

FEBRUARY 6

Sunday, February 6, 2005

2:00 p.m. to 4:00 p.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Earl Ray Tomblin
ex officio nonvoting member

Robert "Bob" Kiss
ex officio nonvoting member

Senate

House

Minard, Chairman
Unger
Boley
Minear

Absent

Mahan, Chairman
Palumbo, Vice Chairman
Cann
Pino
Armstead
Overington

The meeting was called to order by Ms. Mahan, Chairman.

The minutes of the January 6, 2005, meeting were approved.

Connie Bowling, Associate Counsel, reviewed her abstract on the rule proposed by the **Board of Risk and Insurance Management, Patient Injury Compensation Fund, 115CSR7**, stated that the Board has agreed to technical modifications and responded to question from the Committee.

Chuck Jones, Executive Director with the Board of Risk and Insurance Management responded to question from the Committee.

Mr. Armstead moved that Subsections 6.2 and 6.3 of the proposed rule be modified. The motion was adopted.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Bowling explained her abstract on the rule proposed by the **West Virginia State Police, WVSP Career Progression System, 81CSR3**.

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Joe Altizer, Associate Counsel, reviewed his abstract of the rule proposed by the **Division of Air Quality, Permits for Construction and Major Modification or Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration (PDS), 45CSR14** and responded to questions from the Committee.

Laura Crowder, with the Department of Environmental Protection, Division of Air Quality, responded to questions from the Committee.

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Mary Wildfire, with CALP, addressed the Committee.

Mr. Altizer explained his abstract of the rule proposed by the **Division of Air Quality, Permits for Construction and Major Modification or Major Stationary Sources of Air Pollution Which Cause or Contribute to Nonattainment, 45CSR19.**

Mr. Minard moved that the proposed rule be approved. The motion was adopted.

Rita Pauley, Associate Counsel, reviewed her abstract of the rule proposed by the **West Virginia Board of Dental Examiners, Rule for West Virginia Board of Dental Examiners, 5CSR1,** stated that the Board has agreed to technical modifications and responded to questions from the Committee.

John Parkulo, Executive Secretary, with the Board of Dental Examiners responded to question from the Committee.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Pauley explained her abstract of the rule proposed by the **West Virginia Board of Dental Examiners, Formation and Approval of Professional Limited Liability Companies, 5CSR2,** stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Pauley reviewed her abstract of the rule proposed by the **West Virginia Board of Dental Examiners, Formation and Approval of Professional Limited Liability Companies, 5CSR3** and responded to questions from the Committee.

Mr. Parkulo distributed handouts relating to the Board's finances and responded to questions from the Committee.

Ms. Boley moved that the proposed rule be laid over until Tuesday, February 8, 2005. The motion was adopted.

Ms. Pauley explained her abstract of the rule proposed by the **West Virginia Board of Dental Examiners, Formation and Approval of Dental Corporations, 5CSR6**, stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Pauley reviewed her abstract of the rule proposed by the **Family Protection Service Board, Perpetrator Intervention Programs Licensure for Correctional Institutions, 191CSR5**, stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

The meeting was adjourned.

FEBRUARY INTERIM ATTENDANCE
Legislative Interim Meetings
February 6, 7, and 8, 2005

Sunday, February 6, 2005

2:00 - 4:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Robert S. Kiss, ex
officio nonvoting member

Senate

Minard, Chair

Under

Boley

Minear

✓

✓

✓

House

Mahan, Chair

Palumbo, Richard, Vice Chair

Cann

Pino

Armstead

Overington

✓

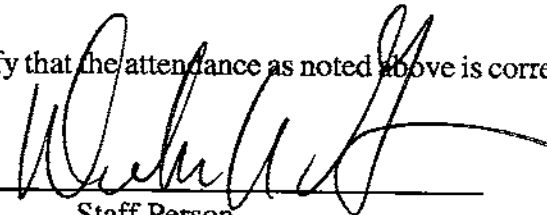
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✓

✓

✓

I certify that the attendance as noted above is correct.



Staff Person

Debra Graham

Please return to Brenda in Room 132-E or Fax to 347-4819.

FEBRUARY INTERIM ATTENDANCE

Legislative Interim Meetings

Sunday 6, 7, and 8, 2005

Sunday, February 6, 2005

2:00 p.m. - 4:00 p.m.

