



west virginia department of environmental protection

# Annual Report Fiscal Year 2007 - 2008

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary

I am pleased to present the Department of Environmental Protection's annual report for fiscal year 2007-2008.

The annual report serves as a snapshot of the agency's continued efforts to promote a healthy environment. The numbers, facts and charts included in this report represent the many ways the staff of the various divisions work with the people of West Virginia to make a positive impact every day. Whether the figures represent site inspections, responses to citizen concerns, lands that have been reclaimed or highways cleaned, the common denominator is people.

Together, we can make a difference in our surrounding environment. Simple steps such as changing to compact fluorescent light bulbs in our homes, reporting an open dump or volunteering for one of the many community cleanup events around the state can promote a healthy environment where you live.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Huffman", is written over the typed name and title.

Randy C. Huffman  
Cabinet Secretary

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# The Division of Air Quality

## Who we are

The Division of Air Quality develops and implements regulations and related programs mandated by the federal Clean Air Act and the state Air Pollution Control Act. It works for the protection of public health and the prevention or mitigation of environmental impacts, resulting from air pollutant emissions. DAQ monitors air quality and regulates emissions of air pollutants from industrial and commercial facilities.

## What DAQ accomplished in FY08

### Air Monitoring

- 1) Awarded an EPA Section 103 PM2.5 grant in the amount of \$467,736. The grant is used to fund all particulate matter (PM2.5) related monitoring, laboratory, and data handling activities.
- 2) Collected and processed more than 3,000 PM2.5 filter samples using sophisticated monitors, a lab clean room, and a laboratory information management system.
- 3) In partnership with EPA and participating Region III agencies, continue to perform laboratory particulate metals analysis for West Virginia sites, the Washington, D.C. national air toxic trends site and other states' toxic monitoring sites. The EPA awarded a section 103 grant to continue support of the toxic metals analysis program.
- 4) In conjunction with the Northern Panhandle Regional Office, the two offices operate approximately 25 air monitoring sites consisting of :

Total suspended particulate monitors (for metals)	5
Manual PM10 monitors	2
Manual PM2.5 monitors	16
Continuous PM2.5 monitor Carbonyl analyzer	3
Volatile organic compounds (VOC) analyzer	4
Carbon monoxide (CO) analyzers	3
Sulfur dioxide (SO2) analyzers	14
Ozone analyzers	13
Continuous PM10 monitors	5
Meteorological units	4
PM2.5 speciation monitors	3
Carbon speciation monitors	2
Radiation Network monitor	1

These sites are supported by an infrastructure of spare instrumentation, instrument laboratories, data acquisition systems, calibration systems, and quality assurance procedures.

- 5) Exceeded EPA requirements for criteria pollutant data recovery rates.
- 6) Represented West Virginia on a number of committees, including: the Air Quality Subsystem annual conferences/training, the national laboratory workgroup for the air toxic

program and the National Association of Clean Air Agencies air monitoring committee.

- 7) Operated daily PM2.5 filter based sampling at one existing location.
- 8) Installed and began operating a Radiation Network (RadNet) monitor on behalf of EPA's national radiation monitoring program.

### Air Toxics Program

- 1) Issued three conditional compliance extensions for facilities regarding the Plywood and Composite Wood Products Maximum Achievable Control Technology (MACT).
- 2) For a project collaboration between EPA, Ohio EPA, West Virginia Health and Human Resources, and EPA Region V, toxic substances and disease registry had DAQ spending one year of data collection of manganese emissions at two ambient air quality monitors in Wood County
- 3) More than 2,000 Idle Free Zone signs were ordered and delivered across 50 counties and the public school systems promoted the West Virginia Department of Education's vehicle idling minimization policy. Also, DAQ participated in the DOE's annual meetings for facility and transportation managers to recognize participating schools, and promote the Idle Free Zone program. Head Start schools and private schools were also offered free signs during this period.

### Compliance & Enforcement

- 1) Conducted 431 full compliance inspections of air pollution sources, 101 of which were major sources of air pollution.
- 2) Conducted 62 partial evaluations of air pollution sources.
- 3) Addressed 928 citizen complaints.
- 4) Inspected 33 asbestos demolition or renovation projects.
- 5) Observed 88 source stack tests.
- 6) Reviewed 89 source stack tests.
- 7) Reviewed 186 Title V Annual Certification reports.
- 8) Issued 45 notices of violation.
- 9) Issued 22 cease and desist orders.
- 10) Negotiated 12 consent orders to settle violations.
- 11) Collected \$196,950.00 as a result of the consent orders.

### Hazardous & Solid Waste

- 1) Issued one permit modification and one hazardous waste combustion permit renewal for 45CSR25 regulations.
- 2) Conducted 37 compliance site inspections of hazardous waste air pollution sources and four of solid waste air pollution sources. Reviewed and evaluated Comprehensive Performance Test Protocol from two hazardous waste combustion facilities.
- 3) Assisted in the development/update of the 2008 DAQ - HSWAP air rules 45CSR25, 45CSR16, & 45CSR34. Submitted to the EPA, the required reports on both Resource Conservation and Recovery Act (RCRA) and Clean Air Act (CAA) 111(d)/129 programs.

- 4) Assisted DWWM on the revisions of the WV RCRA Hazardous Waste State Authorization Program for combustion, thermal treatment units and subpart AA, BB and CC.
- 5) Started the random site inspections of the used/waste oil furnace/burners facilities across the state, to verify compliance with the state and federal regulations. Assisted with the review and approval of the Health-Based Compliance Alternative (HBCA) application, subject to the Clean Air Act's Boiler MACT.
- 5) Developed and documented reasonably available control potential technology for existing major sources in nonattainment areas: Charleston, Huntington, Martinsburg, Parkersburg, Weirton and Wheeling. This required analyses for three separate pollutants on a wide variety of sources, including large boilers, steel-making processes and cement kilns.
- 6) Prepared and issued the Phase I federal Clean Air Interstate Rule (CAIR) emission allocations and submitted a complete CAIR SIP to U.S. EPA. (This replaced the abbreviated SIP reported during the previous period.)

## Permitting

### Title V program

- 1) Issued 2 facility-wide operating permits.
- 2) Issued 65 permit revisions, including 16 administrative amendments, 31 minor and 10 significant modifications, and 8 reopenings.
- 3) Issued 25 renewal permits.
- 4) Reviewed 9 off-permit changes and one operational flexibility request.

### New Source Review program

- 1) Issued a total of 327 permits with the following breakdown:
  - 70 Construction/Modification
  - 86 Administrative Update
  - 6 Temporary
  - 165 General Permit Registrations
- 2) Rendered 115 decisions on permit determinations.

## Planning

### Plan Development and Implementation

- 1) Developed, completed and submitted to EPA a final revision to the State Implementation Plan (SIP) to fulfill obligations regarding regional haze and visibility improvement in federal parks and wilderness areas. This is the culmination of an effort that required more than two years and hundreds of hours of staff time. *(Later, in January 2009, EPA found that WV was one of only 14 states to make a submittal which was deemed complete.)*
- 2) Continued development of SIPs for six areas in the state which do not meet the annual PM<sub>2.5</sub> standard. This effort required collaboration with nine other southeastern states to combine our emission inventories and model the benefits of control scenarios. Completed a proposed SIP for the Parkersburg area, which went to public notice in June. Like the Haze SIP this submittal required hundreds of hours of staff time.
- 3) Developed and submitted to EPA a SIP revision demonstrating that WV possesses sufficient resources and adequate authority to implement the 8-hour ozone and PM<sub>2.5</sub> standards.
- 4) Researched and compiled a detailed report concerning an air quality event in the Kanawha valley dubbed the "Blue Haze" which occurred on January 25, 2008. The DAQ determined that the American Electric Power Company-owned John Amos power plant was a "major contributor to the haze problem." The agency issued a notice of violation to AEP for causing or contributing to a violation of the 24-hour PM<sub>2.5</sub> standard and causing statutory air pollution.

- 7) Consolidated three state air quality standards rules into one (45CSR8) and submitted to EPA as a SIP revision.
- 8) Filed fourteen legislative rules (including the repeal of four rules) to meet various federal and state obligations.
- 9) Developed and delivered a presentation on greenhouse gas/carbon sequestration to the Cabinet Secretary and DEP upper management.

### Emissions Inventory and Fee Programs

- 1) Requested calendar year 2007 emissions inventory reports from 184 Title V sources and submitted 2006 inventory data

### The Blue Haze Episode

On Friday, Jan. 25, 2008, a meteorological condition called a temperature inversion occurred midday that rapidly triggered an air-pollution episode affecting the Kanawha River Valley in central West Virginia, from Charleston to the Winfield area, approximately 15 miles downriver of Charleston. In this episode, the public complained of a blue haze and, most often, of a chlorine or chlorine-like/bleach-like odor. During this incident, which has become known as the "blue-haze" incident, the inversion trapped pollutants in the valley. That prolonged event caused ambient air concentrations of pollutants to rise.

Along with local and other state agencies, the West Virginia Department of Environmental Protection (DEP), through its Division of Air Quality (DAQ) and Division of Homeland Security and Emergency Response, responded promptly to this episode. As requested and appropriate, DEP provided investigatory and advisory services, including technical advice.

DEP believes a preponderance of evidence clearly shows the American Electric Power Company-owned John Amos Power Plant (Amos plant), in Winfield, was a major contributor to the haze problem, once the inversion occurred. That conclusion is based on consideration of many factors, including relative contribution of pollutants that may affect visibility. If all major stationary sources in Kanawha and Putnam counties are compared, regardless of their location, then the combined Amos plant emissions comprise approximately 84.8 percent of the total hourly emissions. Such pollutants include: particulate matter, nitrogen oxides, sulfur dioxide, and sulfuric acid.

The DAQ researched and compiled a detailed report concerning this episode (available at: [http://www.wvdep.org/Docs/15050\\_BlueHaze-May2008.pdf](http://www.wvdep.org/Docs/15050_BlueHaze-May2008.pdf)). The agency issued a notice of violation to AEP for causing or contributing to a violation of the 24-hour PM<sub>2.5</sub> standard and for causing statutory air pollution.

for large major point sources, in compliance with EPA's Consolidated Emissions Reporting Rule (CERR).

- 2) Finalized work with EPA contractors to correct WV hazardous pollutant data in EPA's data base.
- 3) Managed fee programs and issued 598 Certified Emissions Statement (CES) [this 51% increase over last year may be attributed to inclusion of emergency generators] and 620 Certificate to Operate (CTO) forms.

#### Modeling Support

- 1) Replicated mandatory air quality dispersion modeling for potential new IGCC power plant.
- 2) Completed dispersion modeling analyses for crematory facility permit application.

#### Small Business Assistance Program

- 1) Provided environmental assistance to 102 qualified small businesses, including 34 site visits.
- 2) Produced and distributed annual Dry Cleaner Compliance Calendar, and presented a module on the Dry Cleaner Residual Risk rule at the annual WV Dry Cleaners Association conference. Also produced and sent out Dry Cleaner MACT

notification forms for businesses to fulfill new rule requirements.

