



west virginia department of environmental protection

Fiscal year 2011-2012 Annual Report

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

Protecting, restoring and supporting roles in promoting a healthy environment

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“Promoting a healthy environment”

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Protecting the 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. The following is a breakdown of the DEP's accomplishments over the 2011-2012 fiscal year by division or office:

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 12, 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 WV sites; the Washington, D.C., national air toxic trends site; and other states' toxic monitoring sites. Received an EPA grant of \$22,600 to support operation of an ICP-Mass Spectrometer.
- 3) Operated 21 air monitoring sites, including three air toxics sites and three fine particle speciation sites, and a network monitor on behalf of EPA's national radiation monitoring program.
- 4) Refurbished an air monitoring site in Vienna by replacing the environmentally controlled shelter and security fence, installing a sampling platform, and upgrading the electrical service.
- 5) Began monitoring for lead near an industrial Pb source; conducted analysis of Pb in particulate matter-the DAQ laboratory is used for both the West Virginia site and a Pb monitoring site in Washington, D.C.

Air Toxics Program - Diesel Exhaust Emissions

- 1) Partially off-set replacement costs for four new school buses within the Fayette County Schools fleet ahead of their normal attrition cycle; sold older buses as scrap to ensure they were no longer in use; ensured that the new buses met the latest EPA engine emission standards.

Compliance and Enforcement

- 1) Conducted 914 full compliance inspections of air pollution sources, 89 of which were major sources of air pollution.
- 2) Conducted 268 partial evaluations of air pollution sources.
- 3) Reviewed 969 self monitoring reports of air pollution sources.
- 4) Investigated 832 citizen complaints.
- 5) Inspected 37 asbestos demolition or renovation projects.
- 6) Reviewed 50 source performance tests, stack tests, and RATA's.

- 7) Reviewed 242 Title V annual certification reports.
- 8) Issued 39 notices of violation.
- 9) Issued four cease and desist orders.
- 10) Negotiated 16 consent orders to settle violations.
- 11) Collected \$707,077 as a result of the consent orders.

Hazardous and Solid Waste Air Program

- 1) Issued an approval of Confirmatory Performance Test Plan to two hazardous waste facilities.
- 2) Conducted 40 compliance site inspections of hazardous waste air pollution sources.
- 3) Conducted 17 used and waste oil burner source inspections.
- 4) Assisted in the development/update of the 2011-12 DAQ - HSWAP air rules 45 CSR 25, 45 CSR 16 and 34, and 45 CSR 18.
- 5) Submitted to the EPA the required grant reports on both RCRA and CAA 111(d)/129 programs.
- 6) 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.
- 7) Submitted CAA 111(d)/129 modified plan for Hospital/Medical /Infectious Waste Incinerators for EPA approval.

Permitting

Title V program

- 1) Issued 49 permit revisions, including six administrative amendments, 29 minor and 14 significant modifications.
- 2) Issued 61 renewal permits.
- 3) Reviewed two off-permit changes.

New Source Review program

- 1) Issued a total of 399 permits: 78 Construction/Modification; 67 administrative updates; 155 general permit registrations
- 2) Rendered 92 decisions on permit determinations.

Planning

- 1) Submitted to EPA redesignation requests and ten-year maintenance plans for several former fine particulate nonattainment areas, including Parkersburg, Weirton and Wheeling.
- 2) Submitted to EPA a State Implementation Plan revision demonstrating that the state has adequate resources and authority to implement the 2008 lead air quality standards.

Small Business Assistance Program

- 1) Provided assistance to 114 customers, 80 in-depth, including 37 site visits.
- 2) Produced and distributed 52 annual Dry Cleaner Compliance Calendars and a Solvent Recycling Poster for painting and coating shops.

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 12, DMR accomplished:

Application Type	Total	Affected Acres
Surface Mining Application (SMA) Issued	54	10,558.18
Surface Mining Permits Issued	26	9,884.72
Underground Mining Permits Issued	17	453.06
Other Mining Permits Issued	11	220.40
Quarry Permits Issued	2	128.11
Quarry Modifications	9	
Quarry Annual Bonding	90	
Amendments	14	656.29
Notices of Intent to Prospect	151	684.03
Withdrawn/Terminated/Denied Applications	131	
Incidental Boundary Revisions	259	-811.03
Permit Renewals	292	
Permit Revisions	348	
Permit Transfers/Merger/Ownership	77	
Operator Assignments	69	
Inactive Status	68	
Incremental Bonding	72	
NPDES Applications Approved	437	
Emergency Warning Plans	110	
Special Land Use	0	
Certification of Approval for Dam	7	
Total	2,248	21,773.76

Inspection and Enforcement

Inspections	21,828
Notices of Violation	853
Conferences	410
Phase I Permit Releases	18
Phase II Permit Releases	17
Phase III Permit Releases	39
Prospect Releases	154
Incremental Releases	24
Planting Plans	5
Cessation Orders	75
Consent Orders	0
Complaints Investigated	322
Surface Mine Permits Revoked	1
NPDES Permits Revoked	0
NPDES Permits Released	35

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.

Claims Processed	20
Complaints Received	268
Pre-blast surveys, waivers, affidavits accepted	2,130
Inspections	1,171
Violations Issues	33
Cessation Orders	1
Pre-blast Surveyors approved	18
Pre-blast Surveyors renewed	16
Examinations Given	120

Initial Blasters Certified	22
Renewal Blasters Certified	103
Reciprocity Certifications	1

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 40,000 oil and gas wells, manages abandoned well plugging and reclamation programs, and ensures surface/ground water protection.

During FY 12, OOG accomplished:

- 1) Reviewed, processed, and issued 1,208 well work permits; 505 of these were for horizontal wells.
- 2) Passed horizontal well act in Dec. 2011, including website development for various aspects of horizontal drilling activity and conducting studies looking at possible air, water, and safety concerns.
- 3) Conducted 8,601 site inspections.
- 4) Processed 345 complaints.
- 5) Responded to 99 emergencies and spills.
- 6) Issued 195 notices of violation.
- 7) Plugged and reclaimed eight abandoned wells and sites.
- 8) Expended \$228,000 from the federal oil spill liability trust fund.
- 9) Conducted 12 abandoned well inspections.
- 10) Conducted 120 underground injection control inspections.
- 11) Reviewed and approved 46 UIC mechanical integrity tests.
- 12) Conducted two industry workshops with approximately 500 attendees.

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 three hearings during FY 12.

The Coalbed Methane Review Board hears and rules on actions associated with the drilling and production of coalbed methane wells. It generally administers the requirements of West Virginia Code Chapter 22, Article 21. The board held three hearings during FY 12.

Division of Water and Waste Management

The Division of Water & 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.

Environmental Enforcement

Dam Safety

Reviewed 13 applications or proposals for dam construction, modification, or removal; reviewed 89 monitoring and emergency action plans; conducted 288 inspections of all types.

Hazardous Waste

Completed 390 inspections related to hazardous waste facilities; responded to 108 emergency response situations; investigated 102 citizen complaints related to hazardous materials.

Underground Storage Tanks

46 closure inspections; 36 installation inspections; 647 compliance monitoring inspections.

Water and Waste

Conducted 3,040 inspections of solid waste and water pollution control facilities; initiated 196 open dump cleanups; responded to 1,228 citizen complaints.