Legislative Rule-Making Review Committee

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officio nonvoting member

Robert "Bob" Kiss, ex
officio nonvoting member

Senate

House

Minard, Chair
_____, Vice Chair

Mahan, Chair
Palumbo, Vice Chair

Unger
Boley
Minear

Cann
Pino
Armstead
Overington

BRIM - Patient Injury Compensation

Cornie rereviewed the rule

^{added}
Minard
Armstead
Adopted
Chuck Jones, BRIM responded to questions
Approve as mod.

Distributed proposed mod. BRIM accepted mod.

Approved WV State Police - Career Progression

Cornie rereviewed

Amendment by Trooper assn not germane

DOAQ 45CSR 14

Joe explained

Laura Crowder (DOAQ)

Minard
Approve

Many Wildfire - Clean Air . . . Coalition addressed
the C

DOAQ 45 CSR 19

Joe explained

Approve

Minard
adopted

Minutes of January 10 ~~is~~ approved

Dental Examiners - 5 CSR 1

Rita explained & ansd question

John Pukelow, Free ^{see} ~~of~~ Bd responded to
questions.

Approve as mod.

Minard
adopted

Dental Examiners Ph.C.

Rita explained & responded to q's

Approve as modified

Minard
adopted

Dental Examiners - Fees - Rita explained

John responded to questions

2.8 & 3.2 ↑ to \$160.

wants current expenses & anticipated expenses

Lay over til Tues

Boley
adopted

Dental Examiners - Dental Caps

Minord
Adopted

Rita explained
Approve as mod

Family Protection Services Bd.

Minord

Rita explained
Approve as mod

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Sunday, February 6, 2005
2:00 p.m. to 4:00 p.m.
House Judiciary Committee Room

1. **Approval of Minutes - Meeting of January 10, 2005**

2. **Review of Legislative Rules:**

*Approved ✓
as modified*

Board of Risk and Insurance Management
Patient Injury Compensation Fund
115CSR7

- **Layover**
- **Approve as Modified**

*Approved ✓
b.*

West Virginia State Police
WVSP Career Progression System
81CSR3

- **Layover**
- **Approve**

Approved ✓

Division of Air Quality
Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration (PSD)
45CSR14

- **Approve**

Approved ✓

Division of Air Quality
Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution Which Cause or Contribute to Nonattainment
45CSR19

- **Approve**

*Approved ✓
modified*

West Virginia Board of Dental Examiners
Rule for the West Virginia Board of Dental Examiners
5CSR1

- **Approve as Modified**

Approved
as modified

West Virginia Board of Dental Examiners
Formation and Approval of Professional Limited Liability
Companies
5CSR2

- Approve as Modified

Laid over

West Virginia Board of Dental Examiners
Fees Established by the Board
5CSR3

- Approve as Modified

Approved
as modified

West Virginia Board of Dental Examiners
Formation and Approval of Dental Corporations
5CSR6

- Approve as Modified

Approved
as modified

Family Protection Service Board
Perpetrator Intervention Programs Licensure for Correctional
Institutions
191CSR5

- Approve as Modified

3. Other Business

FEBRUARY INTERIM ATTENDANCE

Legislative Interim Meetings

Sunday 6, 7, and 8, 2005

Sunday, February 6, 2005

2:00 p.m. - 4:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Robert "Bob" Kiss, ex
officio nonvoting member

Senate

House

Minard, Chair ✓
_____, Vice Chair

Mahan, Chair ✓
Palumbo, Vice Chair ✓

Unger ✓
Boley ✓
Minear

Cann ✓
Pino ✓
Armstead ✓
Overington ✓

• Mahan meeting to order

- Risk & Ins. Management - 115 CSR 7 - Connie
Connie answered questions

Chuck Jones answered question

Minard as modified

- Armstead ~~conducted~~ modifications
Mr. Jones accepts modifications

• State Police - 81 CSR 3 - Connie
Minard approves

- Air Quality - 45 CSR 14 - Joe
Joe responded to questions

Laura Crowder responded to questions

Minard as approved

(Mary Wildfire - CALP addressed the committee

- Air Quality - 45 CSR19 - Joe
Minard move as approved

• Minutes approved (Minard)

• Dental Examiners - 5 CSR1 - Rita
Rita responded to questions
John Parkulo, executive sec. responded to questions

