

west virginia



department of environmental protection

Fiscal Year 2012-13 Annual Report



Earl Ray Tomblin, Governor
Randy C. Huffman, DEP Cabinet Secretary

West Virginia Department of Environmental Protection

Protecting, Restoring and Supporting roles in promoting a Healthy Environment

The West Virginia Department of Environmental Protection's mission is to protect the environment while leaving room for a sustainable industry base. Such a task requires careful balance: Its four major divisions, protecting air, land and water, plus an office regulating oil and gas drilling, must be circumspect and fair in regulating industry, permitting extraction of natural resources and protecting the public from hazards of pollution.



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Protecting the Environment

Division of Air Quality

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.

During FY 13, DAQ accomplished:

Air Monitoring

- 1) Awarded Environmental Protection Agency grant in the amount of \$446,716 which funded all fine particulate matter related monitoring, laboratory, and data handling activities. Collected and processed more than 2,200 PM2.5 filter samples.
- 2) Continued to perform particulate metals lab analysis for West Virginia sites; the Washington, D.C., national air toxic trends site; and other states' toxic monitoring sites. Received an EPA grant of \$22,637 to support operation of an ICP-Mass Spectrometer.
- 3) In conjunction with the Northern Panhandle Regional Office, operated 22 air monitoring sites, including three air toxics sites and three fine particle speciation sites, and a radiation network monitor on behalf of EPA's national radiation monitoring program.
- 4) Analysis of Pb in particulate matter is conducted by the DAQ laboratory for both the West Virginia site and a Pb monitoring site in Washington, D.C.

Compliance & Enforcement

- 1) Conducted 954 full compliance inspections of air pollution sources, 82 of which were major sources of air pollution.
- 2) Conducted 251 partial evaluations of air pollution sources.
- 3) Reviewed 1,006 self-monitoring reports of air pollution sources.
- 4) Investigated 734 citizen complaints.
- 5) Inspected 32 asbestos demolition or renovation projects.
- 6) Reviewed 126 source performance tests, stack tests and RATA's.
- 7) Reviewed 199 Title V Annual Certification reports.
- 8) Issued 46 notices of violation.
- 9) Issued 0 cease and desist orders.
- 10) Negotiated 22 consent orders to settle violations.
- 11) Collected \$551,600 as a result of the consent orders.

Hazardous & Solid Waste Air Program (HSWAP)

- 1) Conducted 37 compliance site inspections of hazardous waste air pollution sources.

- 2) Conducted 6 used & waste oil burner source inspections.
- 3) Assisted in the development/update of the 2012-13 DAQ- HSWAP air rules 45 CSR 25, 45 CSR 16 and 34, and 45CSR 18.
- 4) Submitted to the EPA the required grant reports on both RCRA and CAA 111(d)/129 programs.
- 5) Assisted DWWM on the revisions of the West Virginia RCRA Hazardous Waste State Authorization Program for combustion, thermal treatment and subpart AA, BB, and CC.
- 6) Submitted CAA 111(d)/129 modified plan for Hospital/Medical /Infectious Waste Incinerators for EPA approval.

Permitting

Title V program

- 1) Issued 67 permit revisions, including two administrative amendments, 33 minor and 30 significant modifications, and two reopenings.
- 2) Issued 56 renewal permits.
- 3) Issued one initial permit.
- 4) Reviewed six off-permit changes.

New Source Review program

Issued a total of 471 permits with the following breakdown: 176 Construction/Modification, 155 Administrative Updates, 131 General Permit Registrations, Rendered 86 decisions on permit determinations.

Planning

- 1) EPA finalized approval of DAQ's request to redesignate the Huntington area to attainment of the fine particulate standard (PM2.5). Concurrently, EPA approved DAQ's maintenance plan that ensures the area will continue to attain for at least 10 years.
- 2) DAQ submitted to EPA a significant update to the state's regional haze plan that demonstrated satisfactory progress in meeting visibility goals for relevant national parks and wilderness areas (e.g., Dolly Sods Wilderness Area).
- 3) DAQ proposed to redesignate the Martinsburg area to attainment of the fine particulate matter and went out to public notice with the supporting documentation and a related 10-year maintenance plan.

Small Business Assistance Program

- 1) Provided assistance to 112 customers, 52 in depth, including 38 site visits.
- 2) Produced and distributed 48 annual Dry Cleaner Compliance Calendars.
- 3) Produced and distributed the Iron and Steel Foundries Compliance Poster.



Division of Mining and Reclamation

The Division of Mining and Reclamation safeguards the environment during coal mining. It ensures prompt compliance and proper reclamation of mining sites, and maintains a statewide database for mining operations.

During FY 13, DMR accomplished:

Application Type	Total	Affected
		Acres
Surface Mining Application (SMA) Issued	63	10,556
Surface Mining Permits Issued	25	8,049
Underground Mining Permits Issued	17	331
Other Mining Permits Issued	22	2,176
Quarry Permits Issued	0	
Quarry Modification	8	
Quarry Annual Bonding Amendments	68	
Notices of Intent to Prospect	19	1,183
Withdrawn/Terminated/Denied Applications	116	
Incidental Boundary Revisions	142	-266
Permit Renewals	291	
Permit Revisions	375	
Permit Transfers/Merger/Ownership	303	
Operator Assignments	36	
Inactive Status	37	
Incremental Bonding	100	
NPDES Applications Approved	69	
Emergency Warning Plans	753	
Special Land Use	69	
Certification of Approval for Dam	0	
	12	

Inspection and Enforcement

Inspections	21,469	
Notices of Violation	766	
Conferences	380	
Phase 1 Permit Releases	15	1,698
Phase 2 Permit Releases	15	473
Phase 3 Permit Releases	48	3,494
Prospect Releases	155	
Incremental Releases	37	
Planting Plans	15	
Cessation Orders	81	
Consent Orders	4	
Complaints Investigated	258	
Surface Mine Permits Revoked	15	
NPDES Permits Revoked	0	
NPDES Permits Released	30	

Office of Explosives and Blasting

The Office of Explosives and Blasting regulates all surface mine blasting. It administers pre-blast surveys; trains, tests and certifies all surface mine blasters; and manages the claims and arbitration process regarding blasting damage.

OEB Complaints Investigated: 166

Office of Oil and Gas

The Office of Oil and Gas monitors all actions related to the exploration, drilling, storage, and production of oil and natural gas. OOG tracks more than 50,000 oil and gas wells, manages abandoned well plugging and reclamation programs, and ensures surface/ground water protection.

During FY 13, OOG accomplished:

- 1) Reviewed, processed, and issued 1,317 well work permits; 684 of these were for horizontal wells.
- 2) Conducted 5,695 site inspections.
- 3) Processed 245 complaints.
- 4) Responded to 238 emergencies and/or spills.
- 5) Issued 165 notices of violation.
- 6) Plugged and reclaimed 10 abandoned wells and/or sites.
- 7) Expended approximately \$338,000 from the federal oil spill liability trust fund.
- 8) Conducted 28 abandoned well inspections.
- 9) Did 111 underground injection control inspections.
- 10) Reviewed and approved 86 UIC mechanical integrity tests.
- 11) Conducted three industry workshops to 735 attendees.

The Office completed the three reports required as part of the Horizontal Well Act and submitted them to the Legislature. Additionally, the Horizontal Well rule was drafted and presented to the Legislature. The Rule was passed and became effective on July 1, 2013.

The Shallow Gas Well Review Board hears and rules on objections from coal owners/lessees/operators, regarding the location of proposed shallow gas well drilling sites. It generally administers the requirements of West Virginia Code Chapter 22C, Article 8. The Board held two hearings during this fiscal year.

The Coalbed Methane Review Board hears and rules on actions associated with the drilling and production of coalbed methane wells. It administers the requirements of West Virginia Code Chapter 22, Article 21. The Board held zero hearings during this fiscal year.



Division of Water and Waste Management

The Division of Water and Waste Management strives to meet its mission through implementation of programs controlling surface and groundwater pollution caused by industrial and municipal discharges, as well as oversight of construction, operation, and closure of hazardous and solid waste, and underground storage tank sites.

In addition, the division works to protect, restore, and enhance West Virginia's watersheds through comprehensive watershed assessments, groundwater monitoring, wetlands preservation, inspection and enforcement of hazardous and solid waste disposal, and proper operation of underground storage tanks.

During FY 13, DWWM accomplished:

Environmental enforcement

Dam Safety

Reviewed eight applications or proposals for dam construction, modification or removal; reviewed 81 monitoring and emergency action plans; conducted 241 inspections of all types.

Hazardous Waste

Completed 466 inspections related to hazardous waste facilities; responded to 87 emergency response situations; investigated 129 citizen complaints related to hazardous materials.