Nonpoint Source

- 1) Awarded 54 grants, totaling \$4,472,844, to partner agencies, local governments, watershed associations, nonprofit organizations, and universities to implement nonpoint source outreach, education, monitoring, and water quality improvement projects. The funding is through EPA's Section 319 Nonpoint Source, Chesapeake Bay Programs, and DEP's Stream Restoration Fund.
- 2) Awarded 21 grants, totaling \$94,970 through the Stream Partners Program.
- 3) Coordinated and completed projects in alternative wastewater, acid mine drainage treatment, agriculture, on-site septic systems, urban storm water, riparian buffers, natural stream channel design, and watershed planning.
- 4) Worked with other water resource organizations to coordinate six water festivals and eight teacher workshops throughout the state, reaching approximately 2,000 students and 200 teachers / educators with interactive, meaningful water education and hands-on training in this national water education curriculum.

Permitting

Issued 20 major and 63 minor individual permits, 103 permit modifications to industrial and municipal facilities, 1,488 general

permit registrations, and 219 general registration modifications for a variety of facilities and activities.

Groundwater/UIC Program

Issued 56 underground injection control permits to facilities, including 20 industrial permits, 27 sewage related permits, and nine storm water permits; inspected 250 underground injection control facilities.

Hazardous Waste Operating Permits

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

Corrective Action

Received and reviewed 42 corrective action submittals, involving the Hazardous and Solid Waste Act reviewed one Resource Conservation and Recovery Act facility investigations.

Solid Waste Technical Review

- 1) Issued 24 municipal solid waste landfill permits; issued 552 minor permit modifications; issued 15 Class D registrations.

Clean Water State Revolving Fund

- 1) Disbursed more than \$61.1 million to communities for municipal sewer projects under construction; disbursed \$1.7 million to nonpoint source pollution control projects; closed new loans on an additional 10 municipal construction projects, worth \$84.2 million; issued seven preliminary binding commitment letters for future loans, worth \$29.8 million.
- 2) Approved 16 sets of plans and specifications; reviewed 46 Infrastructure and Jobs Development Council applications; funded 33 new onsite systems and seven agricultural loans through the Onsite Systems Loan Program and Agricultural Water Quality Loan Program.

Quality Assurance

- 1) Received applications from 138 laboratories for certification; performed onsite inspections at 105 laboratories; recertified/certified 138 laboratories.
- 2) Initiated Internet submission of application for laboratory certifications.

Watershed Assessment Branch

- 1) TMDL Development: collected 3,017 water quality samples from 471 sites from 348 streams, including the final rounds of sampling in the West Fork Watershed, the majority of sampling for streams in several Group A watersheds, and the initial monitoring from 66 streams in the Tygart River Watershed; also collected benthic macroinvertebrate samples from 238 of these sites; approved TMDL's for impaired streams in the North Branch of the Potomac, Lower Kanawha, and Elk River watersheds.
- 2) WAP/LTMS Monitoring: collected water quality, habitat, and biological information from 135 targeted sites; collected fish community information at 40 of these sites.
- 3) Ambient Water Quality Monitoring Network: collected bi-monthly water quality information for more than 30 param-

Restoring the Environment

eters from 26 sites on the state's major streams and rivers, including six sites in the Monongahela basin were sampled monthly during low-flow season.

- 4) Probabilistic: analyzed data from previous 5-year monitoring cycle and estimates of current conditions were calculated for many measures; developed monitoring plan for the next 5-year cycle and selected all sites, monitoring will begin in April 2013.
- 5) Lakes: 2011– nine lakes monitored, 19 sites established, and 71 samples collected; 2012-10 lakes selected, 23 sampling stations established, and initial samples collected.

Water Quality Standards

- 1) Finalized the 2010 triennial review of West Virginia Water Quality Standards (Rule 47CSR2) and received approval from EPA in January.
- 2) Held three public meetings; updated and added content to the WQS program Web page; continued review of applications for modifications to water quality standards requests; initiated review and outreach efforts in preparation of the 2014 triennial review.

Water Use Section

- 1) Designed a GIS based water use Web site, which will become the go-to location for water resource information in the state; designed and implemented a Water Management Plan program for horizontal gas well drilling, which received an Agency Recognition Award.; reviewed and approved more than 800 Oil and Gas WMP's while effectively reducing the number of public water withdrawal complaints.
- 2) Reduced the number of modifications to WMP submitted; updated the Water Withdrawal Tool by defining the flow

threshold that is safe for aquatic life; enabled three gas companies to fund three new US Geological survey stream gauges; negotiated minimum flow thresholds for regulated rivers with two Army Corps of Engineers districts.

- 3) Improved the system to complete the Large Quantity Users survey; revamped the database that houses the information in order to produce improved reports; completed the West Virginia Water Resources Management Plan Map Atlas, a Mine Pool Atlas, 32 Hydrologic Unit Codes eight watershed outreach meetings.

401 Certification

- 1) Reviewed 204 nationwide Clean Water Act Section 404 permits.
- 2) Reviewed 70 Regional Landowner Stream Access Section 404 permit applications.
- 3) Issued 17 Individual Permit Section 401 Water Quality Certifications.
- 4) Reviewed 14 Emergency Watershed Protection stream restoration plans covered under the Corps of Engineers Regional Permit No. 06-R2.
- 5) Received various documents on 10 hydro-electric power projects for review and comment in accordance with Federal Energy Regulatory Commission licensing requirements.
- 6) Reviewed and approved seven Nationwide 27 Permit Stream Restoration Plans.
- 7) Reviewed and approved four Section 10 Permits.
- 8) Reviewed and approved three regional permits for Abandoned Mine Lands Reclamation.

Office of Abandoned Mine Lands and Restoration

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 taxes on coal.

During FY12, AML&R accomplished:

AMD Water Treatment	200,984 gal's 5 sites
Clogged Streams Lands	.1 acres
Clogged Steams	.2 mile
Dangerous Highwall	46,856 LF
Dangerous Impoundments/Portals	154
Vertical Openings	4
Dangerous piles and embankments	37 acres
Hazardous equipment and facilities	3
Hazardous water body	1
Subsidence	17.9 acres
Dangerous Slides	5.35 acres
GOB	17.5 acres
Portals	60

- 1) Planning Section-- Sent 46 site environmental assessments to the Office of Surface Mining for Authorization to Proceed with the projects; submitted and completed 55 problem area documents, which were then incorporated in the national Abandoned Mine Lands Inventory System.
- 2) In-House Design Team-- Completed 16 projects for AML, Emergency and Special Reclamation; began Design on 16 additional projects from the 2012-2013 Designs List; had consulting engineering firms design 32 projects for the north and south, with 16 projects being finalized/completed.
- 3) Realty Section-- Completed right of entry for the construction of 47 projects; completed exploratory right of entry for the engineering design of 55 projects; obtained right of entry for the design and construction of 28 emergency projects.
- 4) Investigation of complaints deemed emergencies were 29 at a total design and construction cost of \$3,294,140.95; investigations of citizen complaints numbered 31 and were completed by field inspectors; total complaints by the Board of Risk & Insurance Management were 290.
- 5) Completed eight waterline projects (serving 1,000 customers) and awarded four waterline projects (serving 680 customers)through the issuance of sub-grants.

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 12, Special Reclamation accomplished:

- 1) Provided quarterly progress reports to the Special Reclamation Fund Advisory Council, which met five times.
- 2) Monitored water quality on 44 permits.
- 3) Completed reclamation on 19 permits and started reclamation on three permits.
- 4) Issued 7 reclamation purchase orders, totaling \$2.7 million.
- 5) Reclaimed 1,165 acres.
- 6) Constructed five water treatment systems.
- 7) Performed 6,445 land and water inspections, and investigated four complaints.

Environmental Remediation

The Office of Environmental Remediation restores contaminated sites using the best available science. It cleans up leaking under-ground storage tanks, oversees voluntary remediation, and administers brownfields site remediation and Superfund sites.