- 3) Presenter at WVDOE's Friends of Biodiesel conference.
- 4) Gave Pandemic Flu Preparedness presentation to WV Forestry Association.
- 5) Gave tours of DEP's hybrid Prius to students and interested adults on Earth Day and at DEP's Youth Environmental Day at North Bend State Park, and assisted with other outreach efforts.
- 6) Worked the "Pump Up the Volume" tire event at DEP.
- 7) Coordinated Division of Air Quality's *Used Oil* Poster Outreach.
- 8) Assisted with the DEP's involvement in EPA's Diesel Emission Reduction Act funding project, which will facilitate the purchase of two hybrid diesel electric buses for the local transit authority.
- 9) Edited and coordinated creation and distribution of Alternative Fuels edition of the *Clean Air Forum*, the program's periodic newsletter.
- 10) Represented the Division at WV Hydrogen Working Group meetings, WVDOE's Woody Biomass Conference, DEP's Floor Marshall Training, at HAZWOPR training, as well as at the annual National Small Business Assistance Program conference.



# The Division of Mining and Reclamation

## Who we are

The Division of Mining and Reclamation protects the environment through the enforcement of West Virginia’s Surface Mining Control and Reclamation Act and Surface Mining and Reclamation of Minerals other than Coal, with jurisdiction in all matters pertaining to coal and other mineral resources.

DMR has four sections and four field offices that enable constant oversight of this major industry. They are Administration, Office of Explosives and Blasting, Program Development, and Operations that contain both the Permitting unit and the Inspection and Enforcement unit. The Office of Explosives and Blasting deals with blasting requirements and gives the citizens a voice regarding possible structural damage caused by blasting.

## What DMR accomplished in FY 08

- 1) DMR signed an interagency agreement with the West Virginia Conservation Agency to provide \$185,000 in matching funds for the Flood Plain Initiative Project to reconstruct flood plains at eleven locations to help prevent floods on Island Creek and Copperas Mine Fork in Logan County.
- 2) Revamped and resumed the quarterly non-compliance report for NPDES outlets.
- 3) Instituted a new process to streamline mitigation compensation in coordination with the U.S. Army Corps of Engineers that included training for DEP and the coal industry of that process.

Application Type	Total	Affected Acres
Surface mining application received	82	22,406.31
Surface mining permits issued	24	10,691.47
Underground mining permits issued	21	429.77
Other mining permits issued	13	561.36
Quarry permits issued	1	43.46
Quarry modifications	5	
Quarry annual bonding	71	
Amendments	25	2,084.40
Notices of intent to prospect	182	734.864
Withdrawn/terminated/denied applications	259	
Incidental boundary revisions	339	
Permit renewals	351	
Permit revisions	407	
Permit transfers/merger/ownership	68	
Operator assignments	99	
Inactive status	74	
Incremental bonding	48	
NPDES applications approved	1,048	
Emergency warning plans	93	
Special land use	56	
Certification of approval for dam	13	
<b>Total</b>	<b>3,279</b>	<b>36,951.634</b>

- 4) Hosted various workshops to discuss the mining permit application process and other issues throughout the state.
- 5) Conducted training sessions with DEP employees, industry, and consultants on the procedures for preparing and submitting electronic permits. Directive for all DMR applications to be submitted electronically had been set for Jan. 1, 2009.

## Office of Explosives and Blasting

### Inspection and enforcement

- Claims processed – 48 (10 were forwarded to contract claims administrator)
- Complaints received – 317
- Pre-blast surveys, waivers, affidavits accepted – 2930
- Inspections – 625
- Violations issued – 68
- Pre-blast surveyors approved – 23
- Pre-blast surveyors renewed – 5
- Planning and development
- Examinations given – 227
- Total certifications issued --123
- \* initial blasters certified – 31
- \* renewal blasters certified – 88
- \* reciprocity certifications -- 4

Inspection and enforcement	
Complete inspections (excluding notices of intent to prospect)	7809
Partial inspections	11,925
Aerial inspections	1,431
Quarry inspections	72
Aerial quarry inspections	2
Notices of violation	932
Phase I permit releases	43
Phase II permit releases	42
Phase III permit releases	73
Prospect releases	201
Incremental releases	24
Planting plans	34
Cessation orders	104
Consent orders	2
Complaints investigated	400
Surface mine permits revoked	11
NPDES permits revoked	5
NPDES permits released	40
<b>Total</b>	<b>23,255</b>

Collections	
Administrative civil penalties collected	\$864,253.10
Stream restoration	\$74,448.38
<b>Total</b>	<b>\$938,701.48</b>

# The Division of Land Restoration

## The Office of Abandoned Mine Lands and Reclamation

### Who we are

The Office of Abandoned Mine Lands and Reclamation was established to reclaim pre-1970 mined lands and reclaim or treat affected waterways. In the mid-'70's, Congress reviewed surface mining legislation and found that more than 1.5 million acres of land had been directly disturbed by coal mining and more than 11,500 miles of streams had been polluted by sedimentation or acidity from surface or underground mines. In response to the problems associated with inadequate reclamation of coal mining sites, Congress enacted the Surface Mining Control and Reclamation Act of 1977, which requires mining companies to reclaim land and water affected by mining activities. It also set up funding and reclamation for pre-SMCRA mines.

### What AML&R accomplished in FY08

- 1) Sent 14 site environmental assessments to the Office of Surface Mining for review. Submitted 54 problem area documents that were completed and incorporated in the inventory system. There were 176 project descriptions and cost estimates prepared.
- 2) Completed 12 projects using the in-house design team on projects for AML, Emergency and Special Reclamation. Began Design on 21 projects. Mapped, surveyed and drafted 2 emergency projects and 2 Special Reclamation. This section involves also; the enhancement projects and refuse removal on those sites. We reviewed and approved 12 such projects. The Design group completed 10 feasibility studies on water projects and eight regular projects were completed.
- 3) Investigation of complaints deemed emergencies was 23 at a cost of \$505,635 dollars and 244 citizen complaint investigations by field inspectors.
- 4) Completed exploratory rights of entry for design purposes on 73 projects. Completed right of entry for the construction of 15 projects. Exploratory and/or Construction right of entry was also obtained for 36 emergency projects.
- 5) There were 429 water samples collected from state streams, creeks and rivers impacted by AML eligible sites from our Stream restoration group. Work completed for pre-construction, post-construction and the Army Corp of Engineers permits.
- 6) Waterline Sub-grants were instituted on March 3, 2006 by the Administrative and Technical group under advisement from the Purchasing division of the West Virginia Department of Administration in their policies and procedures handbook that using grants as the legal instrument between state government and a local government or other recipient. Sub grants were issued for 4 water projects in 4 counties serving 5,195 customers for a total of \$8,319,505.00.
- 7) Water projects completed were 3 in three counties serving 323 customers at an AML Cost of \$4,276,544. New Committed Waterlines are 5 in 5 counties serving 755 people at an AML Cost of \$6,464,120.
- 8) Had 15 projects out for construction bids, which were

AML&R accomplishments made toward elimination of health and safety hazards for the citizens living in mining areas of the state were as follows:

Dangerous impoundments	13
Dangerous piles and embankments	20 acres
Hazardous equipment and facilities	5
Hazardous water body	1
Portals	2
Polluted waters	2
Subsidence	2.7 acres
Gob piles	2.5 acres
Surface Burning	0.3 acres

awarded to contractors with the lowest bids and meeting the requirements.

- 9) AML&R sent staff for 28 job related training classes.
- 10) Eric J. Coberly, was named AML&R Chief in September 2008. Eric is a Professional Engineer and worked previously in AML&R 1984-2002.

## Office of Environmental Remediation

### Who we are

The Office of Environmental Remediation oversees the agency's remediation programs associated with the Voluntary Remediation and Redevelopment Act, leaking underground storage tanks, Superfund, and the Landfill Closure Assistance program. The organizational structure allows the office to focus its energy and technical talent on the remediation sciences and procedures used to restore contaminated sites. The office is committed to consistency among its cleanup programs.

### What OER accomplished in FY08:

- 1) The Voluntary Remediation and Redevelopment Act program accepted 21 new applications for properties to participate in the program, and issued certificates of completion for eight voluntary remediation sites, which opened more than 68 acres of land ready for reuse, with cumulative totals of 77 certificates of completion and 946 acres.
- 2) OER completed Brownfield targeted site investigation work at Elite Glass in Cameron, the Wood Choppers Village in Webster Springs, Quality Glass in Morgantown, the Barboursville Brickyard in Barboursville, the former Nitro sanitation landfill in collaboration with FMC and the city of Nitro, and at the JG Bradley Campground in Clay. OER initiated a petroleum Brownfields assessment at the former Todds Exxon station in Salem.
- 3) OER provided oversight of the investigation and cleanup of 55 new leaking underground storage tank sites and completed investigations and closed the active files on 143 existing leaking underground storage tank sites.

- 4) OER continued working with EPA Region III and ExxonMobil Corp. on the Sharon Steel/Fairmont Coke Project XL Superfund cleanup. ExxonMobil Corp. and the city of Fairmont continued to work collaboratively on redevelopment plans to return the site to productive use.
- 5) OER continued working with EPA Region III on the Superfund actions at the Big John's Salvage site near Fairmont at Morgantown Ordnance Works, the Fike-Artel chemical site in Nitro, Allegheny Ballistics Laboratory in Mineral County, the Vienna well field in Wood County, the Pantasote site in Point Pleasant, the Ravenswood PCE site, and the Olin-Hanlin Chemical site near New Martinsville. OER worked collaboratively with EPA Region III and the U.S. Army Corps of Engineers at West Virginia Ordnance Works at Point Pleasant.
- 6) OER initiated site assessment activities at eight priority hazardous substance sites and continued site assessment activities at nine other sites.
- 7) OER completed closure construction at Don's Disposal and continued at Jackson County landfills under the landfill closure assistance program. Closure work was initiated at the Pine Creek Omar landfill in Logan County.
- 8) OER received and processed 712 notifications of excavations from MISS Utility of West Virginia to provide protections from uncontrolled exposures at properties with established environmental covenants under the voluntary remediation and Superfund programs.

## REAP - The Next Generation

### Who we are

Rehabilitation Environmental Action Plan—The Next Generation works to make West Virginia the cleanest state in the nation. Pollution Prevention and Open Dump, Make-It-Shine, Adopt-A-Highway/Adopt-A-Spot, Clean Streams Initiative, Statewide Recycling and Operation Wildflower are the state's cleanup and beautification programs.

All of the programs are housed within the Department of Environmental Protection, making it easier for citizens to be part of the program and eliminating any duplication of effort or finances by other agencies.

REAP's Operation Wildflower uses nature's paintbrushes to add color and natural beauty to the state's highways. Individuals or corporate sponsors pay for wildflower plots to be planted by the Division of Highways.

The Recycling Assistance Grants program provides grants to encourage the development of recycling programs, including educational, out-reach and market procurement efforts. The grants are available to municipalities, county and regional solid waste authorities, local and county governments, county commissions, corporations and private schools.