Underground Storage Tanks

Conducted 62 closure inspections; 46 installation inspections; 460 compliance monitoring inspections.

Water and Waste

Conducted 3,037 inspections of solid waste and water pollution control facilities; initiated 139 open dump cleanups; responded to 1,194 citizen complaints.

Nonpoint Source

- 1) Awarded 48 grants, totaling \$2,970,427, to partner agencies, local governments, watershed associations, nonprofit organizations, and universities to implement watershed-related outreach, planning, education, monitoring, and water quality improvement projects. The funding is provided by the EPA through Section 319 Nonpoint Source and Chesapeake Bay Programs and DEP's Stream Restoration Fund.
- 2) Awarded 21 grants totaling \$104,500 through the West Virginia Stream Partners Program;
- 3) Coordinated and completed projects in acid mine drainage treatment, agriculture, forestry, on-site septic systems, urban storm water, riparian buffers and tree planting, natural stream restoration, updating of local stormwater ordinances, and a volunteer monitoring conference.
- 4) Initiated 12 In Lieu Fee Projects est. \$5,300,000 to replace, protect and restore streams and wetlands.
- 5) Conducted 33 volunteer monitoring workshops and presented or instructed at 24 events through West Virginia Save Our Streams Program. Held 17 workshops, six

waters festivals, and nine outreach events to reach 2,329 children, parents, and educators with water education through Project Water Education for Teachers.

Permitting

Issued 20 major and 82 minor individual permits, 112 permit modifications to industrial and municipal facilities and 1,181 general permit registrations and 43 general registration modifications for various facilities and activities.

Groundwater/UIC Program

Issued 44 underground injection control permits to facilities, including six industrial permits, 30 sewage-related permits, eight storm water permits, and inspected 232 underground injection control facilities.

Hazardous Waste Operating Permits

Received two and issued one Resource Conservation Recovery Act permits; received and reviewed three permit modifications.

Corrective Action

Received/reviewed 42 corrective action submittals involving the Hazardous and Solid Waste management acts and reviewed 12 RCRA facility investigations.

Solid Waste

Technical Review

Issued 22 municipal solid waste landfill permits; issued 540 minor permit modifications; issued 23 Class D registrations.

Clean Water State Revolving Fund

- 1) Disbursed more than \$82.4 million to communities for municipal sewer projects under construction; disbursed \$2.5 million to nonpoint source pollution control projects; new loans were closed on an additional 18 municipal construction projects, worth \$60.8 million; and issued 10 preliminary binding commitment letters for future loans, worth \$79.9 million.
- 2) Approved 27 sets of plans and specifications; reviewed 40 Infrastructure and Jobs Development Council applications; and funded 26 new onsite systems and seven agricultural loans through the Onsite Systems Loan Program and Agricultural Water Quality Loan Program.

Quality Assurance

Received applications from 130 laboratories for certification; performed onsite inspections at 78 laboratories; and recertified/certified 139 laboratories.

Watershed Assessment Branch

- 1) Total Maximum Daily Load Development: Collected 3,376 water quality samples from 551 sites on 380 streams, providing 57,327 individual parameter results, including the final rounds of sampling in several watersheds-28 streams from Upper Kanawha, 34 streams in the South Branch Potomac River Watershed, 13 streams



- in Coal River Watershed, 14 streams in the Elk River Watershed, 10 streams in the Gauley River Watershed, 12 streams from Dunkard Creek Watershed, eight streams from Upper Ohio North Watershed, 19 streams from Upper Ohio South Watershed, and two streams from the Shenandoah River Watershed; the pre-TMDL development monitoring effort on 353 sites on 234 streams in the Tygart River Watershed; and approved TMDLs for impaired streams in the Middle Ohio North and Middle Ohio South Watersheds.
- 2) WAP/LTMS Monitoring: collected water quality, habitat, and biological information from 83 targeted sites-46 considered Long-term Monitoring Sites and 37 other targeted samples.
 - 3) Ambient Water Quality Monitoring Network: collected bi-monthly water quality information for more than 30 parameters from 26 sites on the state's major streams and rivers-six sites in the Monongahela basin were sampled monthly during low-flow season.
 - 4) Probabilistic: Monitoring was conducted in the spring and early summer of 2013, which was the first year of the fourth 5-year cycle of Probabilistic Monitoring.
 - 5) Water quality loggers were deployed at 109 sites on 94 streams.
 - 6) Fish community data was collected at 60 sites, primarily in the Tygart River Watershed.
 - 7) Benthic Macroinvertebrate Data: 358 samples were collected from 278 streams.
 - 8) Lakes: In 2012, 11 lakes were monitored, 25 sites established and 74 samples collected, and in 2013, 13 lakes were selected with 20 sampling stations established and initial samples collected.

Water Quality Standards

- 1) Initialed the 2014 triennial review of West Virginia Water Quality Standards, Rule 47CSR2.
- 2) Completed an emergency rule revising statewide criteria for aluminum aquatic life use and beryllium human health use that is currently under review for approval by EPA. Two public meetings were held.
- 3) Increased outreach to specific stakeholder groups, significantly updated and added content to the WQS program Webpage.
- 4) Participated in nationwide review of the federal water quality standards rule, proposed revisions, and continued review of applications for modifications to water quality standards requests.

Water Use Section

- 1) Continued to improve the system used to complete the Large Quantity Users survey; and to improve the database that houses the revamped information; this will produce better-quality reports.
- 2) Continued to improve and evolve the Water Management Plan program for horizontal gas well drilling with the recent Oil and Gas Horizontal Well rule changes; reviewed and approved more than 1,500 Oil and Gas Water Management Plans, while effectively reducing the

- number of public water withdrawal complaints.
- 3) collaborated with the US Geologic Survey on three significant reports:
 1. Comparison of Base Flows to Selected Streamflow Statistics Representative of 1930–2002 in WV;
 2. Correlations of daily flows at stream gages in and near West Virginia, 1930-2011, and streamflow information for managing withdrawals from un-gaged streams; and
 3. A Study to assess the geologic controls on Baseflow in WV.
 - 4) Working to complete the West Virginia Water Resources Management Plan as required by the 2008 Water Resources Protection and Management Act, West Virginia Code §22-26-1 et seq.

401 Certification

- 1) Reviewed 227 nationwide 404 permits, of which 16 were for Division of Highways projects.
- 2) Reviewed 75 Individual Regional Landowner Stream Access 404 permit applications.
- 3) Issued 14 individual Water Quality Certifications.
- 4) Issued one Natural Streams Preservation Act Permit.
- 5) Received and reviewed various documents on hydro-electric power projects in accordance with FERC licensing requirements.
- 6) Reviewed and approved 13 Nationwide 27 Permit Stream Restoration Plans.
- 7) Reviewed and approved two Section 10 Permits.
- 8) Reviewed and approved two Regional Permits for Abandoned Mine Lands Reclamation.

Office of Abandoned Mine Lands and Reclamation

The Office of Abandoned Mine Lands and Reclamation mends damage that occurred from mining operations prior to Aug. 3, 1977. Abandoned mines impose social and economic costs to residents and impair environmental quality. AML&R restores land and improves water quality at abandoned or forfeited sites using funding from federal coal taxes.

During FY 13, AML&R accomplished:

Gases: Hazardous/Explosive	4
AMD Water Treatment	200,984 gal's @ 5 sites
Clogged Streams Lands	.1 acres
Clogged Steams	4.5067 miles
Dangerous Highwall	62,502 LF
Dangerous impoundments/Portals	318
Dangerous piles and embankments	114 acres
Hazardous equipment and facilities	12
Hazardous/Polluted water body	958
Industrial/Residential Waste	2.5 acres
Subsidence	6 acres
Surface Burning	26.25 acres
Dangerous Slides	6 acres



Restoring the Environment

- 1) Planning Section sent 64 site environmental assessments to the Office of Surface Mining for Authorization to Proceed; and completed and incorporated these 57 problem areas in the National AML Inventory System.
- 2) In-House Design Team completed 18 projects for AML, Emergency, and Special Reclamation; and began Design on 20 additional projects; The number of projects designed by Consulting Engineering firms were 16 for the north and south, with 5 projects finalized/completed.
- 3) Complaint investigations investigated by the Board of Risk and Insurance Management totaled 49; Emergencies were 24; Total design and construction costs were \$3,271,002.79; Citizen complaint investigations numbered 186 and were completed by field inspectors.
- 4) Realty Section completed right of entry for the construction of 38 projects and exploratory right of entry for the engineering design of 36 projects. Right of entry was also obtained for the design and construction of 24 emergency projects addressing a total of 98 projects.
- 5) There were three waterline projects completed through the issuance of sub-grants serving 1,100 customers and nine waterline projects awarded through the issuance of sub-grants serving 475 customers.