During FY 12, OER accomplished:

- 1) Accepted eight new applications for properties to participate in the Voluntary Remediation and Redevelopment Act program; issued Certificates of Completion for 11 voluntary remediation sites, which opened an additional 108.90 acres of land, ready for reuse; had cumulative totals of 117 Certificates of Completion and 1 worked on 286.20 acres.
- 2) Provided oversight of the investigation and cleanup of 46 new leaking underground storage tank sites; completed investigations and closed the active files on 91 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 Pt. Pleasant, the Ravenswood PCE site, the Olin-Hanlin Chemical site near New Martinsville, and the West Virginia Ordnance Works at Pt. 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; started assessments on GE Apparatus Service, Georges Creek Landfill, Holmes & Madden Landfill, and Capitol City Junk.
- 5) Worked collaboratively with EPA Region 3 on the oversight of 29 sites under Resource Conservation and Recovery Act

Corrective Action; is the lead agency for 12 of the Corrective Action Sites.

- 6) Completed closure work at the Moundsville Landfill in Marshall County and Big Bear Lake landfill in Preston County; continued closure work at the Morgan County Landfill and Capon Spring Landfill; continued design work for the remaining five sites in the Landfill Closure Assistance Program; there are six subtitle D-landfills, which have an earthen cap; will evaluate the subtitle D landfills after the remaining landfills are capped, to determine the cost effectiveness of a synthetic liner. Twenty-one landfills (includes the 6 subtitle D caps) are currently in post closure status. Post-closure care activities consist of monitoring and maintaining the waste containment systems and monitoring groundwater to ensure that waste is not escaping and polluting the surrounding environment. The required post-closure care period is 30 years from site closure.
- 7) Received and processed 1,364 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

REAP hopes to make West Virginia a cleaner 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 2012

	PPOD	AAH	MIS	Recycling
Dumps eradicated	1,215		38	
Acres reclaimed	1,261		600	
Miles roadway cleaned		4,345	206	
Miles stream cleaned	71		94	
Acres park cleaned			600	
Miles trail cleaned			56	
Active AAH groups		891		
Tons litter/waste collected	6,957	289	223	
Tons scrap recycled	215		1.20	
Appliances recycled	124		432	
Waste tires collected	399,380		1,851	
Tons plastic recycled		10		
Tons glass recycled		16		
Tons aluminum recycled		22	0.32	
Tons paper recycled			389.71	
Volunteers participating	3,855	25,477	4,950	
Recycling Bin Loan Program			102	
39 Recycling Grants Awarded				\$1,550,000
25 CED Grants Awarded				\$237,537
26 Litter Control Grants				\$57,241

Operation Wildflower oversaw the planting of 120 wildflower plots.

Environmental Advocate

The Office of Environmental Protection assists the public to obtain agency information and technical data, encouraging 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 12, OEA accomplished:

- 1) Promoted the DEP through attendance at state and federal public meetings and hearings, and West Virginia legislative committee meetings.
- 2) Continued providing technical assistance, and clarifications of DEP regulations and policies to individuals, community groups, watershed organizations, and industry sponsored community advisory panels.
- 3) Continued to participate on the inter- and intra-governmental agency workgroups.
- 4) Partnered with the Division of Mining and Reclamation to develop and implement a policy for citizen information gathering visits to sites of new and renewal permit applications.
- 5) Served on the West Virginia University Extension Service Natural Gas Education Team and assisted in organizing its June 2012 conference on natural gas.

Small Business Ombudsman

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

During FY12, SBO accomplished::

- 1) Assisted more than 200 businesses and organizations on permit and enforcement issues related to; air, oil and gas, water-groundwater, stormwater, industrial wastewater, hazardous and solid waste, climate change, SPCC, and used oil.
- 2) Participated and worked with : the West Virginia Development Office, domestic and international; the West Virginia Small Business Development Counsel Offices, US Small Business Association, Industries of the Future, Environmental Protection Agency, US Department Of Transportation, West Virginia Division Of Highways, Marshall University, US and West Virginia Energy Departments, Teaming to Win, WV MEP, elected vice-chair of the National Small Business Environmental Assistance Programs, representatives from elected officials, and offices within Department of Environmental Protection on cross-media issues for numerous companies and communities.
- 3) Gave more than 20 talks/speeches, regarding environmental issues around the state and nation to a variety of groups including: West Virginia University-Parkersburg, West Virginia Solid Waste Authority Annual meeting, Rotary, West Virginia Biosciences at Marshall University, Glenville College, and the American Academy of Sciences.

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.

During FY 12, PIO accomplished::

- 1) Sent out 120 news releases; had 1,651 Freedom Of Information Act requests; responded to 952 DEP Web site inquires.
- 3) Composed, designed, laid-out, and published 11 issues of InDEPth, the agency premier newsletter.
- 4) Coordinated, edited, and produced the agency annual report. This is the agency's 20th report.
- 5) Coordinated, wrote, designed and laid-out the State of the Environment booklet. This was its fourth edition; it was published in 2011.
- 6) Developed and maintained the PIO social media presence. The Youth Environmental Program has a FaceBook page; DEP has a YouTube channel, YouTubehttps://www.youtube.com/user/WVEnvironment?feature=vmshb.
- 7) Gained professional video capability when in August 2011, it hired a videographer. As the existing equipment was obsolete, it updated its video/editing ability, costing \$11,679.20.
- 8) Launched DEP's television show, Environment Matters, in March. It's a thirty-minute public affairs program. It airs monthly on the state Library Channel, is broadcast on many cable systems, and is on the DEP's Web site and YouTube. The show had about 4,000 hits by June 2012.
- 9) Enrollment in the Youth Environmental Program for FY12 consisted of 870 youth groups representing 76,668 members statewide.
- 10) Held three annual Youth Environmental Program events-the Youth Environmental Conference on Sep. 30 – Oc. 2, 2011, at Twin Falls Resort State Park, had 45 participate; Youth Environmental Day on May 19, at North Bend State Park, had 985 participate; Junior Conservation Camp on June 18-22, at Cedar Lakes, had 229 participate.
- 11) Installed a 25.380 kW Solar Photovoltaic System consisting of 108 - 235 Watt Solar World Modules on the rooftop of its headquarters building. The cost of the Solar PV System was \$244,562.85; the PV System will save approximately \$3,241.238 annually.
- 12) Installed a Solar Hot Water System consisting of 4 Solar HW Heliodyne Flat Plate Collectors on the rooftop and 2 - 120 Gallon Solar Hot Water Storage Tanks in the Mechanical Room of its headquarters building. The cost of the Solar Hot Water System was \$46,615.15; the HW System will save approximately \$687.33 annually.

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; oversee management of inventory, facilities, records, and vehicles; and develops and oversees various internal policies and procedures.

During FY 12, OA accomplished:

- 1) Implemented electronic reporting of overtime and compensatory time, reducing the necessary time for requesting, approving, reporting and processing overtime within the agency; increasing accuracy of overtime payments.
- 2) Continued to provide procurement services to the Divisions, processing 189 purchasing documents through state purchasing division and 483 in-house purchasing documents with total procurement exceeding \$60 Million.
- 3) Provided internal audits of the purchase card transactions to reduce future audit findings.
- 4) Ensured DEP reports required by the Legislature are submitted in a timely manner.
- 5) Analyzed the federal indirect cash balance to determine ownership for offices within DEP.
- 6) Met the BRIM Initiatives and received the full six percent discount for the 2013 BRIM Premiums; creating a savings of \$123,000 on the 2013 BRIM premiums, a result of the DEP safety program working to meet the BRIM Initiatives.
- 7) Eliminating the OA mailroom and sending all mail through Central Mail, creating DEP an annual savings of \$7,000.
- 8) Conducted six Professional Rescuer Trainings to train the Medical Emergency Response Team members; upgraded the amount of required training for these team members to include oxygen administration, Bag Valve Mask resuscitation, and advance CPR/AED training.
- 9) Conducted seven CPR/AED/First Aid classes and certified 55 employees, saving DEP \$2,750.
- 10) Implemented a process for replacing outdated copiers, printers, and fax machines to provide efficiency and continuity.
- 11) Continued to improve reconciliation across our financial systems to improve accuracy and accountability.