The Make it Shine program sponsors four major events to raise awareness about litter control and involve the community in cleanup efforts. Each year, West Virginia residents can participate in Make it Shine Statewide Cleanup (first two weeks in April), Earth Day celebrations, the Ohio River Sweep (third Saturday in June) and the Great Kanawha River Cleanup (sec-

ond Saturday in September). The Make it Shine 2007 statewide cleanup volunteers netted more than 16,000 pounds of litter in 39 counties. Volunteers also collected 4.8 tons of trash and 43 tires in the Great Kanawha River Cleanup.

### What REAP has accomplished in FY08

	PPOD	AAH/AAS	WVMIS	Total
<b>Dumps eradicated</b>	<b>1,172</b>	<b>N/A</b>	<b>29</b>	<b>1,201</b>
<b>Acres reclaimed</b>	<b>966</b>	<b>N/A</b>	<b>N/A</b>	<b>966</b>
<b>Miles roadway cleaned</b>	<b>N/A</b>	<b>4,031</b>	<b>179</b>	<b>4,210</b>
<b>Miles stream cleaned</b>	<b>133</b>	<b>N/A</b>	<b>118</b>	<b>251</b>
<b>Acres park cleaned</b>	<b>N/A</b>	<b>N/A</b>	<b>245</b>	<b>245</b>
<b>Miles trail cleaned</b>	<b>N/A</b>	<b>N/A</b>	<b>36</b>	<b>36</b>
<b>Active AAH groups</b>	<b>N/A</b>	<b>933</b>	<b>N/A</b>	<b>933</b>
<b>Tons litter/waste collected</b>	<b>7,524</b>	<b>1,235</b>	<b>168</b>	<b>8,927</b>
<b>Waste Tires collected</b>	<b>413,598</b>	<b>N/A</b>	<b>4,823</b>	<b>418,421</b>
<b>Tons scrap recycled</b>	<b>526</b>	<b>N/A</b>	<b>23</b>	<b>549</b>
<b>Appliances recycled</b>	<b>1,124</b>	<b>N/A</b>	<b>464</b>	<b>1,588</b>
<b>Waste tires collected</b>	<b>254,975</b>	<b>N/A</b>	<b>530</b>	<b>255,505</b>
<b>Tons plastic recycled</b>	<b>N/A</b>	<b>3</b>	<b>5</b>	<b>.8</b>
<b>Tons glass recycled</b>	<b>N/A</b>	<b>10</b>	<b>N/A</b>	<b>10</b>
<b>Tons aluminum recycled</b>	<b>N/A</b>	<b>11</b>	<b>5</b>	<b>16</b>
<b>Tons paper recycled</b>	<b>N/A</b>	<b>N/A</b>	<b>50</b>	<b>50</b>
<b>Volunteers participating</b>	<b>3,515</b>	<b>25,191</b>	<b>2,425</b>	<b>31,131</b>

### 257 Operation Wildflower plots

## Office of Special Reclamation

### Who we are

The Office of Special Reclamation is responsible for reclaiming the disturbed land and water when a coal company has had its permit revoked. This may entail anything from minor to major land restoration and temporary to perpetual water treatment. Funding for Special Reclamation comes from bond-forfeited money, civil penalties, and a Special Reclamation tax on mined coal. The health of the fund is tended to by an eight-member advisory council.

To effectively manage the state, Special Reclamation has divided West Virginia's 55 counties among four field offices. They are the Charleston headquarters office, Philippi regional office, Oak Hill regional office, and the Charleston regional office.

### What Special Reclamation accomplished in FY 08

- 1) Provided quarterly progress reports to the Special Reclamation Advisory Council, which met five times.
- 2) Participated in and provided data for 2008 Actuary Study.
- 3) Monitored water quality on 72 permits.
- 4) Completed reclamation on 65 permits and started reclamation on 33 permits.
- 5) Issued 13 reclamation purchase orders, totaling \$4.4 million and 84 work directives, totaling \$1.1 million.
- 6) Reclaimed 2,285 acres.
- 7) Constructed eight water treatment systems and initiated design or construction of 16 acid mine drainage treatment systems.
- 8) Performed 6,479 land and water inspections and investigated four complaints.







# The Division of Water and Waste Management

## Who we are

The Division of Water and Waste Management is organized into these operational units: Environmental Enforcement, Nonpoint Source, Permitting, State Revolving Fund, Water Quality Standards and Watershed Assessment.

Environmental Enforcement promotes compliance by providing assistance and enforcing permit conditions required of municipalities, solid waste facilities, industry, underground storage tanks facilities, noncoal-related dam sites, and the general public.

The Nonpoint Source program works with partner state and federal agencies to reduce runoff pollution through voluntary compliance. The Permit program regulates municipal and industrial discharges to the state's surface and ground waters, issues Underground Injection Control permits and manages solid and hazardous wastes.

The State Revolving Fund oversees the distribution of loan funds and reviews municipal facilities plans.

The Water Quality Standards program researches and develops standards for the state's waters. The Watershed Assessment unit assesses the state's waters and develops plans to reduce impacts on streams not meeting water quality standards.

DWWM is supported by a mix of federal grants, general revenue, and special revenue generated by permit and certification fees and administrative penalties.

## What DWWM accomplished in FY08

### Environmental enforcement

#### Dam safety

- 1) Reviewed seven applications or proposals for dam construction, modification, or removal.
- 2) Reviewed 207 monitoring and emergency action plans.
- 3) Conducted 83 inspections of all types.
- 4) Removed four dams from the list of deficient dams through repair, modification, or removal.
- 5) Responded to 18 emergency situations and seven complaints.

#### Hazardous waste

- 1) Completed 425 inspections related to hazardous waste facilities.
- 2) Completed three field reviews related to permit activities.
- 3) Responded to 53 emergency response situations.
- 4) Investigated 215 citizen complaints related to hazardous materials.
- 5) Issued 395 notices of violation.

#### Underground storage tanks

- 1) Performed 83 closure inspections.
- 2) Performed 31 installation inspections.
- 3) Performed 786 compliance monitoring inspections.

- 4) Issued 192 notices of violation.
- 5) Issued 2,056 first-time invoices.
- 6) Certified 99 Class A workers.
- 7) Certified 114 Class B workers.
- 8) Certified 21 Class C workers.
- 9) Certified 21 Class D workers.
- 10) Certified 35 Class E workers.
- 11) Re-certified 46 workers.

### Water and waste

- 1) Conducted 509 inspections of solid waste facilities.
- 2) Conducted 4,908 inspections of water pollution-control facilities.
- 3) Conducted 2,211 wet weather inspections.
- 4) Issued 2,094 notices of violation.
- 5) Issued 957 wet weather notices of violation.
- 6) Initiated 335 open dump cleanups.
- 7) Responded to 1,303 citizen complaints related to solid waste.
- 8) Responded to 821 citizen complaint related to water pollution.
- 9) Responded to 187 citizen complaints related to wet weather.
- 10) Responded to 788 emergency responses.

### Nonpoint source

- 1) Awarded 23 grants, totaling \$1,649,816 to partner agencies, local governments, watershed associations, nonprofit organizations, and universities to implement nonpoint source outreach, education, monitoring, and water quality improvement projects.
- 2) Educated 8,076 individuals on nonpoint source issues through workshops targeting loggers, oil and gas drillers, farmers, contractors, watershed associations, youth, West Virginia's Save Our Streams volunteers, and riparian landowners.
- 3) Coordinated and completed projects addressing acid mine drainage, streambank erosion, urban storm water, agriculture, and failing septic systems. Jointly sponsored The State of Restoring West Virginia Streams Polluted by Acid Mine Drainage and Watershed Celebration Day.
- 4) Facilitated activities related to West Virginia Stream Partners Program, Chesapeake Bay program, nutrient trading, acid mine drainage, stream restoration, decentralized wastewater and agriculture technical committees and forestry, and oil and gas best management practice manuals.

### Permitting

- 1) Issued 27 major and 83 minor individual permits totaling 110,071 permit modifications to industrial and municipal facilities,

and 1,181 general permit registrations for a variety of facilities and activities.

- 2) Issued 549 waste load allocations to applicants planning treatment facilities that would discharge into state waters.

**Groundwater/UIC program**

- 1) Issued 115 underground injection control permits to facilities protecting underground sources of drinking water. Included were 12 industrial permits, 75 sewage-related permits, 13 mining permits, and eight storm water permits. Issued seven rule authorizations for the injection of substrate release compounds.
- 2) Inspected 265 underground injection control facilities.
- 3) Issued 3,387 septic tank seal registrations.
- 4) Reviewed 45 groundwater protection plans.
- 5) Managed between three to nine active remediation sites.

**401 certifications**

- 1) Reviewed 244 individual regional landowner stream access 404 permit applications.
- 2) Reviewed 352 nationwide 404 permits, of which 175 were for the Department of Highways.
- 3) Received 29 individual water quality certification applications for Section 404 permits.
- 4) Issued 25 certifications and denied four.
- 5) Issued certification on 47 new Section 404 nationwide permits.
- 6) Reviewed and approved 15 nationwide 27 permits Stream Restoration plans.
- 7) Review and approved 10 Section 10 permits.

**Hazardous waste**

**Operating permits**

- 1) Received and issued three Resource Conservation and Recovery Act permits.
- 2) Received and reviewed three permit modifications.

**Corrective action**

- 1) Received and reviewed 17 corrective action submittals involving the Hazardous and Solid Waste Act.
- 2) Reviewed six RCRA facility investigations.
- 3) Oversaw one RCRA facility.

**Solid waste**

**Technical Review**

- 1) Issued 16 municipal solid waste landfill permits.
- 2) Issued 446 minor permit modifications.
- 3) Issued 20 Class D registrations.
- 4) Constructed 15.4 acres of liner.
- 5) Issued seven Class F industrial landfill permits.

**401 certification**

- 1) Reviewed 224 individual regional landowner stream access 404 permit applications.

- 2) Reviewed 285 nationwide 404 permits, of which 38 were for Division of Highways projects.
- 3) Received 33 individual water quality certification applications for Section 404 permits and one FERC licensed project.
- 4) Issued 36 water quality certifications.
- 5) Initiated the in lieu fee mitigation program with receipt and deposit of funds for 404 permitted mitigation projects into the WVDEP in lieu of mitigation fees fund.
- 6) Reviewed and approved four nationwide 27 permit stream restoration plans.
- 7) Reviewed and approved 2 Section 10 permits.
- 8) Reissued 401 water quality certification for the regional landowner stream access 404 permit to carry it through May 2013.
- 9) Received various documents on 13 hydro-electric power projects for review and comment in accordance with FERC licensing requirements.
- 10) Reviewed 25 emergency watershed protection stream restoration plans covered under regional permit No. 06-R2.

**Clean water state revolving fund**

- 1) Disbursed more than \$43.7 million to communities for municipal sewer projects under construction. Disbursed an additional \$4.7 million to nonpoint source pollution control projects.
- 2) New loans were closed on an additional nine municipal construction projects worth \$30.2 million and issued nine preliminary binding commitment letters for future loans worth \$40.3 million.
- 3) Issued 23 loans worth \$2.3 million, under the agriculture water quality loan program for correction of nonpoint source pollution problems.
- 4) Implemented a new onsite systems loan program to correct failing septic systems for individual households. Disbursed \$300,000 to intermediary lenders to start the program.
- 5) Performed engineering reviews on hundreds of proposed sewer projects, including 74 new applications with engineering reports submitted to the West Virginia Infrastructure and Jobs Development Council.