Minard moves as modified

- Dental Examiners - 5 CSR2 - Rita
Rita responded to questions
Minard moves as modified

- Dental Examiners - 5 CSR3 - Rita
John Parkulo, executive sec. responded to questions
Rita responded to questions
and distributed handouts
Boley moves (Mr. Parkulo come back w/ total
expenses on Tuesday) for a layover

- Dental Examiners - 5 CSR6 - Rita
Rita responded to question
Minard approve as modified
Boley request copy of letter sent out


• Family Protection Service Bd- 191CSRS - Rita
Minard moves rule as modified

meeting adjourned



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TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Sunday, February 6, 2005
2:00 p.m. to 4:00 p.m.
House Judiciary Committee Room - 418M

1. **Approval of Minutes** - Meeting of January 10, 2005
2. **Review of Legislative Rules:**
 - a. **Board of Risk and Insurance Management**
Patient Injury Compensation Fund
115CSR7
 - b. **West Virginia State Police**
WVSP Career Progression System
81CSR3
 - c. **Division of Air Quality**
Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration (PSD)
45CSR14
 - d. **Division of Air Quality**
Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution Which Cause or Contribute to Nonattainment
45CSR19
 - e. **West Virginia Board of Dental Examiners**
Rule for the West Virginia Board of Dental Examiners
5CSR1
 - f. **West Virginia Board of Dental Examiners**
Formation and Approval of Professional Limited Liability Companies
5CSR2
 - g. **West Virginia Board of Dental Examiners**
Fees Established by the Board
5CSR3
 - h. **West Virginia Board of Dental Examiners**
Formation and Approval of Dental Corporations
5CSR6

- 
- i. **Family Protection Service Board**
*Perpetrator Intervention Programs Licensure for Correctional
Institutions*
191CSR5

3. **Other Business**



TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Sunday, February 6, 2005
2:00 p.m. to 4:00 p.m.
House Judiciary Committee Room

1. **Approval of Minutes** - Meeting of January 10, 2005
2. **Review of Legislative Rules:**
 - a. **Board of Risk and Insurance Management**
Patient Injury Compensation Fund
115CSR7
 - **Layover**
 - **Approve as Modified**
 - b. **West Virginia State Police**
WVSP Career Progression System
81CSR3
 - **Layover**
 - **Approve**
 - c. **Division of Air Quality**
Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration (PSD)
45CSR14
 - **Approve**
 - d. **Division of Air Quality**
Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution Which Cause or Contribute to Nonattainment
45CSR19
 - **Approve**
 - e. **West Virginia Board of Dental Examiners**
Rule for the West Virginia Board of Dental Examiners
5CSR1
 - **Approve as Modified**

- f. **West Virginia Board of Dental Examiners**
*Formation and Approval of Professional Limited Liability
Companies*
5CSR2
 - **Approve as Modified**

- g. **West Virginia Board of Dental Examiners**
Fees Established by the Board
5CSR3
 - **Approve as Modified**

- h. **West Virginia Board of Dental Examiners**
Formation and Approval of Dental Corporations
5CSR6
 - **Approve as Modified**

- i. **Family Protection Service Board**
*Perpetrator Intervention Programs Licensure for Correctional
Institutions*
191CSR5
 - **Approve as Modified**

3. **Other Business**

Proposed modification to 115 CSR 7:

- 6.2. Subject to the provisions of section 6.3 of this rule, the amount payable by the fund to a qualified claimant is the amount of uncollectible economic damages. In determining the amount of uncollectible economic damages, payments of available insurance in the underlying professional medical liability action are considered to have been applied first to satisfy any economic damages award.
- 6.3. The maximum amount payable out of the fund in respect to any one occurrence, inclusive of attorney fees, shall be the lesser of one million dollars or the maximum amount of money that could have been collected for all applicable insurance prior to the creation of the Fund. For purposes of this rule, amounts payable by any insurance guaranty funds due to the insolvency of an insurance company are deemed applicable insurance.