Division of Land Restoration

The Division of Land Restoration cleans up sites contaminated by past industrial activity and restores land once disturbed by natural resource extraction.

Special Reclamation

The Office of Special Reclamation eliminates abandoned mine hazards due to post-1977 mining operations. This may entail anything from minor to major land restoration and temporary to perpetual water treatment. Its reclamation funds come from coal taxes, civil penalties, and bond forfeitures.

During FY 13, OSR accomplished:

- Provided quarterly progress reports to the Special Reclamation Fund Advisory Council, which met five times.
- Monitored water quality on 43 permits.
- Completed reclamation on 24 permits and started reclamation on nine permits.
- Issued 12 reclamation purchase orders, totaling \$4.1 million.
- Reclaimed 1,202 acres.
- Constructed four water treatment systems.
- Performed 10,548 land and water inspections, and investigated two complaints.

Environmental Remediation

The Office of Environmental Remediation restores contaminated sites using the best available science. It cleans

up leaking underground storage tanks, oversees voluntary remediation, and administers brownfields site remediation and Superfund sites.

During FY 13, OER accomplished:

- 1) Accepted nine new Voluntary Remediation and Recovery Act applications for properties to participate in the program and issued 18 Certificates of Completion for 50.36 remediated acres of land ready for reuse. Cumulatively, 135 Certificate of Completion have been issued for 1,336.56 remediated acres of land.
- 2) Provided oversight of the investigation and cleanup of 89 new leaking underground storage tank sites, and completed investigations and closed the active files on 119 leaking underground storage tank sites.
- 3) Continued working with EPA Region 3 on Superfund actions at 10 National Priority List sites, including the Sharon Steel/Fairmont Coke Project XL and Big John's Salvage site near Fairmont, 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, at the Olin-Hanlin Chemical site near New Martinsville, and the West Virginia Ordnance Works at Point Pleasant.
- 4) Conducted site assessment activities at nine priority hazardous substance sites; completed assessments on Sloan Glass, Burke Parsons Bowlby, New Cumberland Sanitation, Halltown Paperboard, and Smith Creek Landfill. Assessments were started on GE Apparatus Service, Georges Creek Landfill, Holmes and Madden Landfill, and Capitol City Junk; working on site assessments for Dalzell Viking Glass, Moundville Zinc, and Anmoore Zinc; provided a reassessment for New Cumberland Landfill; working on preliminary assessments for CSX Train Derailment, Yuma Camp, Gary Dobbs Farm, Tyler County Asbestos, Waverly Train Derailment, Ohio River Flood Debris, Ohio River MP 125, Ohio River MP 308.4.
- 5) Collaborated with EPA Region 3 on the oversight of 42 sites under Resource Conservation and Recovery Act Corrective Action; and is the lead agency for 12 of the Corrective Action Sites.
- 6) Continued construction of a new synthetic cap at Capon Springs and Morgan County landfills, under the Landfill Closure Assistance Program, and are currently undergoing final construction inspections, with final closure expected early in FY2014; continued design work for the remaining five landfills in LCAP.
- 7) Received and processed 939 notifications of excavations from MISS Utility of West Virginia, to provide protection from uncontrolled exposures at properties with established environmental covenants under the Voluntary Remediation and Superfund programs.

REAP-The Next Generation

REAP strives to make West Virginia the cleanest state.



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. They are all housed within DEP, providing citizens with a control location to learn about and participate in volunteer cleanup initiatives.

REAP accomplishments for FY 2013

	PPOD	AAH/AAS	WVMIS
Dumps eradicated	1,402		41
Acres reclaimed	1,351		340
Miles roadway cleaned		4,701	203
Miles stream cleaned	41		141
Acres park cleaned			340
Miles trail cleaned			45
Active AAH groups		828	
Tons litter/waste collected	5,124	522	220
Tons scrap recycled	168		0.90
Appliances recycled	302		64
Waste tires collected	306,130		1,569
Tons plastic recycled		0.28	
Tons glass recycled		0.38	
Tons aluminum recycled		0.66	0.30
Volunteers participating (30,643)	3,764	18,714	8,165
Recycling Grants Awarded	32 totaling \$1.425 million		
CED Grants Awarded	28 totaling \$173,200.00		
Litter Control Grants	26 totaling \$60,530.00		
Recycling Bin Loan Program		10	

Operation Wildflower oversaw the planting of 123 wildflower plots. Recycling recycled 265 tons of paper.

Environmental Advocate

The Office of Environmental Advocate assists the public in obtaining agency information and technical data, encourages citizen participation during public comment periods, and works closely with DEP offices to develop informational workshops and public forums to address state environmental concerns.

During FY 13, OEA accomplished:

- 1) Assisted Morris Creek Watershed Association with energy tours in Taylor and Doddridge counties.
- 2) Continued to participate with government and non-government stakeholder-based workgroups to address state and regional environmental concerns.
- 3) Delivered DEP presentations to public schools, civic and environmental organizations, and community groups.
- 4) Participated in DEP-sponsored events, such as: DEP Day at the Legislature, Wetlands Day, Earth Day, West Virginia Recycles Day and various water festivals.
- 5) Aided in the formation of the Friends of the Hughes River Watershed Association.
- 6) Expanded assistance to citizens and environmental groups by providing technical assistance and clarification of DEP regulations and policies.
- 7) Coordinated information gathering site visits for citizens to coal mine operations with Article 3 new permit applications and renewal applications of existing permits.
- 8) Assisted the Guyandotte River Alliance with river and community improvement projects.
- 9) Organized and supervised freshwater mussel survey in the Kanawha River London Lock Pool.

Small Business Ombudsman

The Small Business Ombudsman assists, educates, and promotes the small business community in environmental compliance.

During FY13, Ombudsman accomplished:

- 1) Assisted approximately 200 businesses and organizations on permit and enforcement issues related to/ including; air, oil and gas, water-groundwater, storm-water, industrial wastewater, hazardous and solid waste, climate change, SPCC, used oil, and a variety of other topics.
- 2) Participated, assisted, and worked with: the West Virginia Development Office (domestic and international), the West Virginia Small Business Development Counsel Offices, United States Small Business Association, Industries of the Future, United States Environmental Protection Agency, Marshall University, West Virginia University, US and West Virginia Energy Departments, Teaming to Win, West Virginia Manufacturing Extension Partnership, Sustainable Schools, and Winfield and Buffalo high schools; elected Chair of the National Small Business Environmental Assistance Programs, facilitated work on the recreation of the information technology and e-permitting processes within the agency, assisted representatives from elected officials, and worked with DEP on cross-media issues for numerous companies and communities.
- 3) Gave numerous talks and speeches, regarding environmental issues around the state and nation to a variety of groups, including: West Virginia University, West Virginia Manufacturing Extension Partnership-sponsored statewide trainings, Putnam County High Schools and Trade School, Marshall University, among others.

Public Information Office

The Public Information Office provides the public with access to public records, environmental information, and educational resources. This includes writing news releases and acting as the agency point-of-contact for the media.



Supporting DEP Offices

During FY 13, PIO accomplished:

- 1) Composed, edited, laid-out, and published 12 editions of InDEPth, the agency's premier monthly newsletter. Articles involved agency action or participation, and employee occurrences. It can be accessed on the Web at <http://www.dep.wv.gov/pio/Pages/id99.aspx>.
- 2) Composed and published 95 news releases involving agency action or involvement.
- 3) Received and processed 1,708 Freedom of Information Act requests.
- 4) Began a news clippings service for issues involving or pertaining to DEP from state newspapers, collected in-house, saving the office approximately \$300 a month.
- 5) Printed public notices from the DEP Web site bimonthly and mailed them to list of West Virginia subscribers.
- 6) Created an 8' X 10' Display, showcasing the missions of DEP's four major divisions.
- 7) Served as coordinator for agency's participation in West Virginia's first Boy Scout Jamboree. West Virginia will host the Jamboree every four years in Fayette County.
- 8) Enrollment in the Youth Environmental Program for FY13 consisted of 835 youth groups, representing 74,602 members statewide.
- 9) Held three major events for YEP: Youth Environmental Day, which had 1,159 participants attend; Junior Conservation Camp, which had 205 campers and leaders attend; and the Youth Environmental Conference, which had 69 students and leaders attend. Each event was held at a state-sponsored facility at various locations across the state.
- 10) Provided environmental education services through the E3 (Economy, Energy, and the Environment) program to Marion, Gilmer, Fayette, Wyoming, Mingo, and Wood counties, offering a Cumulative Potential Savings of 9,338,172.00 kWh; 110,504.80 MMBTU; totaling more than \$3 million.
- 11) Held four Sustainability 101 and Environmental Management System Workshops, with a total of 230 participants.
- 12) West Virginia Sustainable Communities, a collaborative effort among state entities to promote energy, water, waste, and resource conservation; pollution prevention; and sustainability concepts and principles; awarded five Technical Assistance Mini-Grants, to support community-based efforts to advance sustainability goals for West Virginia.
- 13) Updated the opens and the graphics package, added additional studio lighting, created a virtual set, and arranged new music beds for the second season of Environment Matters.
- 14) Experienced a 348 percent increase in the number of views between the two fiscal years: FY 12 had 2,500 views and two subscribers and FY 13 had 8,700 views and 38 subscribers.
- 15) Produced three environmental videos, one being

created for the water program's Non-Point Source Program's inspection requirement for the EPA, and the other two as stories on Environment Matters.

