more information.

IF I HAVE CHOSEN TO OPT-OUT CAN I CHANGE MY MIND?

If you have previously submitted a Request to Opt-Out, you can change your mind. Please contact the WVHIN about reversing your Request to Opt-Out.

Please talk to your health care provider if you have questions about the WVHIN, or visit our website at www.wvhin.org.

1.844.468.5755 • wvhinsupport@crisphealth.org • www.wvhin.org

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2017 SEP 22 A 11: 2
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

OTHER

West Virginia Board of Occupational Therapy
1063 Maple Dr.
Suite 4B
Morgantown, WV 26505
304-285-3150
www.wvbot.org

September 20, 2017

The Honorable Jim Justice
Governor of West Virginia
State Capitol, 1900 Kanawha Blvd. E
Charleston, WV 25305

In accordance with West Virginia Code §30-1-12, the West Virginia Board of Occupational Therapy presents herein our agency's Annual Report for Fiscal Year's 2016 / 2017.

This report includes a statement of our receipts and disbursements for each year, a list of newly licensed occupational therapists and occupational therapy assistants, a map showing number of licensees by county / state of residence, a summary of complaints filed and investigated by the Board, and copies of agendas and minutes for that time period, per the requirements set forth in House Bill 2833 approved by the Governor on April 21, 2017.

Respectfully yours,

Kathy F. Quesenberry, MSM, OTR/L
WVBOT Chairperson

Martin Douglas, MS, OTR/L
WVBOT Secretary/Treasurer

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2017 SEP 25 A 11: 5
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Occupational Pneumoconiosis Board

2016 – 2017

Annual Report