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Administrative Law Division

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Family Protection Services Board

Health Care Authority

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Prosecuting Attorneys Institute

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Veterinary Medicine

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

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Secretary of State
State of West Virginia

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

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

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
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TITLE	20	SANITARIANS
TITLE	22	FORESTRY
TITLE	24	OSTEOPATHIC MEDICINE
TITLE	25	SOCIAL WORK EXAMINERS
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TITLE	31	DIETITIANS
TITLE	32	ACUPUNCTURE
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
TITLE	38	MINING AND RECLAMATION
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TITLE	45	AIR QUALITY
TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
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TITLE	126	EDUCATION
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TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
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TITLE	146	STATE ELECTION COMMISSION
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TITLE	155	AUDITOR
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TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

CHRONOLOGICAL INDEX, VOLUME XL ISSUE 22			
RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Air Quality (45-01)	Alternative Emission Limitations During Startup and Shutdown Operations Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov
Air Quality (45-02)	Control of Particulate Matter Air Pollution from the Combustion of Fuel in Indirect Heat Exchangers Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov
Air Quality (45-03)	Control of Air Pollution from the Operation of Hot Mix Asphalt Plants Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov

Air Quality (45-05)	Control of Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov
Air Quality (45-06)	Control of Air Pollution from Combustion of Refuse Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov
Air Quality (45-07)	Control of Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov

Air Quality (45-08)	Ambient Air Quality Standards Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov
Air Quality (45-10)	Control of Air Pollution from the Emission of Sulfur Oxides Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov

Air Quality (45-21)	Control of Air Pollution from the Emission of Volatile Organic Compounds Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	§22-5-4	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov
Air Quality (45-44)	Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units Legislative	§22-5-4 and 22-5-20	Public Hearing: July 6, 2023, 6:00pm DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 Written Comments: July 6, 2023, 5:00pm Laura Jennings DEP - Division of Air Quality 601 57th Street, SE Charleston, WV 25304 laura.m.jennings@wv.gov
Contractor Licensing Board (28-01)	Board Organization and Meeting Procedures; Hearing Procedures Procedural	§30-1-8, 30-42-5, 29A-3-3, 29A-5-1 et seq.	Written Comments Only: July 3, 2023, 1:00pm Brooke M Farber 1900 Kanawha Blvd. E., Capitol Complex Charleston, WV 25305 brooke.m.farber@wv.gov

Family Protection Services Board (191-02)	Domestic Violence Program Licensure Standards Legislative	§48-26-403	Written Comments Only: June 29, 2023, 4:00pm April L Robertson One Davis Square, Suite 100 E Charleston, WV 25301 april.l.robertson@wv.gov
Human Services (78-27)	Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative	§49-4-601b and 29A-5-1 et seq.	Written Comments Only: June 29, 2023, 4:00pm April L Robertson One Davis Square, Suite 100 E Charleston, WV 25301 april.l.robertson@wv.gov