Office of Administration

OA provides financial, personnel, procurement and property management services to all of DEP's program offices. OA provides technical assistance to program offices and adheres to statutory and policy directives regarding internal financial and personnel management. It facilitates efficient use of available technology; oversees management of inventory, facilities, records, and vehicles; and develops and oversees various internal policies and procedures.

During FY 13, OA accomplished:

- 1) Prepared DOP Board proposal to provide for a pay progression for employees in the Environmental Inspector and Office of Oil and Gas Inspector classifications. The proposal was approved by the DOP Board on Dec. 17.
- 2) Successfully implemented the wvOASIS Budgeting Component for the FY 2015 Appropriation Request.
- 3) Shifted significant funds from low earning overnight investments to longer term and higher yielding investments.
- 4) Implemented plans for operation with available funds due to budget cuts, reduced revenues and sequester.
- 5) Launched Customer Service and Employee Engagement Surveys to improve service of the OA and create plans for improved employee engagement.
- 6) Revised Sub-Grant Standard Operating Procedures to improve accountability for sub-grantees.
- 7) Implemented an electronic document management plan within the OA.
- 8) Relocated AML staff from inadequate office space in Philippi to Bridgeport.
- 9) Implemented Microsoft Live Meeting to reduce travel and improve meeting attendance, and promote better time management.
- 10) Established three new reports to assist in better decision making, regarding vehicles and finance.
- 11) Provided or brought training opportunities to DEP, including: Budget Narrative Training, Dale Carnegie Training, Defensive Driving Training, Active Shooter Training, Microsoft Live Meeting, and Grants Management Certification Training.
- 12) Submitted record retention schedules to the state Department of Administration.
- 13) Completed review of DOP allocations of all employees' titles for the PLANS Project.
- 14) Completed quarterly agency pay plan implementation raise reviews and documents provided to division directors for review in April, July and October.
- 15) Began profiles quarterly webinars for managers on assessments and manager reports.
- 16) Revised the DEP Travel Policy.



- 17) Launched Defensive Driving Training to the Agency.
- 18) Updated budget objectives for FY 2015.
- 19) Offered New Employee Orientation six times in 2013.
- 20) Created Agency-wide OASIS Team to help in DEP's transition to wvOASIS in July 2014 and January 2015.
- 21) Completed request and review of annual motor vehicle driving records.

Information Technology Office

ITO serves DEP's expanding information management needs with two sections: one develops and supports custom programs, and another supports the agency's geographic information systems and technical computing applications, developing spatial data applications for environmental and business use.

In FY 13, ITO accomplished:

- 1) Technical and Geographic Information System
 - 1) Completed production of multiple derived data products from West Virginia University's LiDAR data.
 - 2) Continued to work on the GeoMine project.
- 2) Application Development System
 - 1) Supports the Environmental Resource Information System (ERIS), which tracks regulatory data for multiple divisions within DEP; ePermitting, a public Web-based system which allows completion of applications without paper for any permit issued by DEP; and AirTrax II, a Web-based system which tracks similar data for the Division of Air Quality.
- 3) Put e-DMR on line for electronic reporting of Discharge Monitoring data.
- 4) Began the IRIS project to replace our aging regulatory software systems.
- 5) Updated numerous servers and upgraded our offsite Backup Disaster Recovery System.

Office of Legal Services

OLS represents the agency in permitting and enforcement actions before administrative boards, circuit courts and appellate courts, providing counsel to the agency offices on regulatory and legislative matters. OLS works with all divisions and offices in the DEP to assist with the implementation of regulatory programs.

During FY13, OLS accomplished:

- 1) Reached agreements in principle as co-plaintiffs with EPA in various federal CWA enforcement cases against polluting companies, with the institution of compliance measures, and more than \$11 million dollars in civil penalties payable to the State of West Virginia.
- 2) Reached settlements involving selenium and other pollutant limits in more than 20 permit appeals before the Environmental Quality Board.
- 3) Successfully defended a permit appeal before the

Environmental Quality Board in a case of first impression involving pollutant discharge from a large concentrated animal feeding operation into the waters of the State.

- 4) Established before the Environmental Quality Board, in a case of first impression, the agency's right to issue a permit to construct a facility with a zero-discharge permit condition. Such a permit allows the construction of a facility but no operation or discharge without a major modification.
- 5) Filed suit against a metals recycler that produces finished products in Brooke and Hancock Counties. The company processed waste materials containing titanium and zirconium compounds, these waste materials to be recycled were being speculatively accumulated and therefore, became hazardous wastes. Note: The New Cumberland site was the scene of an explosion which killed three individuals. The Consent Decree that has been lodged in the U.S. District Court for the Northern District of West Virginia mandates the removal of all hazardous wastes and materials (thousands of drums) from West Virginia in accordance with U.S. and State Department of Transportation rules. These rules require that any future production activities be performed only after specific approval from DEP.

Air Quality Board

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.

Board Members: J. Michael Koon, chairman; R. Thomas Hansen, Ph.D., vice chairman; Walt D. Helmick, Commissioner of the Department of Agriculture; Robert C. Orndorff; Marian L. Swinker, M.D., M.P.H., Commissioner of the Bureau for Public Health; Omayma Touma, M.D.

During FY 13, AQB accomplished:

- 1) Improved Website by expanding the number of appeal-related documents available to the public such as the notice of appeal and the certified record.
- 2) There was one new appeal filed and one order entered and downloaded to the board's Website database in keyword searchable format.

Environmental Quality Board

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.

Boards and Commissions

Board Members Edward M. Snyder, Ph.D., chairman; D. Scott Simonton, P.E., Ph.D., vice chairman; B. Mitchel Blake, Jr., Ph.D.; William H. Gillespie; Charles C. Somerville, Ph.D.

During FY 13, EQB accomplished:

- 1) Improved Website by expanding the number of appeal-related documents available to the public such as the notice of appeals and the certified record.
- 2) Held eight appeal hearings.
- 3) Filed 48 new appeals and entered 45 orders.
- 4) Downloaded 45 orders to the board's Website database in keyword searchable format.

Oil and Gas Conservation Commission

The Oil and Gas Conservation Commission regulates the drilling of deep wells in the state. It approves drilling permits and conducts hearings on matters relating to the exploration for or the production of oil and gas from deep wells. Hearings are held to determine the optimum spacing of wells, as well as to pool the interests of royalty owners and operators of a drilling unit. Additionally, it conducts hearings on matters of unitizing lands for the secondary recovery of oil and/or natural gas.

Commission Members

Barry K. Lay, chairman, commissioner; Anthony Gum, member; Robert Radabaugh, member; Randy Huffman, ex officio; James Martin, ex officio.

During FY 13, OGCC accomplished:

- 1) Approved 12 deep well approvals.
- 2) Held two administrative hearings.
- 3) Collected \$217,000 in leased acreage taxes.
- 4) Managed and maintained oil and gas well performance bonds.

Surface Mine Board

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

Surface Mine Board Members: Mark Schuerger, chairman, coal industry; Ed Grafton, vice-chairman, forestry; Don Michael, vice-chairman, agriculture; James Smith, engineering; Jon Hunter, advocacy of environmental protection; Henry Rauch, water pollution control; Ron Crites, general public interest; Charles K. Meadows, II, quarry operations.

During FY 2013, SMB accomplished:

1. Filed eight appeals.
2. Conducted nine hearings.
3. Entered nine orders.

Solid Waste Management Board

The Solid Waste Management Board (SWMB) develops solid waste management plans, makes loans and grants for solid waste disposal projects, and provides program implementation and technical assistance to West Virginia's 50 county and regional solid waste authorities (SWAs) and other governmental entities in solid waste management.