**Quality assurance (state revolving fund)**

- 1) Received applications from 150 laboratories for certification (140 fees received).
- 2) Performed onsite inspections at 149 laboratories.
- 3) Recertified 243 laboratories.
- 4) Granted 18 certifications (seven new labs and 11 name changes of existing labs).
- 5) Filed updated rule for consideration by the legislative session in 2009.

**Watershed assessment branch**

- 1) Collected water quality information for more than 30 parameters from 26 sites on the state's major streams and rivers. Sites were sampled bimonthly.
- 2) Collected water quality, habitat, and biological data from 75

statewide randomly selected sites, as part of probabilistic monitoring program.

- 3) Collected 4,780 water quality samples from 186 sites from the Lower Kanawha Watershed, 194 from the lower portion of the Elk River Watershed, and 63 from the North Branch Potomac River Watershed for total maximum daily load development.
- 4) Collected water quality, habitat, and biological information from 50 sites within hydrologic group B watersheds under normal watershed assessment program protocols (distinct from probabilistic or pre-TMDL monitoring activities).
- 5) Collected hourly water quality data (temperature, pH, sp. conductivity, and dissolved oxygen) from water quality meters deployed at 22 locations-10 at acid precipitation impacted streams, six in the Potomac Watershed, two in the Cheat River Watershed, two in the Elk River Watershed and two on the Coal River).
- 6) Received EPA approval on T MDL plans for 181 waters in the Gauley, James, Greenbrier, Little Kanawha, and Potomac Direct Drains watersheds.

#### DWWM program support branch

- 1) Participated with DEPs applications development team and the Division of Mining to develop and implement an electronic discharge monitoring reporting, e-DMR system. This involved:
  - a. Researched various states' systems.
  - b. Outlined framework and format.
  - c. Provided the applications development team with all business logic and data validation needs.
  - d. Tested development code.
  - e. Worked with permittees, who agreed to test e-DMR.
  - f. Made available e-DMR training to all NPDES permit holders in the state; held 16 two-hour classes total.

#### Water Quality Standards

- 1) The triennial review for the water quality standards rule, 47CSR2 "Requirements governing water quality standards," successfully completed the rulemaking process during the 2008 legislative session. The effective date of the rule is July 1, 2008. The revision package was submitted on July 31, 2008, to EPA for final review and approval. Changes to the rule include:
  - a. Changed nutrient criteria, including phosphorous and chlorophyll-a, for both warm and cool water lakes.
  - b. Dissolved aluminum warm water chronic value of 750  $\mu\text{g/l}$  was passed, replacing the emergency rule which expires Sept. 14, 2008.
  - c. Updated criteria for four parameters in Appendix E, based on EPA recommendation.
  - d. Added 16 parameters to Appendix E with WQS limits, based on EPA's current national recommended water quality criteria.

e. Formulas in Appendix E used to calculate aquatic life limits for metals were updated to reflect current EPA recommendations.

- f. Use removal of category A and D1 designations on Pats Branch.
- 2) Rule 60CSR5, "Antidegradation implementation procedures," received approval of the 2008 legislature with an effective date of July 1, 2008. The revision package was submitted on Aug. 6, 2008 to EPA for final review and approval. EPA approval letter was received on Nov. 19, 2008.
- 3) Three public meetings were held in the past year. Two meetings were held to discuss a revision to the category A drinking water use approach. These were held on Nov. 29, 2007 and April 30, 2008. The third public meeting was held on April 16, 2008 to discuss the ArcelorMittal Weirton variance request.

## Office of Oil and Gas

### Who we are

The Office of Oil and Gas administers the state's environmental laws and regulations pertaining to the exploration and production of oil and natural gas. To carry out this responsibility, the office is organized into three sections: abandoned wells, inspection and enforcement, and regulatory compliance.

In addition to these three sections, three boards are directly associated with the office.

The Shallow Gas Well Review Board hears and rules on objections from coal owners in regard to the location of proposed shallow well drilling sites. It generally administers the requirements of West Virginia Code Chapter 22C, Article 8 and Procedural Rule Title 50, Series 1.

The Coalbed Methane Review Board hears and rules on objections/comments to the proposed drilling of coalbed methane wells, applications to establish coalbed methane drilling units, and applicants' requests to stimulate a coal seam in the absence of coal owners' and operators' consent.

The Oil and Gas Inspectors' Examining Board prepares and administers examinations for appointment to the position of oil and gas inspector, certifies a register of eligible candidates to the DEP secretary, hears and determines proceedings regarding inspector personnel matters, and generally manages the requirements of West Virginia Code Chapter 22C, Article 7 and Procedural Rule Title 40, Series 1.

### What OOG accomplished in 08

Inspections – 13,348

Complaints – 412

Emergencies – 42

Violations – 143

## Office of Administration

### Who we are

The Office of Administration provides support services for all employees working within the Department of Environmental Protection (DEP). These services are vital as they allow the DEP workforce to focus their attention toward protecting West Virginia's environment, thus fulfilling the mission of the agency.

This administrative collaboration is divided into three groups. The Administrative Services Section provides support in the areas of procurement, fleet management, inventory, leasing, safety, building maintenance, and the agency's mail service. The Fiscal Services Section is responsible for grants management, accounts payable and receivables, sub grants management, budget management and accounting and reporting services. Human Resources is charged with recruitment and hiring, payroll, benefits, training, employee relations and an active wellness program.

### What OA accomplished in FY08

- 1) BRIM premiums were reduced by \$13,484 by implementing safety awareness and training. An active Safety Program at DEP reduced workers compensation by \$228,574.
- 2) The Emergency Assistance Team helped save the life of a contractor who was having a heart attack in the DEP facility.
- 3) Consolidated phone numbers onto one account for cost savings and efficiency of \$1,272.
- 4) Reclassified the Engineers in the agency which increased the minimum hiring rates, allowed salary adjustments, and provided a progression within the classification series that addressed retention issues.
- 5) Organization charts are available on the intranet and are updated with personnel transactions regularly.
- 6) DEP provides one of the most active wellness programs within state government. The Biggest Loser Program had 72 employee participants who lost a total of 805.8 pounds during the 12 week program.
- 7) DEP posted a total of 188 vacancies and hired individuals within an average of 46 days of the posting.
- 8) Established a Sub Grant Unit with standard operating procedures and standard award, request for funds, monitoring, and closure forms. Established processes with programs to obligate funds for sub grants to reflect and update financial reports.
- 9) Eliminated a position by consolidating accounting and financial responsibilities for a cost savings of approximately \$52,214.
- 10) Use of internal financial staff to establish agency indirect rate resulted in \$9,995 in cost savings by eliminating the need to contract for outside services. The federally approved rate assures funding for departmental administrative support.

## Office of Environmental Advocate

### Who we are

The Office of Environmental Advocate is the liaison between the DEP and the public. The OEA replies to environmental inquiries and guides the public through the complexities of the

department in an effort to empower communities and individuals to participate in the DEP decision-making process.

### What OEA accomplished in FY 08

- 1) Continued as the environmental justice coordinator representing West Virginia in EPA Region III – All States Environmental Justice Committee. The goal of this group is to regulate agencies to provide all people with the same degree of protection from environmental and health hazards, and to ensure everyone has equal access to the decision-making process.
- 2) As a member of the Recycling Coalition of West Virginia, the OEA assisted in the planning of the America Recycles Day celebration and also participated in the annual event.
- 3) Participated in the cooperative partners program with the West Virginia Department of Health and Human Resources and the Agency of Toxic Substance and Disease Registry. The purpose is to bring agencies together to discuss sites in West Virginia, which are appropriate for environmental health assessments, consultations, and education. Environmental data is a crucial component of the program.
- 4) Partnered with the Ohio River Valley Water Sanitation Commission known as ORSANCO, the Big Sandy River Basin Coalition, and the Mingo County work-release program to organize the Tug Fork River cleanup at Wharnccliffe.
- 5) Responded to more than 4,000 calls and emails on environmental complaints and information requests.
- 6) Attended and participated in 62 community meetings, liaison panels, and DEP permit hearings.

## Information Technology Office

### Who we are

The mission of DEP's Information Technology Office is to provide regulatory and scientific software systems and support the agency's regulatory divisions and offices of the agency. The Information Technology Office is divided into two units, the Technical Applications and Geographic Information Systems unit (TAGIS) and the Application Development and Support Unit (ADS). TAGIS acquires, manages and writes Geographical Information Systems software and information about the changing geography of West Virginia. ADS writes and maintains custom software systems to track regulatory and scientific information necessary for DEP to perform its mission efficiently and effectively.

### What ITO accomplished in FY08

- 1) Worked towards implementing an Oracle Cluster which was later accomplished in early 2008 work on the Cluster started in late 2006.
- 2) Wrote the database combination plan that combined three databases into one to prevent increasing Oracle licensing costs saving \$120,000.
- 3) Began the process of SAN optimization.
- 4) Implemented password security enabled roles in ERISPROD database.
- 5) Implemented parallel backup system using Oracle RMAN and IBM Tivoli of Oracle databases.
- 6) Started new laptop synchronization project, it gives field

inspectors the ability to complete inspection paperwork on their laptop while away from the office.

- 7) Moved Web servers into new DMZ - improved Web security by implementing a DMZ.
- 8) Installed additional storage when equipment arrived.
- 9) Implemented the Tivoli backup system for all servers.
- 10) Started WebAML project.
- 11) Completed eSignatures project with the secretary of state's office

## Office of Legal Services

### Who we are

The Office of Legal Services provides legal advice and litigation support to the agency's program units.

### What OLS accomplished in 08

- 1) Represented the agency in 4 Air Quality Board appeals, 31 Environmental Quality Board appeals and 19 Surface Mine Board appeals. Appeals included defending agency enforcement and permitting actions.
- 2) Obtained a \$4.1 million dollar settlement with Hobet Mining Company for water violations in Boone County, WV.
- 3) Won decision before the West Virginia Supreme Court of Appeals against Waco Oil and Gas upholding the agency decision to exercise its professional judgment on permit approval and denial.
- 4) Obtained 26 administrative settlements totaling \$3,808,610.00 from coal companies for NPDES discharge monitoring report violations.
- 5) Settled Bankruptcy Claim against Solutia-Fleaysys. Solutia and Monsanto agreed to divide up \$20 million dollars for clean-up costs in Plan of Reorganization.
- 6) Obtained Judgment for \$207,905.23 plus an order to finalize cleanup from Stover Industries for hazardous waste violations.
- 7) Entered into a Consent Judgment with J&J Guzzi for clean-up of hazardous waste site plus \$204,602.00 for violations of hazardous waste plus \$4,524.45 for costs and attorney fees.
- 8) Collected \$150,000.00 from DTC Environmental Services for barge cleaning services for disposal of hazardous waste. Order also required company to upgrade facility and improve housekeeping practices.
- 9) Collected past Judgment of \$38,000.00 from Charles Warner for underground storage tank violations.
- 10) Obtained ruling in Lovejoy case allowing the West Virginia Supreme Court of Appeals to revisit a ruling which had wrongly interpreted appeal rights for oil and gas well permits.

also has an environmental education outreach arm that works with youth and adult groups across the state.