EMERGENCY RULES FILED THIS WEEK				
AGENCY/RULE	**RULE NAME**	**AUTHORITY**	**EFFECTIVE DATE**	**COMMENT END DATE**
Registered Nurses, WV Board of (19-01)	Policies, Standards and Criteria for the Evaluation, Approval and National Nursing Accreditation of Prelicensure Nursing Education Programs	§30-7-4 and 30-1-4	ERD by July 12, 2023	Rule must be put out for public comment by June 30, 2023
Registered Nurses, WV Board of (19-12)	Fees for Services Rendered by the Board	§30-7-4, 30-7-8a and 30-1-4	ERD by July 12, 2023	Rule must be put out for public comment by June 30, 2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	5/10/2023	6/30/2023						
Administration (148-01)	Purchasing Legislative	6/28/2022	7/28/2022	6/13/2022 Approved 6/13/2022	7/28/2022	Approved 9/11/2022	Bundled HB2638	4/14/2023	7/1/2023
Administration (148-03) Sunset Provision	State Owned Vehicles Legislative				10/25/2022				
Agriculture (61-37) Sunset Provision	Agritourism Legislative				12/15/2022				
Air Quality (45-01)	Alternative Emission Limitations During Startup and Shutdown Operations Legislative	5/31/2023	7/6/2023						
Air Quality (45-02)	Control of Particulate Matter Air Pollution from the Combustion of Fuel in Indirect Heat Exchangers Legislative	5/31/2023	7/6/2023						
Air Quality (45-03)	Control of Air Pollution from the Operation of Hot Mix Asphalt Plants Legislative	5/31/2023	7/6/2023						
Air Quality (45-05)	Control of Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas Legislative	5/31/2023	7/6/2023						
Air Quality (45-06)	Control of Air Pollution from Combustion of Refuse Legislative	5/31/2023	7/6/2023						
Air Quality (45-07)	Control of Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations Legislative	5/31/2023	7/6/2023						
Air Quality (45-08)	Ambient Air Quality Standards Legislative	5/31/2023	7/6/2023						
Air Quality (45-10)	Control of Air Pollution from the Emission of Sulfur Oxides Legislative	5/31/2023	7/6/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	5/31/2023	7/6/2023						
Air Quality (45-21)	Control of Air Pollution from the Emission of Volatile Organic Compounds Legislative	5/31/2023	7/6/2023						
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	5/31/2023	7/6/2023						
Air Quality (45-44, repeal)	Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units Legislative	5/31/2023	7/6/2023						
Athletic Commission (177-01)	Administrative Rule of the WV State Athletic Commission Legislative	6/3/2022	7/5/2022		7/26/2022	Modified & Approved 9/11/2022 Filed 10/20/2022	Bundled SB361	5/9/2023	7/1/2023
Athletic Commission (177-02)	Regulation of Mixed Martial Arts Legislative	6/7/2022	7/8/2022		7/27/2022	Modified & Approved 9/11/2022 Filed 10/20/2022	Bundled SB361	5/9/2023	7/1/2023
Barbers and Cosmetologists (3-01)	Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Nail Technicians, Aestheticians, and Hair Stylists Legislative	4/12/2023	5/31/2023						
Barbers and Cosmetologists (3-15)	Application For Waiver Of Initial Licensing Fees For Certain Individuals Legislative	4/7/2023	5/15/2023						
Barbers and Cosmetologists (3-16)	Cosmetology Apprenticeship Legislative	4/10/2023	5/31/2023						
Contractor Licensing Board (28-01)	Board Organization and Meeting Procedures; Hearing Procedures Procedural	6/1/2023	7/3/2023						
Dentistry (5-10)	Practitioner Requirements for Accessing the West Virginia Controlled Substances Monitoring Program Database Legislative	4/19/2023	5/22/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Dietitians (31-01)	Licensure And Renewal Requirements Legislative	3/14/2023	4/14/2023		4/25/2023				
Dietitians (31-05)	Continuing Professional Education Requirements Legislative	3/14/2023	4/14/2023		4/25/2023				
Education (126-044BB)	West Virginia College-and Career-Readiness Standards for Mathematics (Policy 2520.2B) Legislative Exempt	4/13/2023	5/15/2023						
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202) Legislative Exempt	4/13/2023	5/15/2023						
Education (126-161)	Regulations for Alternative Certification Programs for the Education of Teachers (Policy 5901) Legislative Exempt	5/11/2023	6/12/2023						
Education (126-176)	School Closings or Consolidations (Policy 6204) Legislative Exempt	5/11/2023	6/12/2023						
Environmental Protection, Secretary's Office (60-10)	Purchasing Procedure Procedural	10/17/2022	11/22/2022					5/9/2023	6/12/2023
Ethics Commission (158-12)	Lobbying Legislative	5/16/2023	6/16/2023						
Family Protection Services Board (191-02)	Domestic Violence Program Licensure Standards Legislative	5/30/2023	6/29/2023						
Financial Institutions, Div. of (106-23)	Rule Pertaining to Money Transmission Services Legislative	6/3/2022	7/5/2022		7/27/2022	Modified & Approved 9/11/2022 Filed 9/19/2022	Bundled SB345	4/14/2023	7/1/2023
Health (64-04)	Public Water Systems Operators Legislative	5/17/2023	6/16/2023						
Health (64-05)	Wastewater Systems and Operators Legislative	5/17/2023	6/16/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-14) Sunset Provision	Assisted Living Facilities Legislative				2/16/2023				
Health (64-15)	Cross-Connection Control and Backflow Prevention Legislative	5/17/2023	6/16/2023						
Health (64-30)	Fees for Permits Legislative	5/17/2023	6/16/2023						
Health (64-51)	Fees for Services Legislative	5/17/2023	6/16/2023						