Board Members: Mark Schuerger, chairman, coal industry; Ed Grafton, vice chair, forestry; Don Michael, vice chair, agriculture; James Smith, engineering; Jon Hunter, advocacy of environmental protection; Henry Rauch, water pollution control; Ron Crites, general public interest; Charles K. Meadows II, quarry operations.

During FY 13, SWMB accomplished:

- 1) Met 11 times, evaluated and approved six Commercial Solid Waste Facility Siting Plans and six Comprehensive Litter and Solid Waste Control Plans; met 50 local solid waste authorities and municipalities to conduct program reviews, provide technical, financial and business assistance, promoted recycling, market development, and planning functions; and conducted a two-day training session for 27 solid waste authority members and staff on Managing Recycling Systems presented by the Solid Waste Association of North America.
- 2) Distributed \$1.4 million in solid waste assessment fees to 50 local and regional solid waste authorities; awarded \$332,000 in grants to 26 local SWAs for a variety of improvement projects, including landfill and recycling processing equipment, financial examinations, educational training, and certifications.
- 3) Completed 28 quarterly performance measures and two biennial performance reviews on SWAs operating commercial solid waste facilities to gauge productivity, determine effectiveness and efficiency of facility operations, and identify serious impairments.
The Board published the 2013 West Virginia Solid Waste Management Plan two year update, which is available on line at <http://www.state.wv.us/swmb/RMDP/2013StatePlan/2013%20Plan%20-%20Full%20Document.pdf> .
- 4) Redesigned Web site to include more information and make it user friendly, and created a Facebook page to further communication efforts.

Department of Environmental Protection

2012-13 DEP Annual Report Financial Statement

DISBURSEMENT OF FUNDS By Funding Source	
Fiscal Year 2013	
General Revenue:	
Personal Services (incl. increment)	3,186,376
Employee Benefits	1,160,634
Unclassified	733,975
Meth Lab Cleanup	217,527
Dam Safety Fund	216,966
WV Stream Partners Program	77,396
WV Contributions to River Commissions	148,484
OWR Non-Enforcement (TMDL)	1,204,279
Water Resources Protection and Management	581,792
BRIM	56,802
Total General Revenue Funds Disbursed	7,584,231
Federal Funding:	
Personal Services (incl. increment)	14,858,435
Employee Benefits	5,474,634
Unclassified	78,324,159
Federal Stimulus	1,405,900
Total Federal Funds Disbursed	100,063,128
Special Revenue-Appropriated:	
Personal Services (incl. increment)	11,202,989
Employee Benefits	4,053,347
Unclassified	30,038,064
Total Appropriated Special Revenue Funds Disbursed	45,294,400
Special Revenue-Non Appropriated:	
Personal Services (incl. increment)	8,846,534
Employee Benefits	3,341,674
Unclassified	107,617,149
Total Non Appropriated Special Revenue Funds Disbursed	119,805,357
TOTAL FUNDS DISBURSED	272,747,116
DISBURSEMENT OF FUNDS By Office	
Fiscal Year 2013	
Executive - Administration Office:	
Personal Services (incl. increment)	3,898,463
Employee Benefits	1,360,261
Unclassified	5,268,118
Total Disbursements	10,526,842
Office of Oil and Gas	
Personal Services (incl. increment)	1,691,391
Employee Benefits	634,246
Unclassified	1,658,642
Total Disbursements	3,984,279
Abandoned Mine Lands and Reclamation	
Personal Services (incl. increment)	2,912,650
Employee Benefits	1,061,794
Unclassified	41,540,312
Total Disbursements	45,514,757
Mining and Reclamation:	
Personal Services (incl. increment)	8,525,650
Employee Benefits	3,216,788
Unclassified	13,977,734
Total Disbursements	25,720,172

Air Quality:	
Personal Services (incl. increment)	4,824,901
Employee Benefits	1,650,435
Unclassified	1,330,149
Total Disbursements	7,805,485
Land Restoration:	
Personal Services (incl. increment)	1,661,152
Employee Benefits	637,219
Unclassified	36,443,708
Total Disbursements	38,742,080
Water and Waste Management:	
Personal Services (incl. increment)	3,748,158
Employee Benefits	1,363,247
Unclassified	130,957,790
Total Disbursements	136,069,195
Environmental Enforcement:	
Personal Services (incl. increment)	1,985,435
Employee Benefits	764,626
Unclassified	1,634,246
Total Disbursements	4,384,307
TOTAL DISBURSEMENTS	272,747,116
STATEMENT OF RECEIPTS AND DISBURSEMENTS	
FISCAL YEAR 2013	
Fund 3023 - Hazardous Waste Management Fee Fund	
Beginning Cash at August 1, 2012	1,117,532
Revenues:	
FOIA	38
Permits	3,000
Fees	655,891
Int. on Investments-Short Term	1,865
Cost Recovery Fee	<u>-100</u>
TOTAL REVENUE	660,694
Expenditures:	
Personal Services	237,069
Benefits	93,804
Unclassified	<u>72,493</u>
TOTAL EXPENDITURES	403,366
Ending Cash at July 31, 2013	1,374,860
Fund 3024 - Air Pollution Education and Environment Fund	
Beginning Cash at August 1, 2012	1,989,720
Revenues:	
Fines and Penalties	1,028,638
Court Settlement Revenues	9,020
TOTAL REVENUE	1,037,658
Expenditures:	
Personal Services	186,821
Benefits	75,332
Unclassified	<u>67,086</u>
TOTAL EXPENDITURES	329,239
Ending Cash at July 31, 2013	2,698,139
Fund 3025 - Dam Safety Rehabilitation Revolving Fund	
Beginning Cash at July 1, 2012	1,047,461
Revenues:	
Int. on Investments-Short Trm	1,436
Operating Funds Transfer	<u>17,255</u>
TOTAL REVENUE	18,691
TOTAL EXPENDITURES	0
Ending Cash at June 30, 2013	1,066,152

Financial Statement

Fund 3206 - The Dam Safety Fund		
Beginning Cash at July 1, 2012		383,696
Revenues:	FOIA	257
	Permits	16,000
	Int. on Investments-Shrt Trm	616
	Fees	175
	Fines & Penalties	75,000
	Other Registration Fees	750
	Operating Permit Fees	<u>8,300</u>
TOTAL REVENUE		101,098
Expenditures: Unclassified		20,842
TOTAL EXPENDITURES		<u>20,842</u>
Ending Cash at June 30, 2013		463,952

Fund 3217 - Leaking Underground Storage Tank Response Fund		
Beginning Cash at July 1, 2012		384,774
Revenues:	FOIA	10
	Fees	115,140
	Int. on Investments-Shrt Trm	<u>521</u>
TOTAL REVENUE		115,671
Expenditures: Unclassified		<u>33,837</u>
TOTAL EXPENDITURES		<u>33,837</u>
Ending Cash at June 30, 2013		466,608

Fund 3218 - Underground Storage Tank Insurance Fund		
Beginning Cash at July 1, 2012		6,521,904
Revenues:	Fees	400
	Int. on Investments-Shrt Trm	<u>8,443</u>
TOTAL REVENUE		8,843
Expenditures: Unclassified		<u>644,386</u>
TOTAL EXPENDITURES		<u>644,386</u>
Ending Cash at June 30, 2013		5,886,361

Fund 3220 - Groundwater Protection Fund		
Beginning Cash at July 1, 2012		1,615,325
Revenues:	Fees	20
	Permits	1,008,125
	Misc.	50
	Other Registration Fees	3,265
	Int. on Investments-Shrt Trm	<u>2,471</u>
TOTAL REVENUE		1,013,931
Expenditures: Personal Services, Benefits, Unclassified		550,131
TOTAL EXPENDITURES		<u>550,131</u>
Ending Cash at June 30, 2013		2,079,125

Fund 3222 - Groundwater Remediation Fund		
Beginning Cash at July 1, 2012		782,960
Revenues:	Fees	
	Int. on Investments-Shrt Trm	1,052
	Fines and Penalties	28,060
TOTAL REVENUE		9,111
Expenditures: Personal Services, Benefits, Unclassified		45,456
TOTAL EXPENDITURES		45,456
Ending Cash at June 30, 2013		766,615

3255 - Performance Bond Monongalia Co. Landfill Fund		
Beginning Cash at July 1, 2012		630,352
Revenues:	Investment Earnings	852
TOTAL REVENUE		<u>852</u>
Ending Cash at June 30, 2013		631,204

Fund 3301 - Operator Permit Fees Fund		
Beginning Cash at July 1, 2012		3,088,677
Revenues:	FOIA	25,258
	Permits	3,000
	Misc.	1,201
	Other Registration Fees	5,040
	Operating Permit Fees	<u>1,879,810</u>
TOTAL REVENUE		1,914,309
Expenditures: Personal Services Benefits Unclassified		2,274,058
TOTAL EXPENDITURES		<u>2,274,058</u>
Ending Cash at June 30, 2013		2,728,929