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.

During FY 12, ITO accomplished:

Technical Applications & Geographic Information Systems

- 1) Implemented ArcGIS Server and Image Server, new Web-

based tools for working with geographic data.

- 2) Continued working with 23 states and the federal Office of Surface Mining, to design standards for nation-wide coal mining geospatial data sets, methodology used is a peer-review process in the framework of the American Society for Testing and Materials Standards.

Application Development System

- 1) Completed implementation of the WebAML system for Abandoned Mine Lands; continues to work on the new WebSPREC system for the Office of Special Reclamation.
- 2) Continued working on Node 2.0., enabling DEP to meet the electronic data transmission requirements of EPA
- 3) Working on replacing two of DEP's databases, Environmental Resources Information and Environmental Quality Information Systems, signed a contract with CGI to begin in January 2013.

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. OLS works with all divisions and offices in the DEP to assist with the implementation of regulatory programs. OLS works with all divisions and offices in the DEP.

During FY 12, OLS accomplished:

- 1) Settled enforcement action against various coal companies, thus receiving \$946,400 for violations of parameters of National Pollutant Discharge Elimination System permits, including selenium, total iron, and aluminum.
- 2) Defended challenge before the West Virginia Supreme Court by a surface owner and West Virginia's Surface Owner's Rights Organization, whereby they sought a right for surface owners to a pre-decisional hearing and appeal of an oil and gas well work permit, which was specifically for a horizontal Marcellus well; ruled that surface owners did not have a statutory right to appeal and that their constitutional due process and equal protection arguments were without merit.
- 3) Filed an amici curiae brief before the United States Court of Appeals for the Tenth Circuit in support of Oklahoma's challenge to the Office of Surface Mining's unlawful expansion of its oversight authority in violation of a state's primacy over the regulation of surface mining afforded by SMCRA; filed brief on behalf of DEP and the Interstate Mining Compact Commission, the Commonwealth of Virginia, and the State of Alaska joined in as amici.
- 4) Collected \$120,660 in consent orders for OOG.
- 5) Received default judgment of \$119,500 in civil penalties under the Air Pollution Control Act, against Rockspring Development and Nick Masciarelli.
- 6) Negotiated administrative settlement with Huntington Alloys Corp. for \$60,850 in penalties.
- 7) Settled enforcement action against Jay-Bee Oil and Gas for \$49,853, under the Water Pollution Control Act, Groundwater Act and the Solid Waste Management Act.

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; John R. Calvert; Stephen B. Miller; Robert C. Orndorff; Marian L. Swinker, M.D., M.P.H.; Omayma Tourma, M.D. During FY 12, AQB accomplished:

- 1) Filed three new appeals and entered three orders
- 2) Downloaded three orders 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.

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 12, EQB accomplished:

- 1) Held 10 appeal hearings.
- 2) Filed 30 new appeals and entered 25 orders.
- 3) Downloaded 25 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 12, OGCC accomplished:

1. Approved 21 deep well approvals.
2. Held three administrative hearings.

3. Collected \$210,000 in leased acreage taxes.
4. Managed and maintained oil and gas well performance bonds.

The OGCC serves as technical advisers on oil and gas issues to the chief of the OOG, to the DEP, and to other state agencies having responsibility to the oil and gas industry.

Surface Mine Board

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 12, SMB accomplished:

- 1) Filed 15 appeals.
- 2) Conducted 13 hearings.
- 3) Entered 13 orders.

Solid Waste Management Board

SWMB accomplishments in Fiscal Year 2011-2012

- 1) Met 11 times, evaluated and approved eight Commercial Solid Waste Facility Siting Plans and nine 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. Conducted a one-day training session for 20 solid waste authority members/staff consisting of 40 people to review duties, responsibilities and resources available to achieve their goals and meet statutory responsibilities.
- 2) Distributed \$1.3 million in solid waste assessment fees to 50 local and regional solid waste authorities; awarded \$300,000 in grant funds to 30 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 three biennial performance reviews on SWA's operating commercial solid waste facilities to gauge productivity, determine effectiveness and efficiency of facility operations, and identify serious impairments.
- 4) Coordinated a collaborative statewide effort for recycling of electronics at 17 reported collection events; collected items at these events included computers, monitors, televisions, fax machines, cell phones, answering machines, and printers; removed more than 235 tons of electronics from the waste stream.

Financial Statement

Disbursement of Funds

By Funding Source

	Fiscal Year 2012
General Revenue:	
Personal Services (incl. increment)	3,313,479
Employee Benefits	1,186,392
Unclassified	714,420
Unclassified-UST Insurance Fund transfer	4,300,000
Unclassified-Selenium Re-appropriated	212,006
Meth Lab Cleanup	40,449
Dam Safety Fund	224,733
WV Stream Partners Program	77,396
WV Contributions to River Commissions	148,485
OWR Non-Enforcement (TMDL)	1,218,022
Water Resources Protection and Mngt	582,257
BRIM	<u>56,802</u>
Total General Revenue Funds Disbursed	12,074,441
Federal Funding:	
Personal Services (incl. increment)	14,479,342
Employee Benefits	5,308,140
Unclassified	111,220,065
Federal Stimulus	<u>2,590,147</u>
Total Federal Funds Disbursed	133,597,694
Special Revenue-Appropriated:	
Personal Services (incl. increment)	10,868,495
Employee Benefits	3,902,687
Unclassified	<u>27,249,551</u>
Total Appropriated Special Revenue Funds Disbursed	42,020,748
Special Revenue-Non Appropriated:	
Personal Services (incl. increment)	8,234,978
Employee Benefits	3,065,303
Unclassified	83,713,329
Total Non Appropriated Special Revenue Funds Disbursed	<u>95,013,627</u>
TOTAL FUNDS DISBURSED	282,706,510

Disbursement of Funds

By Office

	Fiscal Year 2012
Executive - Administration Office:	
Personal Services (incl. increment)	5,689,146
Employee Benefits	1,974,770
Unclassified	<u>2,881,392</u>
Total Disbursements	10,545,318
Office of Oil and Gas	
Personal Services (incl. increment)	1,175,191
Employee Benefits	474,325
Unclassified	<u>1,050,039</u>
Total Disbursements	2,699,565
Abandoned Mine Lands and Reclamation	
Personal Services (incl. increment)	2,873,603
Employee Benefits	1,078,533
Unclassified	<u>54,838,169</u>
Total Disbursements	58,790,315
Mining & Reclamation:	
Personal Services (incl. increment)	10,262,086
Employee Benefits	3,824,770
Unclassified	<u>7,817,096</u>
Total Disbursements	21,903,962
Air Quality:	
Personal Services (incl. increment)	4,845,279
Employee Benefits	1,630,673
Unclassified	<u>1,795,187</u>
Total Disbursements	8,271,149
Land Restoration:	
Personal Services (incl. increment)	3,381,402
Employee Benefits	1,280,129
Unclassified	<u>36,000,761</u>
Total Disbursements	40,662,302
Water and Waste Management:	
Personal Services (incl. increment)	7,572,537
Employee Benefits	2,725,231
Unclassified	<u>125,349,268</u>
Total Disbursements	135,647,036
Environmental Enforcement:	
Personal Services (incl. increment)	1,958,345
Employee Benefits	782,627
Unclassified	<u>1,445,891</u>
Total Disbursements	4,186,863
TOTAL DISBURSEMENTS	282,706,510