Health (64-84)	Medical Examiner Requirements for Postmortem Inquires Legislative	5/17/2023	6/16/2023						
Health (64-91) Sunset Provision	Newborn Screening System Legislative				2/16/2023				
Health (64-116)	Distribution of Funds from Emergency Medical Services Salary Enhancement Fund Legislative	5/17/2023	6/16/2023	5/18/2023 Effective 5/18/2023					
Health and Human Resources (69-08) Sunset Provision	Chronic Pain Management Clinic Licensure Legislative				2/16/2023				
Health and Human Resources (69-12) Sunset Provision	Medication Assisted Treatment-Office-Based Medication-Assisted Treatment Legislative				2/16/2023				
Health Care Authority (65-06) Sunset Provision	Cooperative Agreement Approval and Compliance Legislative				10/5/2022				
Health Care Authority (65-32)	Certificate of Need Legislative	5/17/2023	6/16/2023						
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in WV Legislative	6/22/2022	7/22/2022		7/27/2022	Approved 9/28/2022	Bundled HB2648	3/30/2023	6/28/2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Services (78-27)	Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative	5/30/2023	6/29/2023						
Insurance Comm. (114-11B)	Suitability in Annuity Transactions Legislative	6/2/2022	7/5/2022		7/19/2022	Approved 9/11/2022	Bundled SB345	3/29/2023	6/8/2023
Insurance Comm. (114-27) Sunset Provision	Aids Regulations Legislative				3/29/2023				
Labor (42-08)	Minimum Wage, Maximum Hours, and Overtime Compensation Legislative	5/4/2023	6/5/2023						
Labor (42-18)	Board Organization and Meeting Procedures, Hearing Procedures Procedural	3/29/2023	4/28/2023					5/2/2023	6/5/2023
Medicine (11-01A)	Licensing of Physicians and Podiatric Physicians and Disciplinary Procedures for Applicants, Licensees, Credential Holders Legislative	6/24/2022	7/25/2022	6/24/2022 Effective 8/5/2022	7/27/2022	Approved 9/11/2022	Bundled SB361	5/10/2023	6/1/2023
Medicine (11-01B)	Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/24/2022	7/25/2022	6/24/2022 Effective 8/5/2022	7/27/2022	Approved 9/11/2022	Bundled SB361	5/10/2023	6/1/2023
Medicine (11-08)	Collaborative Pharmacy Practice Legislative	6/29/2022	7/29/2022	7/29/2022 Approved 8/11/2022	7/29/2022	Approved 9/11/2022	Bundled SB361	5/10/2023	6/1/2023
Medicine (11-12) Sunset Provision	Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows Legislative				11/21/2022				
Medicine (11-16)	Prohibiting Sexual Misconduct by Health Care Practitioners Legislative	6/24/2022	7/25/2022		7/28/2022	Approved 9/11/2022	Bundled SB361	5/10/2023	6/1/2023
Nursing Home Administrators Licensing Board (21-01)	Nursing Home Administrators Legislative	5/8/2023	6/8/2023						
Prosecuting Attorneys Institute (168-01)	Payment for Costs of Forensic Medical Examination Procedural	5/1/2023	6/1/2023					6/1/2023	7/1/2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Psychologists (17-02)	Organization and Procedures of the Board of Examiners of Psychologistss Procedural	5/9/2023	6/12/2023						
Public Service Commission (150-25)	Rules Governing Emergency Telephone Service Legislative Exempt	4/10/2023	6/9/2023						
Registered Nurses, WV Board of (19-01)	Policies, Standards and Criteria for the Evaluation, Approval and National Nursing Accreditation of Prelicensure Nursing Education Programs Legislative			5/31/2023 ERD by 7/12/2023					
Registered Nurses, WV Board of (19-12)	Fees for Services Rendered by the Board Legislative			5/31/2023 ERD by 7/12/2023					
Respiratory Care (30-09)	Student Temporary Permit Legislative	4/28/2023	6/1/2023						
Secondary School Activities Commission (127-01)	Constitution (WVSSAC Series 1) Legislative Exempt	5/11/2023	6/12/2023						
Secondary School Activities Commission (127-02)	Athletics, Provisions Governing Eligibility (WVSSAC Series 2) Legislative Exempt	5/11/2023	6/12/2023						
Secondary School Activities Commission (127-03)	Provisions Governing Contests (WVSSAC Series 3) Legislative Exempt	5/11/2023	6/12/2023						
Secondary School Activities Commission (127-04)	Provisions Governing Conduct (WVSSAC Series 4) Legislative Exempt	5/11/2023	6/12/2023						
Secretary of State (153-01)	Electronic Filing and Formatting of Rules Procedural	3/29/2023	4/28/2023					4/28/2023	5/28/2023
Tax (110-15K) Sunset Provision	Aircraft Operated Under A Fractional Ownership Program Legislative				3/28/2023				
Tax (110-21B) Sunset Provision	Citizen Tax Credit for Property Taxes Paid Legislative				12/30/2022				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-49) Sunset Provision	Administration of Tax on Purchases of Wine and Liquor Legislative				12/30/2022				
Tax Appeals (121-01)	Rules of Practice and Procedure Before the West Virginia Office of Tax Appeals Procedural	12/19/2022	1/23/2023						
Treasurer (112-18)	Hope Scholarship Program Legislative	2/9/2022	3/11/2022	2/9/2022 Effective 3/23/2022 Admendment 4/22/2022 Effective 6/3/2022 Admendment 10/13/2022 Effective 11/24/2022 Amendment 1/4/2023 Effective 2/15/2023	4/21/2022	Modified & Approved 1/25/2023 Filed 1/25/2023	Bundled SB361	4/13/2023	6/15/2023
Underground Facilities Damage Prevention Board (214-02)	Rules of Procedure for Complaints and Contested Cases Before the West Virginia Underground Facilities Damage Prevention Board Procedural	4/28/2023	5/29/2023					6/1/2023	7/1/2023