3310 - Oil and Gas Trust Deposit Fund		
Beginning Cash at July 1, 2012		101,743
Revenues:	Int. on Investments-Shrt Trm	137
TOTAL REVENUE		137
Ending Cash at June 30, 2013		101,880

Fund 3312 - Special Reclamation Water Quality Fund		
Beginning Cash at July 1, 2012		213,929
Revenues:	Royalty Income	368
	Insurance Proceeds-Equip Loss	6,406
	Court Settlement Revenues	500
	Statutory Transfers	<u>10,080,000</u>
TOTAL REVENUE		10,087,274
Expenditures: Personal Services Benefits Unclassified		7,338,229
TOTAL EXPENDITURES		<u>7,338,229</u>
Ending Cash at June 30, 2013		2,962,974

3317 - Special Reclamation Administration Fund		
Beginning Cash at July 1, 2012		58,043
Revenues:	Statutory Transfers	2,064,000
TOTAL REVENUE		2,064,000
Expenditures: Personal Services Benefits Unclassified		1,885,487
TOTAL EXPENDITURES		<u>1,885,487</u>
Ending Cash at June 30, 2013		236,556

Fund 3321 - Special Reclamation Trust Fund		
Beginning Cash at August 1, 2012		71,836,197
Revenues:	FOIA	5
	Bond Forfeitures	328,792
	Operating Permit Fees	33,407
	Int. on Investments-Shrt Trm	96,825
	Administrative Settlement	412,656
	Coal Tonnage Fees	15,277,933
	Fines and Penalties	644,364
	Court Settlement Revenues	<u>76,463</u>
TOTAL REVENUE		16,870,446
Expenditures: Personal Services Benefits Unclassified Transfers		474,402
		189,553
		3,168,694
		<u>12,144,000</u>
TOTAL EXPENDITURES		<u>15,976,649</u>
Ending Cash at July 31, 2013		72,729,994

Department of Environmental Protection

Fund 3322 - Oil and Gas Reclamation Trust		
Beginning Cash at August 1, 2012		150,477
Revenues: Bond Forfeitures	5,000	
Well Work Permit Fees	<u>141,400</u>	
TOTAL REVENUE		146,400
Expenditures: Personal Services	32,917	
Benefits	17,852	
Unclassified	<u>0</u>	
TOTAL EXPENDITURES		<u>50,769</u>
Ending Cash at July 31, 2013		246,108
3323 - Oil and Gas Operating Permits		
Beginning Cash at August 1, 2012		2,520,559
Revenues: FOIA	1,852	
Insurance Proceeds-Equip Loss	985	
Fines & Penalties	63,925	
Well Work Permit Fees	315,517	
Horizontl WellCtrl Permit Fee	<u>3,829,600</u>	
TOTAL REVENUE		4,211,879
Expenditures: Personal Services	1,336,119	
Benefits	508,835	
Unclassified	<u>1,496,769</u>	
TOTAL EXPENDITURES		<u>3,341,724</u>
Ending Cash at July 31, 2013		3,390,714
Fund 3324 - Mining and Reclamation Operations Fund		
Beginning Cash at August 1, 2012		3,962,424
Revenues: Int. on Ivestments-Shrt Trm	4,540	
Prior Year Expiring Funds	904	
Coal Tonnage Fees	2,369,373	
Ins Proceeds-Equip Loss	<u>2,305</u>	
TOTAL REVENUE		2,377,121
Expenditures: Personal Services	2,092,441	
Benefits	788,845	
Unclassified	<u>1,323,522</u>	
TOTAL EXPENDITURES		<u>4,204,809</u>
Ending Cash at July 31, 2013		2,134,737
Fund 3325 - Underground Storage Tank Administrative Fund		
Beginning Cash at August 1, 2012		937,314
Revenues: FOIA	1,840	
Fees	315,059	
Permits	300	
Examination Fees	335	
Misc.	310	
Int. on Investments-Shrt Trm	1,201	
Other Registration Fees	7,200	
Fines and Penalties	<u>75,808</u>	
TOTAL REVENUE		402,053
Expenditures: Personal Services	171,545	
Benefits	73,176	
Unclassified	<u>227,417</u>	
TOTAL EXPENDITURES		<u>472,138</u>
Ending Cash at July 31, 2013		867,229
3326 - Hazardous Waste Management HG1479 Fund		
Beginning Cash at July 1, 2012		637,325
Revenues: FOIA	785	
Fees	500	
Cost Recovery Fee	11,270	
Hazardous Waste Permits	36,750	
Fines and Penalties	<u>267,250</u>	

TOTAL REVENUE		316,555
Expenditures: Personal Services		
Benefits		
Unclassified	137,215	
TOTAL EXPENDITURES		<u>137,215</u>
Ending Cash at June 30, 2013		816,665
Fund 3327 - Water Quality Management Fund		
Beginning Cash at July 1, 2012		20,967,738
Revenues: FOIA	19,759	
SNAP Prior Yr Funds	5,941	
Audit Fees	281,486	
"In-Lieu Of" Mit Fees	13,459,070	
Vol. Rem. -Application Fee	550	
Permits	3,528,666	
Misc.	1,659	
Cost Recovery Fee	934	
Int. on Investments-Shrt Trm	31,176	
Operating Permit Fees	1,931,576	
Fines and Penalties	1,955,098	
Bankruptcy Recoveries	<u>6,089</u>	
TOTAL REVENUE		21,222,004
Expenditures: Personal Services		
Benefits		
Unclassified	9,859,768	
TOTAL EXPENDITURES		<u>9,859,768</u>
Ending Cash at June 30, 2013		32,329,975
Fund 3328 - Closure Cost Assistance Fund		
Beginning Cash at July 1, 2012		17,710,562
Revenues: Solid Waste Assessment Fees	23,155	
Int. on Ivestments-Shrt Trm	<u>7,621,091</u>	
TOTAL REVENUE		7,644,245
Expenditures: Personal Services		
Benefits		
Unclassified	7,796,682	
TOTAL EXPENDITURES		<u>7,796,682</u>
Ending Cash at June 30, 2013		17,558,126
3329 - Water Pollution Control Revolving Fund		
Beginning Cash at July 1, 2012		112,697,191
Revenues: Principal Repayments	382,902	
State Matching Funds	4,162,000	
Int. on Ivestments-Shrt Trm	143,311	
Operating Funds Transfer	29,501,771	
Interagency Fed Payments	<u>30,605,698</u>	
TOTAL REVENUE		64,795,682
Expenditures: Personal Services, Benefits		
Unclassified	84,822,124	
TOTAL EXPENDITURES		<u>84,822,124</u>
Ending Cash at June 30, 2013		92,670,749
Fund 3331 - Hazardous Waste Emergency and Response Fund		
Beginning Cash at August 1, 2012		680,401
Revenues: Fees	7,249	
Vol. Rem.-Application Fee	753	
Cost Recovery Fee	23,544	
Int. on Investments-Shrt Trm	748	
Prior Yr Expiring Funds	63,010	
Solid Waste Assessment Fees	556,978	
Fines and Penalties	17,854	
Court Settlement Revenues	582	

Financial Statement

TOTAL REVENUE		670,718
Expenditures: Personal Services	368,868	
Benefits	145,383	
Unclassified	345,211	
TOTAL EXPENDITURES		859,462
Ending Cash at July 31, 2013		491,657
Fund 3332 - Solid Waste Reclamation & Environmental Response		
Beginning Cash at August 1, 2012		95,377
Revenues: Fees	-2,573	
Prior Yr Expiring Funds	134	
Solid Waste Assessment Fees	1,101,340	
Operating Funds Transfer	1,201,078	
Fines and Penalties	21,967	
TOTAL REVENUE		2,321,946
Expenditures: Personal Services	327,906	
Benefits	126,485	
Unclassified	1,867,009	
TOTAL EXPENDITURES		2,321,400
Ending Cash at July 31, 2013		95,923
3333 - Solid Waste Enforcement Fund		
Beginning Cash at August 1, 2012		6,938,640
Revenues: Fines & Penalties	8,700	
Fees	7,000	
Prior Year Expiring Funds	2,562	
FOIA	843	
Permits	26,500	
Solid Waste Assesmnt Fees	3,266,174	
TOTAL REVENUE		3,311,780
Expenditures: Personal Services	1,239,934	
Benefits	433,175	
Unclassified	761,783	
Transfers	300,000	
TOTAL EXPENDITURES		2,734,893
Ending Cash at July 31, 2013		7,515,527
Fund 3336 - Air Pollution Control Fund		
Beginning Cash at August 1, 2012		2,004,758
Revenues: FOIA	1,695	
Fees	5,374,911	
Permits	493,850	
Prior Year Expiring Funds	1,195	
Certificate to Operate	297,098	
TOTAL REVENUE		6,168,749
Expenditures: Personal Services	3,646,758	
Benefits	1,212,418	
Unclassified	1,390,296	
TOTAL EXPENDITURES		6,249,473
Ending Cash at July 31, 2013		1,924,034
Fund 3337 - Gifts and Donations Fund		
Beginning Cash at July 1, 2012		171,007
Revenues: Misc.	100	
Stream Gauging Stations	45,334	
Inter-Agency Fed Payments	258,818	
Gifts and Donations	61,742	
TOTAL REVENUE		365,994
Expenditures: Benefits	0	
Unclassified	438,297	
TOTAL EXPENDITURES		438,297
Ending Cash at June 30, 2013		98,704