Statement of Receipts and Disbursements

Fund 3023 - Hazardous Waste Management Fee Fund		Unclassified	815,529	
Beginning Cash at August 1, 2011	880,474	TOTAL EXPENDITURES		<u>815,529</u>
Revenues: FOIA	5	Ending Cash at June 30, 2012		6,521,904
Permits	5,300	Fund 3220 - Groundwater Protection Fund		
Fees	669,951	Beginning Cash at July 1, 2011		1,259,198
Investment Earnings	1,204	Revenues: FOIA	0	
Prior year expiring funds	<u>165</u>	Fees	1,625	
TOTAL REVENUE	676,625	Permits	833,238	
Expenditures: Personal Services	242,403	Misc.	250	
Benefits	72,136	Bankruptcy Recoveries	2	
Unclassified	<u>125,028</u>	Investment Earnings	<u>1,501</u>	
TOTAL EXPENDITURES	<u>439,567</u>	TOTAL REVENUE		836,616
Ending Cash at July 31, 2012	1,117,532	Expenditures: Personal Services	153,937	
		Benefits	49,686	
Fund 3024 - Air Pollution Education and Environment Fund -		Unclassified	<u>276,866</u>	
Beginning Cash at August 1, 2011	1,589,057	TOTAL EXPENDITURES		<u>480,489</u>
Revenues: Prior Year Expiring Funds	121	Ending Cash at June 30, 2012		1,615,325
Fines and Penalties	496,775	Fund 3222 - Groundwater Remediation Fund		
Court Settlement Revenues	<u>248,466</u>	Beginning Cash at July 1, 2011		731,787
TOTAL REVENUE	745,362	Revenues: Fees	2,538	
Expenditures:		Investment Earnings	786	
Personal Services	182,196	Fines and Penalties	<u>55,188</u>	
Benefits	66,452	TOTAL REVENUE		58,512
Unclassified	<u>96,051</u>	Expenditures: Personal Services	0	
TOTAL EXPENDITURES	<u>44,699</u>	Benefits		
Ending Cash at July 31, 2012	1,989,720	Unclassified	<u>7,339</u>	
Fund 3025 - Dam Safety Rehabilitation Revolving Fund		TOTAL EXPENDITURES		<u>7,339</u>
Beginning Cash at July 1, 2011	712,609	Ending Cash at June 30, 2012		782,960
Revenues: Investment Earnings	1,052	3255 - Performance Bond Monongalia Co. Landfill Fund		
Operating Funds Transfer	<u>333,800</u>	Beginning Cash at July 1, 2011		629,687
TOTAL REVENUE	334,852	Revenues: Investment Earnings	665	
TOTAL EXPENDITURES	<u>0</u>	TOTAL REVENUE		<u>665</u>
Ending Cash at June 30, 2012	1,047,461	Ending Cash at June 30, 2012		630,352
Fund 3206 - The Dam Safety Fund		Fund 3301 - Operator Permit Fees Fund		
Beginning Cash at July 1, 2011	122,908	Beginning Cash at July 1, 2011		2,284,847
Revenues: FOIA	145	Revenues: FOIA	38,452	
Permits	11,720	Employer Premium Recoveries	4,000	
Investment Earnings	167	Misc.	2,341	
Dam Control Permits	1,800	Operating Permit Fees	<u>2,063,500</u>	
Fines & Penalties	250,000	TOTAL REVENUE		2,108,293
Operating Permit Fees	<u>5,400</u>	Expenditures: Personal Services	384,949	
TOTAL REVENUE	279,232	Benefits	132,156	
Expenditures: Unclassified	18,444	Unclassified	<u>787,358</u>	
TOTAL EXPENDITURES	<u>18,444</u>	TOTAL EXPENDITURES		<u>1,304,463</u>
Ending Cash at June 30, 2012	383,696	Ending Cash at June 30, 2012		3,088,677
Fund 3217 - Leaking Underground Storage Tank Response Fund		3310 - Oil and Gas Trust Deposit Fund		
Beginning Cash at July 1, 2011	438,980	Beginning Cash at July 1, 2011		101,636
Revenues: Permits	60	Revenues: Investment Earnings	107	
Fees	134,598	TOTAL REVENUE	107	
Investment Earnings	390	Ending Cash at June 30, 2012		101,743
TOTAL REVENUE	135,048	Fund 3312 - Special Reclamation Water Quality Fund		
Expenditures:		Beginning Cash at July 1, 2011		125,414
Unclassified	189,254	Revenues: Royalty Income	969	
TOTAL EXPENDITURES	<u>189,254</u>	Misc.	338	
Ending Cash at June 30, 2012	384,774	FOIA	12	
Fund 3218 - Underground Storage Tank Insurance Fund -		Statutory Transfers	<u>9,450,000</u>	
Beginning Cash at July 1, 2011	3,031,875	TOTAL REVENUE		9,451,319
Revenues: Fees	500	Expenditures:		
UST Capitalization Fee	300	Personal Services	1,045,327	
Investment Earnings	4,758	Benefits	355,623	
Statutory Transfers	<u>4,300,000</u>	Unclassified	<u>7,961,854</u>	
Operating Funds Transfer		TOTAL EXPENDITURES		<u>9,362,804</u>
TOTAL REVENUE	4,305,558	Ending Cash at June 30, 2012		213,929
Expenditures:				