### What PIO accomplished in FY08

- 1) Designed and published the agency's third State of the Environment report. The report is written and published every two years. The West Virginia DEP was the first state environmental agency to release such a report.
- 2) Updated dates and logos, and reprinted numerous agency brochures.
- 3) The Youth Environmental Program group communicated with 827 clubs statewide, that have more than 73,000 young people who participate in environmentally focused events and practices.
- 4) The YEP sponsored three youth events for various age groups:
  - The Youth Environmental Conference - October 17-18, 2008 at Chief Logan Lodge had 70 participants.
  - Youth Environmental Day - May 16, 2009 at North Bend State Park, had 850 participants between the ages of 15 and 18.
  - Junior Conservation Camp - June 22-26, 2009 at Cedar Lakes had 205 participants between the ages of 11 and 14.
- 5) Worked with employees from across the agency to compile information for the agency annual report, which involves research, editing, designing and publishing the report.
- 6) Released more than 80 press releases.
- 7) Reinstated InDEPth, the agency premier newsletter.
- 8) Offered programs to businesses and industry to help them learn how to green their business practices. Programs included pollution prevention programs, workshops through West Virginia Sustainable Communities, I Travel Green, Environmental Management System workshops, and Green Building workshops.
- 9) West Virginia sustainable communities spotlighted Braxton, Gilmer, Fayette and Nicholas counties in the third year and involved six interns and a project manager working with homeowners, school administrators, businesses, and community institutions. It is estimated that West Virginia Sustainable Communities accounted for more than 100,000 kilowatt hours of energy saved, more than 90,000 gallons of water, and prevented more than 500 tons of solid waste from going to a landfill.
- 10) Two Environmental Management System workshops took place with a total of 40 participants. The EMS workshops focused on assisting businesses and industries in the identification of environmental aspects associated with their business activities, products, processes, and services that contribute to environmental impacts.
- 11) Sixty participants attended four Green building workshops. These workshops are designed to educate participants about building designs and strategies aimed at improving performance in terms of energy savings, water efficiency,

## Public Information Office

### Who we are – PIO

The Public Information Office provides internal and external communication, educational, graphic and video services to the DEP's divisions and central support offices, and the public. It

carbon dioxide emission reduction, improved indoor environmental quality and stewardship of resources and sensitivity to their impacts.

## Small Business Ombudsman

### Who we are – SBO

The Ombudsman facilitates communication between DEP and the business community. The communication includes environmental permitting and compliance issues, information sharing, technical analysis, training and technology transfer. The Ombudsman exercises delegated authority and judgment providing to the business community insight into DEP processes, and informs and promotes active participation in the development and exchange of technology and information.

During 2008, the Ombudsman worked with such diverse contacts as those from West Virginia's Congressional delegation, the Department of Defense, numerous small and individual sole proprietors, to international companies wishing to locate in the state. Information supplied covered permitting, planning, and enforcement aspects of air, water, solid waste, hazardous waste, used oil, universal wastes, brownfields, voluntary remediation, water (including construction, permitting, groundwater protection plans, stormwater pollution prevention plans, and underground injection wells), spill pollution prevention plans, and risk management.

### BOARDS AND COMMISSIONS

## Air Quality Board

### Who we are

The Air Quality Board is a quasi-judicial body responsible for hearing appeals regarding the issuance or denial of permits, permit conditions, or enforcement decisions rendered by the Division of Air Quality. Citizens and the regulated community file appeals with the board. The board maintains records of the pleadings, subpoenas witnesses, holds hearings, and rules on the matters before it.

AQB is composed of seven members, five of whom are appointed by the governor. Two board members represent industries engaged in business in the state and three members represent the public at large. The commissioners of the Bureau for Public Health and the Department of Agriculture serve as ex-officio members.

### Board Members

Douglas E. Hudson, chair; John R. Calvert, vice chair; Randy C. Curtis, P.E.; Robert L. Foster; R. Thomas Hansen, Ph.D.; J. Michael Koon; Jean C. Neely.

### What AQB accomplished in FY08

- 1) Held three board meetings and two appeal hearings. There were seven new appeals filed and the board entered four orders: one final order and three withdrawal orders.
- 2) Downloaded an additional four orders to the Web site database in a keyword searchable format, which improved public access of orders.
- 3) Had 9,262 Web site visitors during FY 2008.

### What the SBO accomplished in FY08

- 1) Worked on more than 160 permit assistance issues related to various environmental issues.
- 2) Participated and worked with the West Virginia Development Office, the West Virginia Small Business Development Offices, Industries of the Future, WV Automotive Dealers Association, USEPA, US Department of Transportation, US Department of Defense, the WV Division of Highways, WV Chamber of Commerce, US Mine Safety and Health Administration, and various offices within DEP on issues such as economic development, green highways, e-cycling and bringing international businesses to the state.
- 3) Worked with West Virginia University, West Virginia State University and Marshall University on issues such as brownfields, economic development, and landfill closure for various companies and communities.
- 4) Seven company partners were enrolled in the National Partnership for Environmental Priority (NPEP) program. NPEP is a joint EPA and DEP voluntary program whereby partners agree to commit to reduce a specific number of pounds of priority chemicals. This total led the nation in the number of NPEP partners enrolled per capita.
- 5) Gave numerous talks and speeches regarding environmental issues around the state.

## Environmental Quality Board

### Who we are – EQB

The Environmental Quality Board is a quasi-judicial body responsible for hearing appeals regarding the issuance or denial of permits, permit conditions, or enforcement decisions rendered by the Division of Water and Waste Management. Citizens and the regulated community file appeals with the board. The board maintains records of the pleadings, subpoenas witnesses, holds hearings, and rules on the matters before it.

EQB is composed of five members who are appointed by the governor and are confirmed by the West Virginia Senate for five-year terms. Members must be "persons who by reason of previous training and experience are knowledgeable in the husbandry of the state's water resources and with at least one member with experience in industrial pollution control."

### Board members

Edward M. Snyder, Ph.D., chair; Scott Simonton, P.E., Ph.D., vice chair; Edward Armbrrecht; William Gillespie; James Van Gundy, Ph.D.

### What EQB accomplished in FY 08

- 1) Held three board meetings, four board member conference calls, and 14 appeal hearings. There were 28 new appeals filed, and two consent orders, three final orders, 3 agreed orders, 4 withdrawal orders and 7 dismissals were filed.
- 2) Downloaded an additional 25 orders to the Web site database which improved public access of orders.
- 3) Had 10,941 Web site visitors during FY 2008.

## Oil and Gas Conservation Commission

### Who we are

The Oil and Gas Conservation Commission assists DEP's Oil and Gas Boards in environmental permitting. It provides information on oil and gas fields and the orders that affect them, and reviews well work permits for deep wells to ensure proper spacing.

The Commission conducts hearings on regulatory matters, as well as matters relating to the efficient and economic development of the state's oil and natural gas resources.

### What OOGC has accomplished in FY08

- 1) Collected \$182,587.88 in leased acreage tax.
- 2) Granted 292 deep well approvals.
- 3) Held eight administrative hearings.

## Surface Mine Board

### Who we are

The Surface Mine Board conducts hearings on appeals presented to the board by any party that believes it is aggrieved by a DEP decision. Decisions appealed include permits issued, permit applications denied, notices of violation and failure to issue notices of violations for alleged violations of law or regulations.

The Surface Mine Board's mission is to provide a fair and orderly ascertainment of the facts, and to promote the ends of justice and fairness. The board normally holds hearings once a month, usually over a two day period at DEP's headquarters.

### Board members and the segment they represent

Thomas Michael, chairman, advocacy of environment protection; Paul Nay, vice chair, agriculture; James Smith, engineering; Edwin Grafton, forestry; Mark Schuerger, coal mining; Henry Rauch, water pollution contro

### Alternates for quarry hearings:

Chapter 22-4-1, Quarry Reclamation Act - effective June 8, 2000.

When cases are brought before the board relating to quarry operations, two alternate board members serve, who have expertise in quarries. The alternate replacing the member in coal is appointed based on expertise in quarry operations. The alternate replacing the member with expertise in forestry is appointed based on expertise in geology.

Quarry members and the segment of the industry they represent:

Charles K. Meadows II	Quarry operations
Dr. Richard Smosna	Geology

### What SMB accomplished in FY08

- 1) Filed 32 appeals.
- 2) Met 18 days.
- 3) Entered 32 final orders.

## Solid Waste Management Board

### Who we are

The Solid Waste Management Board (SWMB) develops and amends the statewide solid waste management plan and assists other governmental agencies and the private sector in the proper collection, disposal, recycling and reuse of solid waste. It also assists in the development of county and regional solid waste management plans. Additionally, the board issues bonds, makes loans and grants for solid waste disposal projects, and provides technical/educational assistance to local solid waste authorities and municipalities.

### What SWMB accomplished in FY08

- 1) The Solid Waste Management Board met ten times to approve plans, grants, loans and conduct agency business. The Board evaluated and approved four County Solid Waste Authority Commercial Solid Waste Facility Siting Plans and three Comprehensive Litter and Solid Waste Control Plans. The SWMB traveled to 29 local solid waste authorities to conduct program reviews, monitor progress, provide financial and business assistance, promote recycling, market development and planning.
- 2) Loaned \$513,556 to Region Eight Solid Waste Authority to refinance higher interest debt incurred when the Authority built two transfer stations improving the monthly cash flow by approximately \$2,000 and reducing the pay-off by four years.
- 3) Awarded over \$280,000 in grant funds to local solid waste authorities for a variety of projects including landfill and recycling processing equipment, financial audits, educational programs and training.
- 4) The SWMB promulgated and filed with the West Virginia Secretary of State the Final Filing of Code of State Rules, Title 54, Series 6, Performance Measures and Review Standards for Solid Waste Authorities Operating Commercial Solid Waste Facilities which establishes performance reviews and measures to gauge operational health and promote facility accountability.
- 5) Established and delivered a training workshop to thirty-eight solid waste management professionals in West Virginia. This certification program entitled Managing Recycling Systems was accredited and presented by the Solid Waste Association of North America with topics including strategies to reduce processing costs, effective marketing of recycled materials and public education campaigns.
- 6) Coordinated a collaborative statewide effort for recycling over three hundred seventy thousand (370,000) pounds of electronics at twelve county collection events including computers, monitors, televisions, fax machines, cell phones, answering machines and printers.
- 7) The West Virginia Materials Exchange established by the SWMB connects state business and industry with appropriate markets for recyclable byproducts. The exchange carries hundreds of ads and has more than 600 registered users for Fiscal Year 2008 to facilitate the exchange of an estimated 10,000 tons of materials per year. The exchange can be accessed on the Internet at <http://www.state.wv.us/swmb/exchange/Index.htm>.