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
5/31/2023 1:36:27 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Alternative Emission Limitations During Startup and Shutdown Operations

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
5/31/2023 3:25:32 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-02

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Control of Particulate Matter Air Pollution from the Combustion of Fuel in Indirect Heat Exchangers

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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5/31/2023 3:28:20 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-03

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Control of Air Pollution from the Operation of Hot Mix Asphalt Plants

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

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NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-05

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Control of Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: No

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

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-06

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Control of Air Pollution from Combustion of Refuse

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: No

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

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5/31/2023 3:42:42 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-07

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Control of Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: No

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5/31/2023 3:45:10 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality TITLE-SERIES: 45-08

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

RULE NAME: Ambient Air Quality Standards

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: Yes

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality TITLE-SERIES: 45-10

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

RULE NAME: Control of Air Pollution from the Emission of Sulfur Oxides

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

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DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-16

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Standards of Performance for New Stationary Sources

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: Yes

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5/31/2023 4:45:11 PM

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-21

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Control of Air Pollution from The Emission of Volatile Organic Compounds

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-34

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Emission Standards for Hazardous Air Pollutants

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

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: Yes

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5/31/2023 4:25:56 PM

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-44

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: Yes

RULE NAME: CONTROL OF GREENHOUSE GAS EMISSIONS FROM EXISTING COAL-FIRED ELECTRIC UTILITY GENERATING UNITS

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4 and 22-5-20

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2023 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Laura Jennings

ADDRESS: WV Department of Environmental Protection - Division of Air Quality

601 57th Street, SE, Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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WEST VIRGINIA SECRETARY OF STATE

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5/30/2023 12:29:15 PM

Office of West Virginia Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Family Protection Services Board