CASH BALANCE COMPARISON

JUNE 30, 2000	100,620.76
JUNE 30, 2001	87,890.11
JUNE 30, 2002	70,291.59
JUNE 30, 2003	78,890.43
JUNE 30, 2004	72,909.08
SEPTEMBER 30, 2000	59,525.32
SEPTEMBER 30, 2001	40,635.91
SEPTEMBER 30, 2002	21,210.28
SEPTEMBER 30, 2003	26,049.44
SEPTEMBER 30, 2004	18,624.97

**ESTIMATED ADDITIONAL MONIES TO BE GENERATED BY PROPOSED FEES
WITH SOME SUPPORTING DATA**

Line Item	Additional Monies Estimated
2.8	17,525
2.9	26,175
3.2	14,700
Subtotal	58,400

Line Item	Additional Monies Estimated
4.7	10,530
4.8	14,840
Subtotal	25,370
Total of Renewal Fees	83,770

Line Item	Additional Monies Estimated
2.1	2,500.00
2.3	3,750.00
3.1	1,500.00
4.1	1,125.00
4.3	500.00
Total of Application Fees	9,375.00

Line Item	Additional Monies Estimated
7.1	1,200.00
7.2	2,500.00 - 5,000.00
Total of Licensure Verification fees	3,700.00 - 6,200.00
GRANT TOTAL	96,845.00 - 99,345.00

1. Renting/relocation costs
2. Additional legal expenses
3. Increased costs associated with two additional board members
4. Anticipated Costs of Hiring a Hearing Examiners
5. Increase Costs of Insurance Premiums
6. Future consideration to salary increases to employees

Rental	7,200 - 14,400 estimated
Relocation	5,000 estimated
Two additional board members	10, 000 estimated
Legal Expenses	4,000 - 10,000 estimated
Hearing Examiners	20,000 - 50,000 estimated
Insurance Premiums (PEIA & BRIM)	4,000 estimated
2 Additional Meetings	14,000 estimated
Computer Equipment	2,000 - 5,000 estimated

Meeting Costs - divided by number traveled

$$5716.14 / 9 = 635.13$$

$$6431.76 / 8 = 803.97$$

$$4440.84 / 9 = 493.43$$

$$3280.17 / 5 = 656.03$$

$$3932.37 / 5 = 786.45$$

estimated meeting costs per year with 4 meetings 17,763 - 28,942

Number of Active Licensees

Total Dentists in State	851
Specialists	145
General	706

Total Dentists out of State	389
Specialists	48
General	341

Total Hygienists in State	717
Total Hygienists living in State not practicing	174 these hygienists have active licenses but did not list an employer or do not practice
Total Hygienists out of State	236

Expanded Duties Certificates Issued

Assistants Restorative & Orthodontic Duties	337
Hygiene Local Anesthesia	8
Hygiene Monitoring Nitrous Oxide	5
Hygiene Bleaching	1

FEBRUARY 8

Sunday, February 8, 2005

2:00 p.m. to 4:00 p.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Earl Ray Tomblin
ex officio nonvoting member

Robert "Bob" Kiss
ex officio nonvoting member

Senate

House

Minard, Chairman
Fanning
Prezioso
Unger
Boley
Minear

Absent

Mahan, Chairman
Palumbo, Vice Chairman
Cann
Pino
Armstead
Overington

The meeting was called to order by Mr. Minard, Chairman.

The minutes of the January 11, 2005, meeting were approved.

Patrick Campbell, with the West Virginia Department of Environmental Protection, gave a presentation and distributed handouts on the cause and status of state fish consumption warning because of excess mercury in fish. Mr. Campbell responded to questions from the Committee.

Edward M. Snyder, Ph. D., Environmental Quality Board Chair, discussed and distributed handouts on the Board proposal regarding the mercury water quality standard and new manganese standard. Mr. Snyder answered questions from the Committee.

Joe Altizer, Associate Counsel, explained his abstracts on the rule proposed by the **Environmental Quality Board, Requirements Governing Water Quality Standards, 46CSR1** (August 20, 2004 and September 29, 2004) and responded to questions from the Committee.

Ms. Mahan moved that the August 20, 2004, version of the rule be withdrawn. The motion was adopted.

Ms. Mahan moved that the September 29, 2004, version of the rule be modified to include the provisions of the version of the rule that had been filed on August 20, 2004. The motion was adopted.

Ms. Mahan moved that the proposed rule be approved as modified

Joe Altizer, Associate Counsel, explained his abstract on the rule proposed by the **Office of Water Resources, National Pollutant Discharge Elimination System (NPDES), 47CSR10**, stated that the Office has agreed to technical modifications and responded to questions from the Committee.