Fund 3340 - Environmental Laboratory Certification Fund		
Beginning Cash at August 1, 2012		446,494
Audit Fees	36,910	
Permits	1,470	
Certificate to Operate	362,130	
Int. on Investments-Shrt Trm	721	
Quarry Fees	620	
TOTAL REVENUE		401,851
Expenditures: Personal Services	95,099	
Benefits	40,242	
Unclassified	47,608	
TOTAL EXPENDITURES		182,949
Ending Cash at July 31, 2013		665,397
Fund 3342 - Water Pollution Revol Fd - Admin Fees		
Beginning Cash at July 1, 2012		5,663,306
Revenues: Administrative Fees-Coll	2,423,657	
Principal Repayments	460	
Non-Fed Grants	14,322	
Int. on Investments-Shrt Trm	5,249	
TOTAL REVENUE		2,443,689
Expenditures: Personal Services		
Benefits		
Unclassified	1,823,712	
TOTAL EXPENDITURES		1,823,712
Ending Cash at June 30, 2013		6,283,283
3345 - Special Reclamation Tax Clearing Account		
Beginning Cash at July 1, 2012		1,340,093
Revenues: Int. on Investments-Shrt Trm	20	
Coal Tonnage Fees	1,420,524	
TOTAL REVENUE		1,420,544
Expenditures: Unclassified	0	
TOTAL EXPENDITURES		0
Ending Cash at June 30, 2013		2,760,637
Fund 3347 - Voluntary Remediation Administrative Fund		
Beginning Cash at July 1, 2012		1,258,648
FOIA	2,070	
Permits	5,000	
Vol. Rem. Application Fee	34,000	
Cost Recovery Fee	384,483	
Other Registration Fees	7,500	
Int. on Investments-Shrt Trm	2,548	
TOTAL REVENUE		435,601
Expenditures: Personal Services	0	
Benefits	0	
Unclassified	451,441	
TOTAL EXPENDITURES		451,441
Ending Cash at June 30, 2013		1,242,808
Fund 3349 - Stream Restoration Fund		
Beginning Cash at August 1, 2012		16,265,155
Revenues: Stream Restoration	87,674	
Int. on Investments-Shrt Trm	21,754	
FOIA	240	
Fines & Penalties	1,177,780	
TOTAL REVENUE		1,287,449
Expenditures: Personal Services, Benefits	0	
Unclassified	4,439,388	
TOTAL EXPENDITURES		4,439,388
Ending Cash at July 31, 2013		13,113,216

Department of Environmental Protection

Fund 3480 - Covered Electronic Devices Takeback Fund		
Beginning Cash at July 1, 2012		258,260
Revenues: Departmental Collections	103,000	
TOTAL REVENUE		103,000
Expenditures: Unclassified	131,577	
TOTAL EXPENDITURES		131,577
Ending Cash at June 30, 2013		229,683
Fund 3482 - Special Reclamation Water Trust Fund		
Beginning Cash at July 1, 2012		7,864,137
Revenues: Int. on Investments-Shrt Trm	18,188	
Coal Tonnage Fees	<u>14,605,229</u>	
TOTAL REVENUE		14,623,417
Expenditures:	0	
TOTAL EXPENDITURES		0
Ending Cash at June 30, 2013		22,487,554
3484 - Highway Litter Control Program		
Beginning Cash at July 1, 2012		644,681
Revenues: Fees	375,000	
TOTAL REVENUE		375,000
Expenditures: Personal Services, Benefits	0	
Unclassified	<u>413,035</u>	
TOTAL EXPENDITURES		413,035
Ending Cash at June 30, 2013		606,646
Fund 3486 - Litter Control Fund		
Beginning Cash at August 1, 2012		51,786
Revenues: Fees	58,832	
Misc.	<u>6,059</u>	
TOTAL REVENUE		64,891
Expenditures: Unclassified	25,380	
TOTAL EXPENDITURES		25,380
Ending Cash at July 31, 2013		91,298
3487 - Recycling Assistance Fund		
Beginning Cash at August 1, 2012		1,700,310
Revenues: Prior Yr. Expiring Funds	3,622	
Solid Waste Assess Fees	<u>2,227,911</u>	
TOTAL REVENUE		2,231,533
Expenditures: Personal Services	274,091	
Benefits	95,391	
Unclassified	<u>1,438,062</u>	
TOTAL EXPENDITURES		1,807,544
Ending Cash at July 31, 2013		2,124,299
Fund 3488 - Shiloh Environmental and Landfill Trust		
Beginning Cash at July 1, 2012		292,843
Revenues: Int. on Investments-Shrt Trm	396	
TOTAL REVENUE		396
Expenditures: Unclassified	0	
TOTAL EXPENDITURES		0
Ending Cash at June 30, 2013		293,239
Fund 3490 - Mountain Top Removal		
Beginning Cash at August 1, 2012		5,122,530
Revenues: FOIA	48	
Fees	1,357,884	
Certificate to Operate	800	
Blaster Fees <300,000 Tons	33,909	
Fees for Training	180	
Misc.	1,075	

	Int. on Investments-Shrt Trm	6,754	
	Other Registration Fees	<u>11,890</u>	
TOTAL REVENUE			1,412,540
Expenditures: Personal Services	719,019		
Benefits	252,855		
Unclassified	585,934		
Transfers	<u>337,413</u>		
TOTAL EXPENDITURES			1,895,221
Ending Cash at July 31, 2013			4,639,849
3492 - Bond Pooling Fund			
Beginning Cash at July 1, 2012			1,202,125
Revenues: Performance Bonds	90,663		
TOTAL REVENUE			90,663
Expenditures: Unclassified	0		
TOTAL EXPENDITURES			0
Ending Cash at June 30, 2013			1,292,788
Fund 3493 - Quarry Reclamation Fund			
Beginning Cash at July 1, 2012			244,852
Revenues: Int. on Investments-Shrt Trm	2,004		
Timber and Wood Fees	656		
Fines and Penalties	<u>2,260</u>		
TOTAL REVENUE			4,920
Expenditures: Unclassified	0		
TOTAL EXPENDITURES			0
Ending Cash at June 30, 2013			249,772
Fund 3494 - Quarry Inspection and Enforcement Fund			
Beginning Cash at July 1, 2012			58,300
Revenues: Int. on Investments-Shrt Trm	77		
Operating Permit Fees	<u>15,660</u>		
TOTAL REVENUE			15,737
Expenditures: Unclassified	14,463		
TOTAL EXPENDITURES			14,463
Ending Cash at June 30, 2013			59,574
Fund 8708 - Federal Funds			
Beginning Cash at August 1, 2012			8,347,245
Revenues: Direct Costs - DOD	87,503	Indirect	
Costs - DOD	21,440		
Direct Costs - EPA	37,888,686		
Indirect Costs - EPA	1,552,707		
Direct Costs - FG	53,546,642		
Indirect Costs - FG	3,425,114		
FEMA Direct Costs	208,958		
Prior Year Expiring Funds	1,090		
Fed Econ Stimulus 2009	<u>1,405,900</u>		
TOTAL REVENUE			98,138,040
Expenditures: Personal Services	14,858,435		
Benefits	5,474,634		
Unclassified	<u>79,730,059</u>		
TOTAL EXPENDITURES			100,063,128
Ending Cash at July 31, 2013			6,422,156
Fund 8796 - Acid Mine Drainage Abatement & Treatment Fund			
Beginning Cash at July 1, 2012			41,665,041
Revenues: Int. on Investments-Shrt Trm	55,649		
TOTAL REVENUE			55,649
Expenditures: Unclassified	1,099,473		
TOTAL EXPENDITURES			1,099,473
Ending Cash at June 30, 2013			40,621,218