TITLE-SERIES: 191-02

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: DOMESTIC VIOLENCE PROGRAM LICENSURE STANDARDS

CITE STATUTORY AUTHORITY: 48-26-403

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/29/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L Robertson

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

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ADMINISTRATIVE LAW DIVISION

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5/30/2023 12:07:59 PM

Office of West Virginia Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services

TITLE-SERIES: 78-27

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Procedure to Contest the Substantiation of Child Abuse or Neglect

CITE STATUTORY AUTHORITY: 49-4-601b and 29A-5-1 et seq.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/29/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L Robertson

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

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MAC WARNER

ADMINISTRATIVE LAW DIVISION

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5/30/2023 11:36 AM

Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF TECHNICAL AMENDMENT

AGENCY: Public Defender Services TITLE-SERIES: 89-01

RULE TYPE: Legislative

RULE NAME: PAYMENT OF FEES AND REIMBURSEMENT OF EXPENSES OF COURT-APPOINTED ATTORNEYS

CITE STATUTORY AUTHORITY: W. Va. Code §29-21-5; §29-21-13a; §29-21-18.

LIST WITH DETAIL EACH SPECIFIC CHANGE MADE TO THE RULE AND WHERE IT CAN BE FOUND:

The date in 1.3 of the General Section of the rule is changed to Technical Amendment Filed May 30, 2023.
The Sunset Date in 1.5 is changed to August 1, 2025.

FILING DATE: 05/30/2023 EFFECTIVE DATE: 02/14/2020

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

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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6/1/2023 9:54:21 AM

Office of West Virginia Secretary Of State

PROCEDURAL

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Contractor Licensing Board

TITLE-SERIES: 28-01

RULE TYPE: Procedural

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Board Organization and Meeting Procedures; Hearing Procedures

CITE STATUTORY AUTHORITY: §30-1-8; §30-42-5; §29A-3-3; and §29A-5-1 et seq.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/03/2023 1 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brooke M. Farber

ADDRESS: 1900 Kanawha Boulevard East, Capitol Complex

1900 Kanawha Boulevard East, Capitol Complex

EMAIL: brooke.m.farber@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

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6/1/2023 2:07 PM

Office of West Virginia Secretary Of State

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Prosecuting Attorneys Institute

TITLE-SERIES: 168-01 -- Payment for Costs of Forensic Medical Examination.

RULE TYPE: Procedural

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: 168-01

CITE STATUTORY AUTHORITY: §61-8b-18

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

July 1, 2023

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

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6/1/2023 12:53 PM

Office of West Virginia
Secretary Of State

PROCEDURAL

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Underground Facilities Damage Prevention Board TITLE-SERIES: 214-02

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

RULE NAME: RULES OF PROCEDURE FOR COMPLANTS AND CONTESTED CASES BEFORE THE WEST VIRGINIA UNDERGROUND FACILITIES DAMAGE PREVENTION BOARD

CITE STATUTORY AUTHORITY: 24C-1-2A 24C-1-9E1

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

July 1, 2023

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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5/31/2023 10:11:16 AM

Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Registered Nurses WV Board of

TITLE-SERIES: 19-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

RULE NAME: POLICIES , STANDARDS AND CRITERIA FOR THE EVALUATION, APPROVAL AND NATIONAL NURSING ACCREDITATION OF PRELICENSURE NURSING EDUCATION PROGRAMS

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §§30-7-4 and 30-1-4.

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

PRIMARY CONTACT:

NAME: Sue Painter

ADDRESS: 5001 Maccorkle Ave Sw

South Charleston, WV 25309

EMAIL: sue.a.painter@wv.gov

PHONE NUMBER: 304-744-1110

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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5/31/2023 10:21:45 AM

Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Registered Nurses WV Board of

TITLE-SERIES: 19-12

RULE TYPE: Legislative

Amendment to Existing Rule: No

RULE NAME: FEES FOR SERVICES RENDERED BY THE BOARD

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code 30-7-4, 30-7-8a and 30-1-4

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

PRIMARY CONTACT:

NAME: Sue Painter

ADDRESS: 5001 Maccorkle Ave Sw

South Charleston, WV 25309

EMAIL: sue.a.painter@wv.gov

PHONE NUMBER: 304-964-0201

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered
BVMCE0523C	Veterinary Medicine	Conrad McCoy, DVM	5/30/2023

6/2/2023 8:49:29 AM

WEST VIRGINIA ETHICS COMMISSION ADVISORY OPINIONS	
NO.	**OPINION SOUGHT**
2023-05	A Compliance Officer for a State Agency asks under what circumstances the State Agency may give cultural or sporting event tickets, obtained by the agency per the terms of advertising and sponsorship contracts, to public officials, public employees, friends, or family members.