# Financial Statement

## DISBURSEMENT OF FUNDS

	Fiscal Year 2008
By Funding Source	
General Revenue:	
Personal Services (incl. increment)	3,323,956.62
Employee Benefits	1,126,101.15
Unclassified	1,219,771.91
Dam Safety Fund	143,851.41
WV Stream Partners Program	77,396.00
WV Contributions to River Commissions	148,485.00
OWR Non-Enforcement (TMDL)	1,140,093.02
BRIM	56,802.00
Welch Office	79,061.84
Total General Revenue Funds Disbursed	7,315,519
Federal Funding:	
Personal Services (incl. increment)	13,123,216.28
Employee Benefits	4,310,730.81
Unclassified	22,771,473.00
Total Federal Funds Disbursed	40,205,420
Special Revenue-Appropriated:	
Personal Services (incl. increment)	11,187,580.81
Employee Benefits	3,625,707.46
Unclassified	10,042,348.22
Total Appropriated Special Revenue Funds Disbursed	24,855,636
Special Revenue-Non Appropriated:	
Personal Services (incl. increment)	11,251,992.29
Employee Benefits	2,739,973.58
Unclassified	68,000,092.60
Total Non Appropriated Special Revenue Funds Disbursed	81,992,058
<b>TOTAL FUNDS DISBURSED</b>	<b>154,368,634.00</b>
<b>DISBURSEMENT OF FUNDS</b>	
By Office	Fiscal Year 2008
Executive - Administration Office:	
Personal Services (incl. increment)	6,602,783
Employee Benefits	2,073,335
Unclassified	2,907,929
Total Disbursements-Central Support	11,584,047
Mining & Reclamation:	
Personal Services (incl. increment)	9,857,376
Employee Benefits	3,388,324
Unclassified	6,017,142
Total Disbursements-Mining & Reclamation	19,262,842
Air Quality:	
Personal Services (incl. increment)	4,317,647
Employee Benefits	1,263,139
Unclassified	1,709,885
Total Disbursements-Air Quality	7,290,671
Land Restoration:	
Personal Services (incl. increment)	5,854,019
Employee Benefits	1,933,574
Unclassified	39,962,892
Total Disbursements-Land Restoration	47,750,485
Water and Waste Management:	
Personal Services (incl. increment)	7,368,079
Employee Benefits	2,451,393
Unclassified	54,999,189
Total Disbursements-Water and Waste Management	64,818,661
Environmental Enforcement:	
Personal Services (incl. increment)	1,886,844
Employee Benefits	692,750
Unclassified	1,082,334
Total Disbursements-Environmental Enforcement	3,661,928
<b>TOTAL DISBURSEMENTS</b>	<b>154,368,634.00</b>

## STATEMENT OF RECEIPTS AND DISBURSEMENTS

FISCAL YEAR 2008

### Fund 3023 - Hazardous Waste Management Fee Fund

Beginning Cash at August 1, 2007	694,200
<b>Revenues:</b>	
Fees	184,997
Permits	84
Investment Earnings	28,112
<b>TOTAL REVENUE</b>	213,193
<b>Expenditures:</b>	Personal Services
265,036	Benefits
97,730	Unclassified
114,912	<b>TOTAL</b>
<b>EXPENDITURES</b>	477,678
Ending Cash at July 31, 2008	<b>429,715</b>

### Fund 3024 - Air Pollution Education and Environment Fund

Beginning Cash at August 1, 2007	725,433
<b>Revenues:</b>	
Operating Funds Transfer	191,950
Misc.	31
<b>TOTAL REVENUE</b>	191,981
<b>Expenditures:</b>	
Personal Services	189,981
Benefits	74,394
Unclassified	147,292
<b>TOTAL EXPENDITURES</b>	411,667
Ending Cash at July 31, 2008	<b>505,747</b>

### Fund 3206 - The Dam Safety Fund

Beginning Cash at July 1, 2007	87,177
<b>Revenues:</b> (Dam Control Permits 0)	
Employer Prem Recoveries	300
Permits	9,950
Misc.	176
Investment Earnings	4,058
Operating Permit Fees	12,650
<b>TOTAL REVENUE</b>	27,134
<b>Expenditures:</b>	
Unclassified	20,646
<b>TOTAL EXPENDITURES</b>	20,646
Ending Cash at June 30, 2008	<b>93,665</b>

### Fund 3217 - Leaking Underground Storage Tank Response Fund

Beginning Cash at July 1, 2007	417,632
<b>Revenues:</b> (Administrative Settlement 0)	
Fees	125,391
Investment Earnings	15,646
Misc.	825
<b>TOTAL REVENUE</b>	141,862
<b>Expenditures:</b>	
Unclassified	261,767
<b>TOTAL EXPENDITURES</b>	261,767
Ending Cash at June 30, 2008	<b>297,727</b>

### Fund 3218 - Underground Storage Tank Insurance Fund

Beginning Cash at July 1, 2007	708,693
<b>Revenues:</b>	
Fees	1,900
Statutory Transfers	4,000,000
Investment Earnings	42,473
Operating Funds Transfer	9,951
<b>TOTAL REVENUE</b>	4,054,324
<b>TOTAL EXPENDITURES</b>	0
Ending Cash at June 30, 2008	<b>4,763,017</b>

### Fund 3220 - Groundwater Protection Fund

Beginning Cash at July 1, 2007	993,775
<b>Revenues:</b> (Fines and penalties 0)	
Permits	1,034,186
Administrative Settlement	58,333
Misc.	14,927
Investment Earnings	39,550

<b>TOTAL REVENUE</b>	1,146,996	Beginning Cash at July 1, 2007	7,505,033
<b>Expenditures:</b>		<b>Revenues:</b>	
Personal Services	620,672	Investment Earnings	-27,526
Benefits	219,629	Performance Bonds	884,823
Unclassified	384,189	<b>TOTAL REVENUE</b>	857,297
<b>TOTAL EXPENDITURES</b>	1,224,490	<b>Expenditures:</b>	
Ending Cash at June 30, 2008	<b>916,281</b>	<b>TOTAL EXPENDITURES</b>	0
		Ending Cash at June 30, 2008	<b>8,362,330</b>
<b>Fund 3222 - Groundwater Remediation Fund</b>		<b>3317 - Special Reclamation Administration Fund</b>	Beginning Cash at July 1, 2007
Beginning Cash at July 1, 2007	472,815		108,221
<b>Revenues:</b>		<b>Revenues:</b>	
Administrative Settlement	0	Statutory Transfers	1,500,000
Investment Earnings	21,311	<b>TOTAL REVENUE</b>	1,500,000
Misc.	46,495	<b>Expenditures:</b>	
<b>TOTAL REVENUE</b>	67,806	Personal Services	693,703
<b>Expenditures:</b>		Benefits	218,175
Personal Services	4,602	Unclassified	607,271
Benefits	1,605	<b>TOTAL EXPENDITURES</b>	1,519,149
Unclassified	9,609	Ending Cash at June 30, 2008	<b>89,072</b>
<b>TOTAL EXPENDITURES</b>	15,816	<b>Fund 3321 - Special Reclamation Trust Fund</b>	Beginning Cash at August 1, 2007
Ending Cash at June 30, 2008	<b>524,805</b>		50,331,316
<b>3255 - Performance Bond Monongalia Co. Landfill Fund</b>		<b>Revenues:</b>	
Beginning Cash at July 1, 2007	592,870	Bond Forfeitures	206,040
<b>Revenues:</b>		Misc.	-12,000
Investment Earnings	26,304	Investment Earnings	2,222,615
<b>TOTAL REVENUE</b>	26,304	Statutory Transfers	9,415,063
Ending Cash at June 30, 2008	<b>619,174</b>	Fines and Penalties	855,750
		Court Settlement Revenues	80,000
<b>Fund 3301 - Operator Permit Fees Fund</b>		<b>TOTAL REVENUE</b>	12,767,468
Beginning Cash at July 1, 2007	1,296,808	<b>Expenditures:</b>	
<b>Revenues: (Fees 0)</b>		Personal Services	548,099
Misc.	23,589	Benefits	191,808
Operating Permit Fees	803,250	Unclassified	10,488,836
<b>TOTAL REVENUE</b>	826,839	<b>TOTAL EXPENDITURES</b>	11,228,743
<b>Expenditures:</b>		Ending Cash at July 31, 2008	<b>51,870,041</b>
Personal Services	30,801	<b>Fund 3322 - Oil and Gas Reclamation Trust</b>	Beginning Cash at August 1, 2007
Benefits	12,349		479,654
Unclassified	132,104	<b>Revenues: (Bond Forfeitures 0)</b>	
<b>TOTAL EXPENDITURES</b>	175,254	Well Work Permit Fees	523,250
Ending Cash at June 30, 2008	<b>1,948,393</b>	<b>TOTAL REVENUE</b>	523,250
<b>Fund 3303- Performance Bond Fund</b>		<b>Expenditures:</b>	
Beginning Cash at July 1, 2007	2,388,506	Personal Services	64,077
<b>Revenues:</b>		Benefits	21,010
Investment Earnings	112,763	Unclassified	220,081
Performance Bonds	1,004,102	<b>TOTAL EXPENDITURES</b>	305,168
<b>TOTAL REVENUE</b>	1,116,865	Ending Cash at June 30, 2008	<b>697,736</b>
<b>Expenditures: 0</b>	0	<b>3323 - Oil and Gas Operating Permits</b>	Beginning Cash at August 1, 2007
<b>TOTAL EXPENDITURES</b>	0		2,030,253
Ending Cash at June 30, 2008	<b>3,505,371</b>	<b>Revenues: Fees</b>	27
<b>3310 - Oil and Gas Trust Deposit Fund</b>		Fines and Penalties	24,165
Beginning Cash at July 1, 2007	95,693	Well Work Permit Fees	1,852,435
<b>Revenues:</b>		<b>TOTAL REVENUE</b>	1,876,627
Investment Earnings	4,246	<b>Expenditures:</b>	
<b>TOTAL REVENUE</b>	4,246	Personal Services	551,276
Ending Cash at June 30, 2008	<b>99,939</b>	Benefits	193,691
<b>Fund 3312 - Special Reclamation Water Quality Fund</b>		Unclassified	630,178
Beginning Cash at July 1, 2007	347,733	<b>TOTAL EXPENDITURES</b>	1,375,145
<b>Revenues:</b>		Ending Cash at June 30, 2008	<b>2,531,735</b>
Royalty Income	8,267	<b>Fund 3324 - Mining and Reclamation Operations Fund</b>	Beginning Cash at August 1, 2007
Right of Way Fees	21,641		8,511,769
Statutory Transfers	6,700,000	<b>Revenues: (Prior Year Expiring Funds 0)</b>	
<b>TOTAL REVENUE</b>	6,729,908	Investment Earnings	458,321
<b>Expenditures:</b>		Synthetic Fuel Tax - B&O	4,000,000
Personal Services	853,386	Coal Tonnage Fees	4,008,457
Benefits	311,082	<b>TOTAL REVENUE</b>	8,466,778
Unclassified	5,650,131	<b>Expenditures:</b>	
<b>TOTAL EXPENDITURES</b>	6,814,599	Personal Services	3,309,453
Ending Cash at June 30, 2008	<b>263,042</b>	Benefits	1,101,274
<b>Fund 3314- Performance Bond Investments Clearing Fund</b>			