Financial Statement

3317 - Special Reclamation Administration Fund		Fund 3325 - Underground Storage Tank Administrative Fund	
Beginning Cash at July 1, 2011	83,011	Beginning Cash at August 1, 2011	823,608
Revenues:		Revenues: FOIA	1,737
Statutory Transfers	1,678,000	Fees	323,784
TOTAL REVENUE	1,678,000	Permits	50
Expenditures:		Certificate to Operate	2,395
Personal Services	555,458	Examination Fees	9,335
Benefits	194,312	Misc.	825
Unclassified	<u>953,198</u>	Investment Earnings	861
TOTAL EXPENDITURES	<u>1,702,968</u>	Prior Year Expiring Funds	176
Ending Cash at June 30, 2012	58,043	UST-Capitalization fee	300
		Fines and Penalties	136,011
		TOTAL REVENUE	475,474
Fund 3321 - Special Reclamation Trust Fund		Expenditures: Personal Services	157,186
Beginning Cash at August 1, 2011	69,536,546	Benefits	65,719
Revenues: FOIA	--	Unclassified	<u>138,863</u>
Bond Forfeitures	752,610	TOTAL EXPENDITURES	<u>361,768</u>
Operating Permit Fees	5,439	Ending Cash at July 31, 2012	937,314
Investment Earnings	75,109		
Prior Year Expiring Funds	285	3326 - Hazardous Waste Management HG1479 Fund	
Coal Tonnage Fees	16,876,736	Beginning Cash at July 1, 2011	769,079
Fines and Penalties	935,132	Revenues: FOIA	1,393
Bankruptcy Recoverie	6,455	Permits	50
Court Settlement Revenues	<u>137,344</u>	Cost Recovery Fee	9,629
TOTAL REVENUE	18,789,110	Hazardous Waste Permits	<u>3,250</u>
Expenditures: Personal Services	421,071	Fines and Penalties	
Benefits	148,069	TOTAL REVENUE	14,322
Unclassified	<u>15,920,319</u>	Expenditures: Personal Services	43,996
TOTAL EXPENDITURES	<u>16,489,459</u>	Benefits	13,061
Ending Cash at July 31, 2012	71,836,197	Unclassified	<u>89,019</u>
		TOTAL EXPENDITURES	146,076
		Ending Cash at June 30, 2012	637,325
Fund 3322 - Oil and Gas Reclamation Trust			
Beginning Cash at August 1, 2011	239,729	Fund 3327 - Water Quality Management Fund	
Revenues: Bond Forfeitures	--	Beginning Cash at July 1, 2011	12,928,300
Prior Year Expiring Funds	26	Revenues: FOIA	10,583
Well Work Permit Fees	<u>130,650</u>	SNAP Prior Yr Funds	3,118
TOTAL REVENUE	130,676	Audit Fees	
Expenditures:		"In-Lieu Of" Mit Fees	5,013,676
Personal Services	43,098	Fees	1,700
Benefits	17,590	Permits	3,539,837
Unclassified	<u>159,240</u>	Royalty Income	4,873
TOTAL EXPENDITURES	<u>219,928</u>	Cost Recovery Fee	
Ending Cash at July 31, 2012	150,477	Ins. Proceeds-Equip Loss	
		Investment Earnings	18,678
3323 - Oil and Gas Operating Permits		Witness & Docket Fees	
Beginning Cash at August 1, 2011	1,764,813	Operating Permit Fees	1,914,847
Revenues: FOIA	1,929	Fines and Penalties	6,078,013
Permits	2,250	Bankruptcy Recoveries	75
Prior Year Expiring Funds	409	Employer Prem Recoveries	<u>-7,000</u>
Fines and Penalties	264,990	TOTAL REVENUE	16,578,400
Horizontal WellCtrl Permit Fee	1,650,000	Expenditures:	
Well Work Permit Fees	<u>677,700</u>	Personal Services	3,857,941
TOTAL REVENUE	2,597,278	Benefits	1,303,752
Expenditures: Personal Services	680,745	Unclassified	<u>3,377,269</u>
Benefits	257,684	TOTAL EXPENDITURES	<u>8,538,962</u>
Unclassified	<u>903,103</u>	Ending Cash at June 30, 2012	20,967,738
TOTAL EXPENDITURES	<u>1,841,532</u>		
Ending Cash at July 31, 2012	2,520,559		
		Fund 3324 - Mining and Reclamation Operations Fund	
		Beginning Cash at August 1, 2011	5,881,209
		Revenues: Investment Earnings	5,637
		Prior Year Expiring Funds	1,904
		Coal Tonnage Fees	<u>2,617,879</u>
		Ins Proceeds-Equip Loss	
		TOTAL REVENUE	2,625,420
		Expenditures: Personal Services	2,441,099
		Benefits	797,832
		Unclassified	<u>1,305,274</u>
		TOTAL EXPENDITURES	<u>4,544,205</u>
		Ending Cash at July 31, 2012	3,962,424
		Fund 3328 - Closure Cost Assistance Fund	
		Beginning Cash at July 1, 2011	16,110,546
		Revenues: FOIA	887
		Ins. Proceeds-Equip loss	
		Solid Waste Assessment Fees	7,167,490
		Investment Earnings	<u>17,869</u>
		TOTAL REVENUE	7,186,246
		Expenditures: Personal Services	770,822
		Benefits	248,105
		Unclassified	<u>4,567,303</u>
		TOTAL EXPENDITURES	<u>5,586,230</u>
		Ending Cash at June 30, 2012	17,710,562

3329 - Water Pollution Control Revolving Fund			Fund 3336 - Air Pollution Control Fund		
Beginning Cash at July 1, 2011		90,045,002	Beginning Cash at August 1, 2011		2,467,944
Revenues:			Revenues: FOIA	2,599	
Principal Repayments	384,767		Fees	5,111,308	
State Matching Funds	9,010,000		Permits	341,200	
Investment Earnings	97,225		Prior Year Expiring Funds	2,523	
Operating Funds Transfer	27,799,526		Certificate to Operate	<u>279,170</u>	
Interagency Fed Payments	<u>48,182,138</u>		TOTAL REVENUE		5,736,800
Fines and Penalties			Expenditures:		
TOTAL REVENUE		85,473,656	Personal Services	3,624,123	
Expenditures:			Benefits	1,084,475	
Personal Services			Unclassified	<u>1,491,388</u>	
Benefits			TOTAL EXPENDITURES		<u>6,199,986</u>
Unclassified	<u>62,821,467</u>		Ending Cash at July 31, 2012		2,004,758
TOTAL EXPENDITURES		<u>62,821,467</u>			
Ending Cash at June 30, 2012		112,697,191	Fund 3337 - Gifts and Donations Fund		
			Beginning Cash at July 1, 2011		216,444
Fund 3331 - Hazardous Waste Emergency and Response Fund			Revenues:		
Beginning Cash at August 1, 2011		390,898	Misc.	36	
Revenues: Fees	492,747		Stream Gauging Stations	146,666	
Permits			Interagency Fed Payments	32,350	
Certificate to Operate			Gifts	<u>54,968</u>	
Cost Recovery Fee	20,747		TOTAL REVENUE		234,020
Investment Earnings	417		Expenditures:		
Prior Yr Expiring Funds	252		Benefits		
Solid Waste Assessment Fees	523,053		Unclassified	279,457	
Fines and Penalties	85,950		TOTAL EXPENDITURES		<u>279,457</u>
Court Settlement Revenues	<u>735</u>		Ending Cash at June 30, 2012		171,007
TOTAL REVENUE		1,123,901			
Expenditures:			Fund 3340 - Environmental Laboratory Certification Fund		
Personal Services	364,012		Beginning Cash at August 1, 2011		313,289
Benefits	128,868		FOIA		
Unclassified	<u>341,518</u>		Audit Fees	35,490	
TOTAL EXPENDITURES		<u>834,398</u>	Permits	7,140	
Ending Cash at July 31, 2012		680,401	Certificate to Operate	350,560	
			Investment Earnings	394	
Fund 3332 - Solid Waste Reclamation and Environmental Response			Prior Yr Expiring Funds	<u>94</u>	
Beginning Cash at August 1, 2011		466	TOTAL REVENUE		393,678
Revenues: Fees	2,573		Expenditures:		
Prior Yr Expiring Funds	208		Personal Services	135,535	
Solid Waste Assessment Fees	1,035,016		Benefits	49,512	
Operating Funds Transfer	1,695,986		Unclassified	<u>75,426</u>	
Fines and Penalties	<u>39,715</u>		TOTAL EXPENDITURES		<u>260,473</u>
Fed Fds From Non-state Agency			Ending Cash at July 31, 2012		446,494
TOTAL REVENUE		2,773,498			
Expenditures:			Fund 3342 - Water Pollution Revol Fd - Admin Fees		
Personal Services	319,299		Beginning Cash at July 1, 2011		5,401,172
Benefits	112,933		Revenues:		
Unclassified	<u>2,246,355</u>		Admin Fees-Revolving Fund	2,251,921	
TOTAL EXPENDITURES		<u>2,678,587</u>	FOIA	44	
Ending Cash at July 31, 2012		95,377	Witness & Docket Fees	10	
			Non-Fed Grants	14,983	
3333 - Solid Waste Enforcement Fund			Investment Earnings	<u>2,899</u>	
Beginning Cash at August 1, 2011		6,561,709	TOTAL REVENUE		2,269,857
Revenues: Fines & Penalties	32,517		Expenditures:		
Fees	5,021		Personal Services	1,108,525	
Prior Year Expiring Funds	815		Benefits	364,170	
FOIA	834		Unclassified	<u>535,028</u>	
Permits	25,000		TOTAL EXPENDITURES		2,007,723
Misc.	40				
Solid Waste Assessment Fees	<u>3,071,774</u>		Fund 3349 - Stream Restoration Fund		
TOTAL REVENUE		3,136,001	Beginning Cash at August 1, 2011		15,118,793
Expenditures:			Revenues:		
Personal Services	1,221,130		Stream Restoration-Mitigation	1,021,130	
Benefits	398,079		Investment Earnings	15,869	
Unclassified	<u>1,139,861</u>		Prior Yr Expiring Funds		
TOTAL EXPENDITURES		<u>2,759,070</u>	Fines & Penalties	<u>1,356,807</u>	
Ending Cash at July 31, 2012		6,938,640	TOTAL REVENUE		2,393,806
			Expenditures:		
			Personal Services	34,916	