WEST VIRGINIA ETHICS COMMISSION CONTRACT EXEMPTION	
NO.	**OPINION SOUGHT**
2023-03	The Mercer County Community Corrections Day Report Center seeks a Contract Exemption to contract with David Wayne Bailey and James "Jim" Arnold Baker, two Board members to serve as co-interim Executive Directors.

west virginia dep department of environmental protection

OTHER

Public Notice

West Virginia Department of Environmental Protection
Division of Air Quality

Comment Period Opens: June 2, 2023
Comment Period Closes: July 6, 2023

Publication: Charleston Newspapers and West Virginia State Register
Publication Date: June 2, 2023
Type of Notice: Public Comment Period and Public Hearing
Location: Statewide

Proposed Activity: DAQ 2024 Legislative Rules
Project Description: The DAQ proposed 2024 legislative rules include:

45CSR1 (Alternative Emission Limitations During Startup and Shutdown Operations)
45CSR2 (Control of Particulate Matter Air Pollution from the Combustion of Fuel in Indirect Heat Exchangers)
45CSR3 (Control of Air Pollution from the Operation of Hot Mix Asphalt Plants)
45CSR5 (Control of Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas)
45CSR6 (Control of Air Pollution from Combustion of Refuse)
45CSR7 (Control of Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations)
45CSR8 (Ambient Air Quality Standards)
45CSR10 (Control of Air Pollution from the Emission of Sulfur Oxides)
45CSR16 (Standards of Performance for New Stationary Sources)
45CSR21 (Control of Air Pollution from The Emission of Volatile Organic Compounds)
45CSR34 (Emission Standards for Hazardous Air Pollutants)
45CSR44 (Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units)

DAQ is limiting public comments to the proposed revisions to the rules and will not accept comments not related to the proposed revisions.

Upon authorization and promulgation of the final rules 45CSR16 and 45CSR34 will be submitted to the United States Environmental Protection Agency (EPA) to fulfill federal obligations under the Clean Air Act (CAA), including delegations and authorizations. Upon authorization and promulgation, 45CSR1, 45CSR2, 45CSR3, 45CSR5, 45CSR6, 45CSR7, 45CSR8, 45CSR10, and 45CSR21 will be submitted to EPA for approval as a revision to the State Implementation Plan (SIP) pursuant to the federal CAA. Upon authorization and promulgation, 45CSR44 will be repealed, with no further action as a state only rule.

The proposed rules are available at:

- the Secretary of State's website at http://apps.sos.wv.gov/adlaw/csr/,
- the DEP website at http://www.dep.wv.gov/pio/Pages/Rules.aspx, or
- the DAQ website at https://dep.wv.gov/daq/publicnoticeandcomment/Pages/default.aspx.
- If you do not have internet capability, please contact DAQ for alternatives.

Point of Contact: Laura Jennings (laura.m.jennings@wv.gov or 304-926-0475)

The DEP is holding the public hearing virtually. Instructions for participating and providing verbal comments are provided below. Both verbal and written comments will be made part of the official rulemaking record. Written comments may be submitted at any time during the public comment period as instructed below. Written comments must be received by 5:00 pm on July 6. Written comments received after 5:00 pm on July 6 will not be accepted.

Written Comments:

- E-mail written comments to Laura.M.Jennings@wv.gov with "Proposed DAQ 2024 Rule Comments" in the subject line, or
- Mail hard copy comments to the attention of Laura Jennings at the WV Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304.

Public Hearing: July 6, 2023 at 6:00 p.m.