Unclassified	867,348		Beginning Cash at July 1, 2007	87,890,266
<b>TOTAL EXPENDITURES</b>	5,278,075		<b>Revenues:</b>	
Ending Cash at July 31, 2008		<b>11,700,472</b>	Principal Repayments	457,796
<b>Fund 3325 - Underground Storage Tank Administrative Fund</b>			Admin Fees-Revolving Fund	902
Beginning Cash at August 1, 2007		352,676	State Matching Funds	3,336,894
<b>Revenues: (Permits 0)</b>			Investment Earnings	3,900,382
Fees	322,991		Operating Funds Transfer	21,894,837
Administrative Settlement	4,586		Interagency Fed Payments	20,848,414
Examination Fees	3,769		<b>TOTAL REVENUE</b>	50,439,225
Misc.	75		<b>Expenditures: (Personal Services, Benefits 0)</b>	
Investment Earnings	15,434		Unclassified	48,469,572
Fines and Penalties	69,757		<b>TOTAL EXPENDITURES</b>	48,469,572
<b>TOTAL REVENUE</b>		416,612	Ending Cash at June 30, 2008	<b>89,859,919</b>
<b>Expenditures:</b>			<b>Fund 3331 - Hazardous Waste Emergency and Response Fund</b>	
Personal Services	189,672		Beginning Cash at August 1, 2007	647,628
Benefits	66,534		<b>Revenues: (Prior Year Expiring Funds 0)</b>	
Unclassified	56,016		Fees	474,291
<b>TOTAL EXPENDITURES</b>		312,222	Certificate to Operate	1,619
Ending Cash at July 31, 2008		<b>457,066</b>	Cost Recovery Fee	121,046
<b>3326 - Hazardous Waste Management HG1479 Fund</b>			Misc.	413
Beginning Cash at July 1, 2007		348,220	Investment Earnings	33,398
<b>Revenues:</b>			Solid Waste Assessment Fees	464,581
Fees	58,500		Fines and Penalties	107,411
Permits	1,250		<b>TOTAL REVENUE</b>	1,202,759
Administrative Settlement	145,833		<b>Expenditures:</b>	
Cost Recovery Fee	6,615		Personal Services	370,151
Misc.	2,653		Benefits	116,337
Fines and Penalties	8,333		Unclassified	377,371
<b>TOTAL REVENUE</b>		223,184	<b>EXPENDITURES</b>	<b>TOTAL</b>
<b>Expenditures:</b>			Ending Cash at July 31, 2008	863,859
Personal Services	37,618		<b>Fund 3332 - Solid Waste Reclamation and Environmental Response</b>	
Benefits	11,933		Beginning Cash at August 1, 2007	167,556
Unclassified	46,408		<b>Revenues:</b>	
<b>TOTAL EXPENDITURES</b>		95,959	Administrative Settlement	58,333
Ending Cash at June 30, 2008		<b>475,445</b>	Misc.	42
<b>Fund 3327 - Water Quality Management Fund</b>			Solid Waste Assessment Fees	912,099
Beginning Cash at July 1, 2007		7,994,738	Operating Funds Transfer	1,251,794
<b>Revenues: (Fees, Set-Aside Funds 0)</b>			Fines and Penalties	92,080
"In-Lieu Of" Mit Fees	274,568		<b>TOTAL REVENUE</b>	2,314,349
Permits	3,491,250		<b>Expenditures:</b>	
Administrative Settlement	58,333		Personal Services	278,870
Cost Recovery Fee	10,715		Benefits	91,979
Misc.	2,131		Unclassified	2,110,439
Investment Earnings	344,433		<b>TOTAL EXPENDITURES</b>	2,481,288
Gifts	13,850		Ending Cash at July 31, 2008	<b>617</b>
Operating Permit Fees	1,823,947		<b>3333 - Solid Waste Enforcement Fund</b>	
Fines and Penalties	1,228,841		Beginning Cash at August 1, 2007	4,542,728
Infrastructure Bond Proj	750		<b>Revenues:</b>	
<b>TOTAL REVENUE</b>		7,248,818	Principal Repayments	86,028
<b>Expenditures:</b>			Interest on Loans	2,440
Personal Services	3,195,545		Permits	25,000
Benefits	1,092,987		Misc.	220
Unclassified	2,475,296		Solid Waste Assessment Fees	2,685,109
<b>TOTAL EXPENDITURES</b>		6,763,828	<b>TOTAL REVENUE</b>	2,798,797
Ending Cash at June 30, 2008		<b>8,479,728</b>	<b>Expenditures:</b>	
<b>Fund 3328 - Closure Cost Assistance Fund</b>			Personal Services	1,299,216
Beginning Cash at July 1, 2007		7,822,343	Benefits	446,074
<b>Revenues:</b>			Unclassified	869,924
Solid Waste Assessment Fees	6,249,521		<b>TOTAL EXPENDITURES</b>	2,615,214
Investment Earnings	392,934		Ending Cash at July 31, 2008	<b>4,726,311</b>
<b>TOTAL REVENUE</b>		6,642,455	<b>Fund 3336 - Air Pollution Control Fund</b>	
<b>Expenditures:</b>			Beginning Cash at August 1, 2007	4,426,672
Personal Services	900,252		<b>Revenues:</b>	
Benefits	273,612		Fees	5,290,733
Unclassified	1,774,797		Permits	217,800
<b>TOTAL EXPENDITURES</b>		2,948,661	Certificate to Operate	190,709
Ending Cash at June 30, 2008		<b>11,516,137</b>	Fines & Penalties	5,000
<b>3329 - Water Pollution Control Revolving Fund</b>			<b>TOTAL REVENUE</b>	5,704,242

<b>Expenditures:</b>			Investment Earnings	101,124	
Personal Services	3,247,441		Fines & Penalties	637,360	
Benefits	929,568		<b>TOTAL REVENUE</b>		824,952
Unclassified	1,577,539		<b>Expenditures:</b>		
<b>TOTAL EXPENDITURES</b>		5,754,548	Unclassified	317,258	
Ending Cash at July 31, 2008		<b>4,376,366</b>	<b>TOTAL EXPENDITURES</b>		317,258
			Ending Cash at July 31, 2008		<b>2,762,438</b>
<b>Fund 3337 - Gifts and Donations Fund</b>			<b>3484 - Highway Litter Control Program</b>		
Beginning Cash at July 1, 2007		167,218	Beginning Cash at July 1, 2007		110,667
<b>Revenues:</b>			<b>Revenues: (Statutory Transfers 0)</b>		
Prior Year Expiring Funds	8,288		Fees	500,000	
Gifts	62,728		<b>TOTAL REVENUE</b>		500,000
<b>TOTAL REVENUE</b>		71,016	<b>Expenditures:</b>		
<b>Expenditures:</b>			Personal Services	130,398	
Unclassified	74,059		Benefits	46,535	
<b>TOTAL EXPENDITURES</b>		74,059	Unclassified	205,597	
Ending Cash at June 30, 2008		<b>164,175</b>	<b>TOTAL EXPENDITURES</b>		382,530
			Ending Cash at June 30, 2008		<b>228,137</b>
<b>Fund 3340 - Environmental Laboratory Certification Fund</b>			<b>Fund 3485 - Litter Control Matching Grant</b>		
Beginning Cash at August 1, 2007		159,114	Beginning Cash at July 1, 2007		2,002
Audit Fees	58,111		Fees	16,409	
Permits	0		Statutory Transfers	20,000	
Certificate to Operate	123,584		<b>TOTAL REVENUE</b>		36,409
Investment Earnings	6,434		<b>Expenditures: Unclassified</b>	12,581	
<b>TOTAL REVENUE</b>		188,129	<b>TOTAL EXPENDITURES</b>		12,581
<b>Expenditures:</b>			Ending Cash at June 30, 2008		<b>25,830</b>
Personal Services	114,402				
Benefits	41,096		<b>Fund 3486 - Litter Control Fund</b>		
Unclassified	63,980		Beginning Cash at August 1, 2007		58,822
<b>TOTAL EXPENDITURES</b>		219,478	<b>Revenues:</b>		
Ending Cash at July 31, 2008		<b>127,765</b>	Fees	18,909	
			<b>TOTAL REVENUE</b>		18,909
<b>Fund 3342 - Water Pollution Revol Fd - Admin Fees</b>			<b>Expenditures:</b>		
Beginning Cash at July 1, 2007		4,445,070	Unclassified	33,199	
<b>Revenues: (Principal Repayments 0)</b>			<b>TOTAL EXPENDITURES</b>		33,199
Admin Fees-Revolving Fund	1,659,403		Ending Cash at July 31, 2008		<b>44,532</b>
Investment Earnings	185,914				
Non Fed Grants	25,713		<b>3487 - Recycling Assistance Fund</b>		
<b>TOTAL REVENUE</b>		1,871,030	Beginning Cash at August 1, 2007		1,130,434
<b>Expenditures:</b>			<b>Revenues: (Statutory Transfers 0)</b>		
Personal Services	965,013		Solid Waste Assess Fees	1,858,324	
Benefits	306,808		<b>TOTAL REVENUE</b>		1,858,324
Unclassified	355,441		<b>Expenditures:</b>		
<b>TOTAL EXPENDITURES</b>		1,627,262	Personal Services	254,507	
Ending Cash at June 30, 2008		<b>4,688,838</b>	Benefits	79,918	
			Unclassified	1,391,783	
<b>3345 - Special Reclamation Tax Clearing Account</b>			<b>TOTAL EXPENDITURES</b>		1,726,208
Beginning Cash at July 1, 2007		808,468	Ending Cash at July 31, 2008		<b>1,262,550</b>
<b>Revenues:</b>					
Investment Earnings	435		<b>Fund 3488 - Shiloh Environmental and Landfill Trust</b>		
Coal Tonnage Fees	440,710		Beginning Cash at July 1, 2007		275,431
<b>TOTAL REVENUE</b>		441,145	Investment Earnings	12,220	
<b>TOTAL EXPENDITURES</b>		0	<b>TOTAL REVENUE</b>		12,220
Ending Cash at June 30, 2008		<b>1,249,613</b>	<b>TOTAL EXPENDITURES</b>		0
			Ending Cash at June 30, 2008		<b>287,651</b>
<b>Fund 3347 - Voluntary Remediation Administrative Fund</b>			<b>Fund 3490 - Mountain Top Removal</b>		
Beginning Cash at July 1, 2007		1,154,334	Beginning Cash at August 1, 2007		3,866,543
Permits	8,000		<b>Revenues:</b>		
Application Fee	68,200		Fees	2,236,310	
Cost Recovery Fee	433,900		Certificate to Operate	14,670	
Investment Earnings	77,734		Blaster Fees ,300,333 Tons	15,299	
<b>TOTAL REVENUE</b>		587,834	Fees for Training	560	
<b>Expenditures:</b>			Misc.	1,705	
Personal Services	107,160		Investment Earnings	182,822	
Benefits	34,468		<b>TOTAL REVENUE</b>		2,451,366
Unclassified	205,710		<b>Expenditures:</b>		
<b>TOTAL EXPENDITURES</b>		347,338	Personal Services	569,477	
Ending Cash at June 30, 2008		<b>1,394,830</b>	Benefits	193,276	
			Unclassified	1,069,655	
<b>Fund 3349 - Stream Restoration Fund</b>			<b>TOTAL EXPENDITURES</b>		1,832,408
Beginning Cash at August 1, 2007		2,254,744			
<b>Revenues:</b>					
Stream Restoration-Mitigation	86,468				