Financial Statement

Benefits	14,287		Revenues: FOIA	25	
Unclassified	<u>1,198,241</u>		Fees	1,731,506	
TOTAL EXPENDITURES		<u>1,247,444</u>	Permits	2,419	
Ending Cash at July 31, 2012		16,265,155	Certificate to Operate	11,185	
			Blaster Fees <300,000 Tons	45,871	
Fund 3480 Covered Electronic Devices Takeback Fund			Fees for Training	3,240	
Beginning Cash at July 1, 2011		308,382	Misc.	1,310	
Revenues:			Investment Earnings	5,611	
Miscellaneous			Other Ins Proceeds	832	
Departmental Collections	<u>134,500</u>		Prior Yr. Expiring Funds	<u>460</u>	
TOTAL REVENUE		134,500	TOTAL REVENUE		1,802,459
Expenditures:			Expenditures:		
Unclassified	<u>184,622</u>		Personal Services	739,689	
TOTAL EXPENDITURES		<u>184,622</u>	Benefits	241,735	
Ending Cash at June 30, 2012		258,260	Unclassified	<u>917,275</u>	
			TOTAL EXPENDITURES		<u>1,898,699</u>
Fund 3482 - Special Reclamation Water Trust Fund			Ending Cash at July 31, 2012		5,122,530
Beginning Cash at July 1, 2011		5,893,433			
Investment Earnings	7,295		Fund 3493 - Quarry Reclamation Fund		
Coal Tonnage Fees	<u>1,963,409</u>		Beginning Cash at July 1, 2011		243,387
TOTAL REVENUE		1,970,704	Fines and Penalties		
Expenditures:			Investment Earnings	<u>1,465</u>	
TOTAL EXPENDITURES		<u>0</u>	TOTAL REVENUE		1,465
Ending Cash at June 30, 2012		7,864,137	Expenditures:		
			Unclassified		<u>0</u>
3484 - Highway Litter Control Program			TOTAL EXPENDITURES		<u>0</u>
Beginning Cash at July 1, 2011		633,657	Ending Cash at June 30, 2012		244,852
Revenues:					
Fees	<u>500,000</u>		Fund 3494 - Quarry Inspection and Enforcement Fund		
TOTAL REVENUE		500,000	Beginning Cash at July 1, 2011		63,449
Expenditures:			Revenues:FOIA	53	
Personal Services	96,849		Investment Earnings	66	
Benefits	37,503		Operating Permit Fees	<u>20,438</u>	
Unclassified	<u>354,624</u>		TOTAL REVENUE		20,557
TOTAL EXPENDITURES		<u>488,976</u>	Expenditures:		
Ending Cash at June 30, 2012		644,681	Unclassified	<u>25,706</u>	
			TOTAL EXPENDITURES		<u>25,706</u>
Fund 3486 - Litter Control Fund			Ending Cash at June 30, 2012		58,300
Beginning Cash at August 1, 2011		63,303			
Revenues: Fees	32,379		Fund 8708 - Federal Funds		
Misc.	<u>6,153</u>		Beginning Cash at August 1, 2011		9,097,095
TOTAL REVENUE		38,532	Revenues:		
Expenditures:			Fed Grant Direct DOD	35,246	
Unclassified	<u>50,049</u>		Fed Grant Indirect DOD	8,650	
TOTAL EXPENDITURES		<u>50,049</u>	Fed Grants Direct EPA	60,026,825	
Ending Cash at July 31, 2012		51,786	Fed Grants Indirect EPA	2,003,438	
			Fed Grant Direct	64,562,683	
3487 - Recycling Assistance Fund			Fed Grant Indirect	3,581,995	
Beginning Cash at August 1, 2011		1,458,814	FEMA Direct Costs		
Revenues: Prior Yr. Expiring Funds	181		Prior Year Expiring Funds	39,768	
Solid Waste Assess Fees	<u>2,092,213</u>		Fed Econ Stimulus 2009	<u>2,589,240</u>	
Court Settlement Revenues			TOTAL REVENUE		132,847,845
TOTAL REVENUE		2,092,394	Expenditures:		
Expenditures:			Personal Services	14,479,344	
Personal Services	261,995		Benefits	4,776,246	
Benefits	80,535		Unclassified	<u>114,342,105</u>	
Unclassified	<u>1,508,368</u>		TOTAL EXPENDITURES		<u>133,597,695</u>
TOTAL EXPENDITURES		<u>1,850,898</u>	Ending Cash at July 31, 2012		8,347,245
Ending Cash at July 31, 2012		1,700,310			
			Fund 8796 - Acid Mine Drainage Abatement & Treatment Fund		
Fund 3488 - Shiloh Environmental and Landfill Trust			Beginning Cash at July 1, 2011		28,621,396
Beginning Cash at July 1, 2011		292,534	Investment Earnings	35,756	
Investment Earnings	309		Operating Funds Transfer	<u>13,500,000</u>	
TOTAL REVENUE		309	TOTAL REVENUE		13,535,756
Expenditures: Unclassified	<u>0</u>		Expenditures:		
TOTAL EXPENDITURES		<u>0</u>	Benefits		
Ending Cash at June 30, 2012		292,843	Unclassified	<u>492,111</u>	
			TOTAL EXPENDITURES		<u>492,111</u>
Fund 3490 - Mountain Top Removal			Ending Cash at June 30, 2012		41,665,041
Beginning Cash at August 1, 2011		5,218,770			