The purpose of the public hearing is to receive comments concerning the proposed DAQ 2024 legislative rules identified above. A Response to Comments document will be prepared as part of the rulemaking process. A separate hearing will be held for each of the proposed rules. The hearings will be held sequentially and will commence immediately following the conclusion of the hearing for the previous proposed rule.

To participate online or by telephone, registration is required by 5:00 p.m. on Tuesday, July 6, 2023. To register, please complete the participant registration form at https://forms.gle/bAs4FtJxZ5G4xacN9. To register to speak, please indicate "yes" you want to provide verbal comments on the record when you register with the previously provided link. A confirmation e-mail will be sent with your responses when you register and information on how to join the public hearing will be sent after registration closes on July 6, 2023. If you do not have internet access and want to register, please contact Sandie Adkins or Nicole Ernest at (304) 926-0475. Registration for the online hearing is required to fulfill the state's obligation under federal air quality regulations to document the list of participants.

If you wish to speak at the public hearing, verbal testimony is limited to 5 minutes for each witness. If participating virtually, video demonstrations and screen sharing by witnesses is not permitted.

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WV SECRETARY OF STATE
MAY 31, 2023 12:01 PM

WEST VIRGINIA BOARD OF LICENSED DIETITIANS

ANNUAL REPORT

FY July 1, 2021 – June 30, 2022

OTHER

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WV SECRETARY OF STATE
JUNE 01, 2023 08:57 AM

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

Jeffrey H. Coben, MD
Interim Cabinet Secretary

Stacy L. Pridemore
Executive Director

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

June 1, 2023

NEWS ITEM

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

May 9, 2023 - Monongalia County General Hospital Company, CON File#23-6-12680-P, To establish an ambulatory care facility at 3132 Collins Ferry Road in Morgantown, Monongalia County, WV. The project involves the acquisition of assets of an existing physician's practice, a lease of real property and the employment of the existing physicians. Capital Expenditure $170,000.00.

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

The review cycle begins on **May 31, 2023**

On or before **June 30, 2023**, 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 be **July 5, 2023**. 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 project 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 Decision will be issued on or before **July 31, 2023**.

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

A press release will be issued after the Decision is made. Anyone wishing to be directly notified of the Decision should submit a written request to Timothy E. Adkins, Interim Director, Certificate of Need, West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311. 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.

June 1, 2023
Date

Timothy E. Adkins /cd
Timothy E Adkins, Interim Director
Certificate of Need
West Virginia Health Care Authority

OTHER

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JUNE 01, 2023 02:08 PM

Date: June 1, 2023

NOTICE OF COMMENT PERIOD ON A PROPOSED AUTOMOBILE LIABILITY INSURANCE RATE INCREASE

Pursuant to West Virginia Code Section **§33-20-4(l)**, a comment period has been established during which any interested person may submit written comments on the following proposed automobile liability insurance rate increase.

Insurance Company: Encompass Home and Auto Insurance Company

Proposed Liability Rate Increase:

Encompass Home and Auto Insurance Company 15.48%

Insureds Affected: 8,841

The comment period will end on June 30th, at 4:30 p.m.

Only written comments will be accepted, our mailing address is:

Property Casualty Division
Re: Liability Increase
West Virginia Offices of the Insurance Commissioner
P. O. Box 50540
Charleston, WV 25305-0540

Dave Hardy
Secretary of Revenue

STATE TAX DEPARTMENT

Matthew Irby
State Tax Commissioner

May 25, 2023

OTHER

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2023 MAY 26 P 12: 24
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

The Honorable Mac Warner
Secretary of State
Bldg. 1, Suite 157K
1900 Kanawha Blvd. East
Charleston, West Virginia 25305-0770

Dear Secretary Warner:

The attachments to this letter are for filing in the State Register. The attachments are the 2018 West Virginia Tax Credit Disclosure List and explanatory notes, which W. Va. Code § 11-10-5s(b) requires be published in the State Register.

If you have any questions, please advise.

Sincerely,

Matthew Irby
State Tax Commissioner

cc: Dave Hardy
Cabinet Secretary

Attachments

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