Ending Cash at July 31, 2008	<b>4,485,501</b>	Ending Cash at June 30, 2008	<b>38,589</b>
<b>3492 - Bond Pooling Fund</b>		<b>Fund 8708 - Federal Funds</b>	
Beginning Cash at July 1, 2007	740,817	Beginning Cash at August 1, 2007	6,786,836
<b>Revenues:</b>		<b>Revenues:</b>	
Performance Bonds	75,910	Fed Grant Direct DOD	8,483
Gas Well Cert. Dept. Env. Protec.	1,200	Fed Grant Indirect DOD	2,430
<b>TOTAL REVENUE</b>	<b>77,110</b>	Fed Grants Direct EPA	8,718,201
<b>TOTAL EXPENDITURES</b>	<b>0</b>	Fed Grants Indirect EPA	1,332,772
Ending Cash at June 30, 2008	<b>817,927</b>	Fed Grant Direct	26,437,741
<b>Fund 3493 - Quarry Reclamation Fund</b>		Fed Grant Indirect	2,714,630
Beginning Cash at July 1, 2007	153,806	FEMA Direct Costs	32,577
Fines and Penalties	3,065	Prior Year Expiring Funds	49
Investment Earnings	40,654	<b>TOTAL REVENUE</b>	<b>39,246,883</b>
<b>TOTAL REVENUE</b>	<b>43,719</b>	<b>Expenditures:</b>	<b>Personal Services</b>
<b>TOTAL EXPENDITURES</b>	<b>0</b>	13,123,216	Benefits 4,310,731
Ending Cash at June 30, 2008	<b>197,525</b>	Unclassified	22,771,473
<b>Fund 3494 - Quarry Inspection and Enforcement Fund</b>		<b>EXPENDITURES</b>	<b>40,205,420</b>
Beginning Cash at July 1, 2007	47,031	Ending Cash at July 31, 2008	<b>5,828,299</b>
<b>Revenues:</b>		<b>Fund 8796 - Acid Mine Drainage Abatement &amp; Treatment Fund</b>	
Operating Permit Fees	7,925	Beginning Cash at July 1, 2007	16,740,779
Clearing Special Revenue	1,225	Investment Earnings	4,625,240
Investment Earnings	1,993	<b>TOTAL REVENUE</b>	<b>4,625,240</b>
<b>TOTAL REVENUE</b>	<b>11,143</b>	<b>Expenditures:</b>	<b>Unclassified</b>
<b>Expenditures: Unclassified</b>	<b>19,585</b>	Unclassified	842,442
<b>TOTAL EXPENDITURES</b>	<b>19,585</b>	<b>TOTAL EXPENDITURES</b>	<b>842,442</b>
		Ending Cash at June 30, 2008	<b>20,523,578</b>

**APPROPRIATION BALANCES Fiscal Year 2008**

ACTIVITY	APPROPRIATION	EXPENDED	REMAINING BALANCE
<b>Fund 0273- ENVIRONMENTAL PROTECTION GENERAL REVENUE FUND</b>			
001 PERSONAL SERVICES	3,268,380.00	3,266,122.25	2,257.75
004 INCREMENT	57,846.00	57,834.37	11.63
010 EMPLOYEE BENEFITS	1,126,163.00	1,126,101.15	61.85
099 UNCLASSIFIED	1,247,064.00	1,219,771.91	27,292.09
607 DAM SAFETY	207,105.00	143,851.41	63,253.59
637 WV STREAM PARTNERS PROGRAM	77,396.00	77,396.00	0.00
776 WV CONTRIBUTIONS TO RIVER COMMISSIONS	148,485.00	148,485.00	0.00
855 OFFICE OF WATER RESOURCES-NON ENFORCEMENT	1,141,267.00	1,140,093.02	1,173.98
913 BRIM PREMIUM	56,802.00	56,802.00	0.00
993 WELCH	79,115.00	79,061.84	53.16
TOTAL	7,409,623.00	7,315,518.95	94,104.05
<b>Fund 3321- SPECIAL RECLAMATION TRUST FUND</b>			
001 PERSONAL SERVICES	1,213,652.00	537,749.27	675,902.73
004 INCREMENT	11,400.00	10,350.00	1,050.00
010 EMPLOYEE BENEFITS	423,308.00	191,807.63	231,500.37
099 UNCLASSIFIED	16,292,832.00	2,288,836.43	14,003,995.57
426 TRANSFERS	0.00	8,200,000.00	0.00
TOTAL	17,941,192.00	11,228,743.33	14,912,448.67
<b>Fund 3322- OIL &amp; GAS RECLAMATION TRUST FUND</b>			
099 UNCLASSIFIED	672,325.00	305,168.60	367,156.40
TOTAL	672,325.00	305,168.60	367,156.40
<b>Fund 3323- OIL &amp; GAS OPERATING PERMITS</b>			
001 PERSONAL SERVICES	894,835.00	548,544.49	346,290.51
004 INCREMENT	14,540.00	2,731.50	11,808.50
010 EMPLOYEE BENEFITS	313,272.00	194,050.68	119,221.32
099 UNCLASSIFIED	738,951.00	629,818.31	109,132.69
TOTAL	1,961,598.00	1,375,144.98	586,453.02
<b>Fund 3324- MINING AND RECLAMATION OPERATIONS FUND</b>			
001 PERSONAL SERVICES	4,471,972.00	3,257,754.66	1,214,217.34
004 INCREMENT	57,288.00	51,698.27	5,589.73
010 EMPLOYEE BENEFITS	1,976,858.00	1,103,940.75	872,917.25
099 UNCLASSIFIED	2,481,437.00	864,681.57	1,616,755.43
TOTAL	8,987,555.00	5,278,075.25	3,709,479.75

**Fund 3325- UNDERGROUND STORAGE TANK ADMINISTRATIVE FUND**

001	PERSONAL SERVICES	256,253.00	187,602.22	68,650.78
004	INCREMENT	6,925.00	2,070.00	4,855.00
010	EMPLOYEE BENEFITS	92,991.00	66,117.98	26,873.02
099	UNCLASSIFIED	196,796.00	56,432.10	140,363.90
	TOTAL	552,965.00	312,222.30	240,742.70

**Fund 3331- HAZARDOUS WASTE EMERGENCY AND RESPONSE FUND**

001	PERSONAL SERVICES	489,302.00	363,601.19	125,700.81
004	INCREMENT	8,000.00	6,550.00	1,450.00
010	EMPLOYEE BENEFITS	189,715.00	116,336.88	73,378.12
099	UNCLASSIFIED	834,243.00	377,370.52	456,872.48
	TOTAL	1,521,260.00	863,858.59	657,401.41

**Fund 3332- SOLID WASTE RECLAMATION AND ENVIRON. RESPONSE**

001	PERSONAL SERVICES	746,648.00	274,319.67	472,328.33
004	INCREMENT	11,900.00	4,550.00	7,350.00
010	EMPLOYEE BENEFITS	226,988.00	92,371.73	134,616.27
099	UNCLASSIFIED	3,775,631.00	2,110,046.12	1,665,584.88
	TOTAL	4,761,167.00	2,481,287.52	2,279,879.48

**Fund 3333- ENVIRONMENTAL ENFORCEMENT FUND**

001	PERSONAL SERVICES	1,991,834.00	1,276,042.91	715,791.09
004	INCREMENT	38,968.00	23,172.88	15,795.12
010	EMPLOYEE BENEFITS	766,661.00	444,314.83	322,346.17
099	UNCLASSIFIED	1,038,183.00	871,682.63	166,500.37
	TOTAL	3,835,646.00	2,615,213.25	1,220,432.75

**Fund 3336- AIR POLLUTION CONTROL FUND**

001	PERSONAL SERVICES	4,100,781.00	3,203,712.77	897,068.23
004	INCREMENT	44,162.00	43,728.70	433.30
010	EMPLOYEE BENEFITS	1,348,392.00	929,568.20	418,823.80
099	UNCLASSIFIED	2,013,604.00	1,577,539.27	436,064.73
	TOTAL	7,506,939.00	5,754,548.94	1,752,390.06

**Fund 3340- ENVIRONMENTAL LABORATORY CERTIFICATION FUND**

001	PERSONAL SERVICES	155,837.00	111,951.64	43,885.36
004	INCREMENT	2,450.00	2,450.00	0.00
010	EMPLOYEE BENEFITS	56,805.00	41,095.50	15,709.50
099	UNCLASSIFIED	145,075.00	63,979.54	81,095.46
	TOTAL	360,167.00	219,476.68	140,690.32

**Fund 3349- STREAM RESTORATION FUND**

096	UNCLASSIFIED	945,000.00	317,257.73	627,742.27
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**Fund 3023 - HAZARDOUS WASTE MANAGEMENT FEE FUND**

001	PERSONAL SERVICES	309,222.00	263,186.26	46,035.74
004	INCREMENT	1,850.00	1,850.00	0.00
010	EMPLOYEE BENEFITS	117,538.00	97,730.18	19,807.82
096	UNCLASSIFIED	160,202.00	114,911.90	45,290.10
	TOTAL	588,812.00	477,678.34	111,133.66

**Fund 3024 - AIR POLLUTION EDUCATION AND ENVIRONMENT FUND**

001	PERSONAL SERVICES	409,432.00	187,230.97	222,201.03
004	INCREMENT	2,750.00	2,750.00	0.00
010	EMPLOYEE BENEFITS	117,209.00	74,934.88	42,274.12
096	UNCLASSIFIED	469,110.00	146,750.69	322,359.31
	TOTAL	998,501.00	411,666.54	586,834.46

**Fund 3486 - LITTER CONTROL FUND**

096	UNCLASSIFIED	40,000.00	33,198.58	6,801.42
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**Fund 3487 RECYCLING ASSISTANCE FUND**

001	PERSONAL SERVICES	399,493.00	251,006.51	148,486.49
004	INCREMENT	3,500.00	3,500.00	0.00
010	EMPLOYEE BENEFITS	138,771.00	80,161.94	58,609.06
099	UNCLASSIFIED	2,218,337.00	-99,110.56	2,317,447.56
	TOTAL	2,760,101.00	235,557.89	2,524,543.11

**Fund 3490- EXPLOSIVES AND BLASTING FUND**

001	PERSONAL SERVICES	756,507.00	561,805.97	194,701.03
004	INCREMENT	9,075.00	7,670.93	1,404.07
010	EMPLOYEE BENEFITS	289,089.00	193,276.28	95,812.72
096	UNCLASSIFIED	476,495.00	383,784.79	92,710.21
426	TRANSFERS	0.00	685,870.09	0.00
	TOTAL	1,054,671.00	1,832,408.06	384,628.03

**Fund 8708- FEDERAL FUNDS**

096	UNCLASSIFIED	138,554,420.00	40,205,420.54	98,348,999.46
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