Financial Statement

APPROPRIATION BALANCES Fiscal Year 2013

ACTIVITY	APPROPRIATION	EXPENDED	REMAINING BALANCE
Fund 0273- ENVIRONMENTAL PROTECTION GENERAL REVENUE FUND			
001 PERSONAL SERVICES	3,194,322.00	3,124,909.66	69,412.34
004 INCREMENT	66,768.00	61,466.71	5,301.29
010 EMPLOYEE BENEFITS	1,181,725.00	1,160,634.26	21,090.74
068 Water Resource Protection and Management	581,897.00	581,791.65	105.35
Other (064, 070, 130, 690)	744,646.00	733,974.74	10,671.26
474 Meth Lab Cleanup-Surplus	186,550.89	151,792.11	34,758.78
607 DAM SAFETY	216,966.00	216,965.59	0.41
637 WV STREAM PARTNERS PROGRAM	77,396.00	77,396.00	0.00
656 Meth Lab Cleanup-Surplus *	227,142.00	65,734.81	161,407.19
776 WV CONTRIBUTIONS TO RIVER COMMISSIONS	148,485.00	148,484.00	0.00
855 OFFICE OF WATER RESOURCES-NON ENFORCEMENT	1,218,139.00	1,204,279.22	13,859.78
913 BRIM PREMIUM	56,802.00	56,802.00	0.00
TOTAL	7,900,838.89	7,584,230.75	316,607.14
Fund 3321- SPECIAL RECLAMATION TRUST FUND			
001 PERSONAL SERVICES	941,554.00	469,181.98	472,372.02
004 INCREMENT	11,700.00	5,220.00	6,480.00
010 EMPLOYEE BENEFITS	397,575.00	189,552.91	208,022.09
UNCLASSIFIED	16,644,648.00	3,168,694.03	13,475,953.97
426 Transfers to 3312 and 3317 - no affect to appropriation spending limit		12,144,000.00	0.00
TOTAL	17,995,477.00	15,976,648.92	14,162,828.08
Fund 3322- OIL AND GAS RECLAMATION TRUST FUND			
096 UNCLASSIFIED	675,923.00	50,768.74	625,154.26
TOTAL	675,923.00	50,768.74	625,154.26
Fund 3323- OIL AND GAS OPERATING PERMITS			
001 PERSONAL SERVICES	1,819,999.00	1,324,433.69	495,565.31
004 INCREMENT	15,809.00	11,685.67	4,123.33
010 EMPLOYEE BENEFITS	769,073.00	508,835.21	260,237.79
UNCLASSIFIED	1,547,925.00	1,496,768.96	51,156.04
TOTAL	4,152,806.00	3,341,723.53	811,082.4
Fund 3324- MINING AND RECLAMATION OPERATIONS FUND			
001 PERSONAL SERVICES	3,304,137.00	2,049,003.85	1,255,133.15
004 INCREMENT	67,470.00	43,436.89	24,033.11
010 EMPLOYEE BENEFITS	1,544,713.00	788,845.39	755,867.61
UNCLASSIFIED	2,773,495.00	1,323,522.46	1,449,972.54
TOTAL	7,689,815.00	4,204,808.59	3,485,006.41
Fund 3325- UNDERGROUND STORAGE TANK ADMINISTRATIVE FUND			
001 PERSONAL SERVICES	241,667.00	168,784.93	72,882.07
004 INCREMENT	2,760.00	2,760.00	0.00
010 EMPLOYEE BENEFITS	75,471.00	73,175.50	2,295.50
UNCLASSIFIED	244,048.00	227,417.16	16,630.84
TOTAL	563,946.00	472,137.59	91,808.41
Fund 3331- HAZARDOUS WASTE EMERGENCY AND RESPONSE FUND			
001 PERSONAL SERVICES	435,904.00	361,248.09	74,655.91
004 INCREMENT	7,650.00	7,620.00	30.00
010 EMPLOYEE BENEFITS	187,762.00	145,383.07	42,378.93
UNCLASSIFIED	462,719.00	345,210.73	117,508.27
TOTAL	1,094,035.00	859,461.89	234,573.11
Fund 3332- SOLID WASTE RECLAMATION AND ENVIRON. RESPONSE			
001 PERSONAL SERVICES	559,784.00	321,665.73	238,118.27
004 INCREMENT	7,074.00	6,240.00	834.00
010 EMPLOYEE BENEFITS	211,534.00	126,485.39	85,048.61
UNCLASSIFIED	4,000,575.00	1,867,008.68	2,133,566.32
TOTAL	4,778,967.00	2,321,399.80	2,457,567.20

Department of Environmental Protection

Fund 3333- ENVIRONMENTAL ENFORCEMENT FUND		APPROPRIATION	EXPENDED	REMAINING BALANCE
001	PERSONAL SERVICES	1,829,228.00	1,214,178.03	615,049.97
004	INCREMENT	27,059.00	25,755.76	1,303.24
010	EMPLOYEE BENEFITS	802,409.00	433,175.47	369,233.53
	UNCLASSIFIED	1,259,102.00	761,783.40	497,318.60
426	Transfers to 3332 - no affect to appropriation spending limit		300,000.00	
	TOTAL	3,917,798.00	2,734,892.66	1,482,905.34
Fund 3336- AIR POLLUTION CONTROL FUND				
001	PERSONAL SERVICES	4,185,930.00	3,596,541.39	589,388.61
004	INCREMENT	50,217.00	50,217.00	0.00
010	EMPLOYEE BENEFITS	1,558,308.00	1,212,418.48	345,889.52
	UNCLASSIFIED	2,108,279.00	1,390,295.78	717,983.22
	TOTAL	7,902,734.00	6,249,472.65	1,653,261.35
Fund 3340- ENVIRONMENTAL LABORATORY CERTIFICATION FUND				
001	PERSONAL SERVICES	162,607.00	93,468.22	69,138.78
004	INCREMENT	2,280.00	1,630.48	649.52
010	EMPLOYEE BENEFITS	67,285.00	40,242.00	27,043.00
	UNCLASSIFIED	142,180.00	47,608.02	94,571.98
	TOTAL	374,352.00	182,948.72	191,403.28
Fund 3349- STREAM RESTORATION FUND				
096	UNCLASSIFIED	11,298,205.00	4,439,387.77	6,858,817.23
Fund 3023 - HAZARDOUS WASTE MANAGEMENT FEE FUND				
001	PERSONAL SERVICES	349,180.00	232,089.09	117,090.91
004	INCREMENT	5,100.00	4,980.00	120.00
010	EMPLOYEE BENEFITS	156,736.00	93,804.06	62,931.94
	UNCLASSIFIED	94,413.00	72,225.07	22,187.93
	TOTAL	605,429.00	403,098.22	202,330.78
Fund 3024 - AIR POLLUTION EDUCATION AND ENVIRONMENT FUND				
001	PERSONAL SERVICES	317,311.00	183,760.96	133,550.04
004	INCREMENT	3,060.00	3,060.00	0.00
010	EMPLOYEE BENEFITS	144,923.00	75,331.93	69,591.07
	UNCLASSIFIED	551,357.00	67,085.94	484,271.06
	TOTAL	1,016,651.00	329,238.83	687,412.17
Fund 3486 - LITTER CONTROL FUND				
096	UNCLASSIFIED	60,000.00	25,379.53	34,620.47
Fund 3487 - RECYCLING ASSISTANCE FUND				
001	PERSONAL SERVICES	386,523.00	271,919.62	114,603.38
004	INCREMENT	2,471.00	2,171.00	300.00
010	EMPLOYEE BENEFITS	154,550.00	95,391.34	59,158.66
	UNCLASSIFIED	2,242,758.00	1,438,062.02	804,695.98
	TOTAL	2,786,302.00	1,807,543.98	978,758.02
Fund 3490- EXPLOSIVES AND BLASTING FUND				
001	PERSONAL SERVICES	821,246.00	705,701.44	115,544.56
004	INCREMENT	13,318.00	13,318.00	0.00
010	EMPLOYEE BENEFITS	343,781.00	252,854.73	90,926.27
	UNCLASSIFIED	709,246.00	585,933.74	123,312.26
426	TRANSF TO COALFIELD DEV OFFICE (does not affect appropriation spending limit)	337,412.97	0.00	
	TOTAL	1,887,591.00	1,895,220.88	329,783.09
Fund 8708- FEDERAL FUNDS				
096	UNCLASSIFIED	201,406,475.00	98,657,228.19	102,749,246.81
891	FEDERAL ECONOMIC STIMULUS	2,007,850.00	1,405,900.30	601,949.70
	TOTAL	203,414,325.00	100,063,128.49	103,351,196.51



west virginia department of environmental protection

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