APPROPRIATION BALANCES Fiscal Year 2012

ACTIVITY	APPROPRIATION	EXPENDED	REMAINING BALANCE
Fund 0273- ENVIRONMENTAL PROTECTION GENERAL REVENUE FUND			
001 PERSONAL SERVICES	3,401,095.00	3,250,220.00	150,875.00
004 INCREMENT	63,367.00	63,260.00	107.00
010 EMPLOYEE BENEFITS	1,373,770.00	1,186,392.00	187,378.00
068 Water Resource Protection and Mngt	582,257.00	582,257.00	0.00
097 Re-appropriated - Remaining balance carried forward	212,006.00	212,006.00	0.00
097 Surplus Appropriation - UST Insurance Fund Transfer	4,300,000.00	4,300,000.00	0.00
099 UNCLASSIFIED	714,425.00	714,420.00	5.00
474 Meth Lab Cleanup-Surplus *	227,000.00	40,449.00	186,551.00
607 DAM SAFETY	224,734.00	224,734.00	0.00
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	1,218,022.00	1,218,021.00	1.00
913 BRIM PREMIUM	<u>56,802.00</u>	<u>56,802.00</u>	<u>0.00</u>
TOTAL	12,599,359.00	12,074,442.00	524,917.00
* Balance carried forward as re-appropriated funds into FY 2013			
Fund 3321- SPECIAL RECLAMATION TRUST FUND			
001 PERSONAL SERVICES	941,554.00	410,038.00	531,516.00
004 INCREMENT	11,700.00	11,033.00	667.00
010 EMPLOYEE BENEFITS	393,825.00	161,905.00	231,920.00
099 UNCLASSIFIED	16,644,648.00	4,778,482.00	11,866,166.00
426 Transfers to 3312 and 3317 - no affect to appropriation spending limit	<u>00</u>	<u>11,128,000.00</u>	<u>0.00</u>
TOTAL	17,991,727.00	16,489,458.00	12,630,269.00
Fund 3322- OIL & GAS RECLAMATION TRUST FUND			
096 UNCLASSIFIED	675,592.00	219,927.00	455,665.00
TOTAL	675,592.00	219,927.00	455,665.00
Fund 3323- OIL & GAS OPERATING PERMITS			
001 PERSONAL SERVICES	1,525,599.00	674,429.00	851,170.00
004 INCREMENT	8,282.00	6,317.00	1,965.00
010 EMPLOYEE BENEFITS	593,885.00	288,106.00	305,779.00
099 UNCLASSIFIED	<u>1,313,334.00</u>	<u>872,680.00</u>	<u>440,654.00</u>
TOTAL	3,441,100.00	1,841,532.00	1,599,568.00
Fund 3324- MINING AND RECLAMATION OPERATIONS FUND			
001 PERSONAL SERVICES	3,729,993.00	2,395,593.00	1,334,400.00
004 INCREMENT	64,104.00	45,507.00	18,597.00
010 EMPLOYEE BENEFITS	1,684,541.00	884,087.00	800,454.00
099 UNCLASSIFIED	<u>3,077,085.00</u>	<u>1,219,020.00</u>	<u>1,858,065.00</u>
TOTAL	8,555,723.00	4,544,207.00	4,011,516.00
Fund 3325- UNDERGROUND STORAGE TANK ADMINISTRATIVE FUND			
001 PERSONAL SERVICES	271,727.00	154,606.00	117,121.00
004 INCREMENT	2,700.00	2,580.00	120.00
010 EMPLOYEE BENEFITS	104,392.00	73,552.00	30,840.00
099 UNCLASSIFIED	<u>184,048.00</u>	<u>131,029.00</u>	<u>53,019.00</u>
TOTAL	562,867.00	361,767.00	201,100.00
Fund 3331- HAZARDOUS WASTE EMERGENCY AND RESPONSE FUND			
001 PERSONAL SERVICES	436,234.00	358,252.00	77,982.00
004 INCREMENT	7,320.00	5,760.00	1,560.00
010 EMPLOYEE BENEFITS	185,366.00	142,619.00	42,747.00
099 UNCLASSIFIED	<u>464,733.00</u>	<u>327,768.00</u>	<u>136,965.00</u>
TOTAL	1,093,653.00	834,399.00	259,254.00
Fund 3332- SOLID WASTE RECLAMATION AND ENVIRON. RESPONSE			
001 PERSONAL SERVICES	559,832.00	313,533.00	246,299.00
004 INCREMENT	7,026.00	5,766.00	1,260.00
010 EMPLOYEE BENEFITS	209,649.00	124,781.00	84,868.00
099 UNCLASSIFIED	<u>4,000,865.00</u>	<u>2,234,507.00</u>	<u>1,766,358.00</u>
TOTAL	4,777,372.00	2,678,587.00	2,098,785.00
Fund 3333- ENVIRONMENTAL ENFORCEMENT FUND			
001 PERSONAL SERVICES	1,930,549.00	1,194,665.00	735,884.00
004 INCREMENT	31,950.00	26,465.00	5,485.00
010 EMPLOYEE BENEFITS	827,912.00	439,522.00	388,390.00
099 UNCLASSIFIED	1,127,387.00	633,417.00	493,970.00
426 Transfers to 3332 - no affect to appropriation spending limit	<u>0</u>	<u>465,000.00</u>	<u>0</u>
TOTAL	3,917,798.00	2,759,069.00	1,623,729.00

Financial Statement

ACTIVITY	APPROPRIATION	EXPENDED	REMAINING BALANCE
Fund 3336- AIR POLLUTION CONTROL FUND			
001 PERSONAL SERVICES	4,186,317.00	3,575,598.00	610,719.00
004 INCREMENT	49,770.00	48,525.00	1,245.00
010 EMPLOYEE BENEFITS	1,537,871.00	1,185,919.00	351,952.00
099 UNCLASSIFIED	<u>2,128,775.00</u>	<u>1,389,943.00</u>	<u>738,832.00</u>
TOTAL	7,902,733.00	6,199,985.00	1,702,748.00
Fund 3340- ENVIRONMENTAL LABORATORY CERTIFICATION FUND			
001 PERSONAL SERVICES	162,907.00	133,555.00	29,352.00
004 INCREMENT	1,980.00	1,980.00	0.00
010 EMPLOYEE BENEFITS	66,360.00	54,855.00	11,505.00
099 UNCLASSIFIED	<u>142,180.00</u>	<u>70,082.00</u>	<u>72,098.00</u>
TOTAL	373,427.00	260,472.00	112,955.00
Fund 3349- STREAM RESTORATION FUND			
096 UNCLASSIFIED	11,298,205.00	1,247,443.00	10,050,762.00
Fund 3023 - HAZARDOUS WASTE MANAGEMENT FEE FUND			
001 PERSONAL SERVICES	321,688.00	241,262.00	80,426.00
004 INCREMENT	5,760.00	1,140.00	4,620.00
010 EMPLOYEE BENEFITS	141,366.00	78,147.00	63,219.00
099 UNCLASSIFIED	<u>135,412.00</u>	<u>119,017.00</u>	<u>16,395.00</u>
TOTAL	604,226.00	439,566.00	164,660.00
Fund 3024 - AIR POLLUTION EDUCATION AND ENVIRONMENT FUND			
001 PERSONAL SERVICES	317,311.00	179,136.00	138,175.00
004 INCREMENT	3,060.00	3,060.00	0.00
010 EMPLOYEE BENEFITS	143,725.00	72,464.00	71,261.00
099 UNCLASSIFIED	<u>551,357.00</u>	<u>90,038.00</u>	<u>461,319.00</u>
TOTAL	1,015,453.00	344,698.00	670,755.00
Fund 3486 - LITTER CONTROL FUND			
096 UNCLASSIFIED	60,000.00	50,049.00	9,951.00
Fund 3487 RECYCLING ASSISTANCE FUND			
001 PERSONAL SERVICES	386,509.00	260,001.00	126,508.00
004 INCREMENT	2,485.00	1,994.00	491.00
010 EMPLOYEE BENEFITS	152,725.00	90,818.00	61,907.00
099 UNCLASSIFIED	<u>2,244,583.00</u>	<u>1,498,086.00</u>	<u>746,497.00</u>
TOTAL	2,786,302.00	1,850,899.00	935,403.00
Fund 3490- EXPLOSIVES AND BLASTING FUND			
001 PERSONAL SERVICES	822,306.00	728,289.00	94,017.00
004 INCREMENT	12,258.00	11,400.00	858.00
010 EMPLOYEE BENEFITS	343,776.00	267,948.00	75,828.00
099 UNCLASSIFIED	709,246.00	457,553.00	251,693.00
426 TRANSF TO COALFIELD DEV OFF. (does not affect appropriation spending limit)	<u>0</u>	<u>433,509.00</u>	<u>0.00</u>
TOTAL	1,887,586.00	1,898,699.00	422,396.00
Fund 8708- FEDERAL FUNDS			
096 UNCLASSIFIED	221,523,652.00	131,007,548.00	90,516,104.00
891 FEDERAL ECONOMIC STIMULUS	<u>3,856,195.00</u>	<u>2,590,147.00</u>	<u>1,266,048.00</u>
TOTAL	225,379,847.00	133,597,695.00	91,782,152.00



west virginia department of environmental protection

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



west virginia department of environmental protection

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