Bill Brannon with the Office of Waste Management, Robert Williams, Executive Secretary-Treasurer, with the West Virginia Farm Bureau, Mark Harman with the West Virginia Poultry Association, and Joe Dollie, General Counsel, with the Department of Environmental Protection addressed the Committee and responded to questions.

Mr. Unger moved that the rule be modified to remove the provisions regarding the permitting of farmers throughout the proposed rule. The motion was adopted.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Debra Graham, Chief Counsel, reviewed her abstract on the rule proposed by the **West Virginia Health Care Authority, Benchmarking and Discount Contract Rule, 65CSR26**, stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Rita Pauley, Associate Counsel, explained her abstract on the rule proposed by the **Board of Dental Examiners, Fees Established by the Board, 5CSR3** and responded to questions from the Committee.

John Parkulo, Executive Secretary, with the Board of Dental Examiners distributed handouts regarding the Board's budget.

Mr. Fanning moved that the proposed rule be approved as modified.

Mr. Fanning requested unanimous consent that he be allowed to withdraw his motion. There being no objections the motion was withdrawn.

Mr. Parkulo explained the handouts and responded to questions from the Committee.

Ms. Mahan moved that the Board be requested to withdraw the proposed rule based on the Committees determination that the 30 to 40 percent overall fee increases were not warranted by the agencies expenses. The motion was adopted.

Mr. Minard moved that staff be directed to prepare the report and bills of authorization for introduction. The motion was adopted.

The meeting was adjourned.

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Tuesday, February 8, 2005
2:00 p.m. to 4:00 p.m.
House Judiciary Committee Room 418M

1. Water Quality Standards Study

A. Mercury

1. Presentations on cause and status of state fish consumption warning because of excess mercury in fish:

Bret Preston- Department of Natural Resources, Barbara Taylor, Department of Health and Pat Campbell Department of Environmental Protection.

2. Presentation by Dr. Ed Snyder chairman and Dr. Scott Simonton, vice-chairman of Environmental Quality Board on Board proposals regarding mercury water quality standard.

b. Manganese

1. Presentations by Dr. Snyder, Dr. Taylor and a representative from the Department of Environmental Protection regarding the DEP proposal for new manganese standard.

2. Review of Legislative Rules:

a. **West Virginia Environmental Quality Board**
Requirements Governing Water Quality Standards
46CSR1

b. **West Virginia Environmental Quality Board**
Requirements Governing Water Quality Standards
46CSR1

c. **Office of Water Resources - DEP**
National Pollutant Discharge Elimination System (NPDES)
47CSR10

d. **West Virginia Health Care Authority**
Benchmarking and Discount Contract Rule
65CSR26

- e. **West Virginia Board of Dental Examiners**
Fees Established by the Board
5CSR3

3. Other Business

Direct staff to prepare report and bills of authorization for introduction.

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Tuesday, February 8, 2005
2:00 p.m. to 4:00 p.m.
House Judiciary Committee Room

1. Water Quality Standards Study

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2. Review of Legislative Rules:

a. **West Virginia Environmental Quality Board**
Requirements Governing Water Quality Standards
46CSR1

• **Approve**

b. **West Virginia Environmental Quality Board**
Requirements Governing Water Quality Standards
46CSR1

• **Approve**

c. **Office of Water Resources - DEP**
National Pollutant Discharge Elimination System (NPDES)
47CSR10

• **Layover**
• **Approve as Modified**

d. **West Virginia Health Care Authority**
Benchmarking and Discount Contract Rule
65CSR26

- **Layover**
- **Approve as Modified**

e. **West Virginia Board of Dental Examiners**
Fees Established by the Board
5CSR3

- **Layover**
- **Approve as Modified**

3. **Other Business**

Direct staff to prepare report and bills of authorization for introduction.

FEBRUARY INTERIM ATTENDANCE
Legislative Interim Meetings
February 6, 7, and 8, 2005

Tuesday, February 8, 2005

2:00 - 4:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member _____

Robert S. Kiss, ex
officio nonvoting member _____

Senate

Minard, Chair

Unger

Boley

Minear

Fanning

Prezioso

✓

✓

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✓

✓

House

Mahan, Chair

Palumbo, Richard, Vice Chair

Cann

Pino

Armstead

Overington

✓

✓

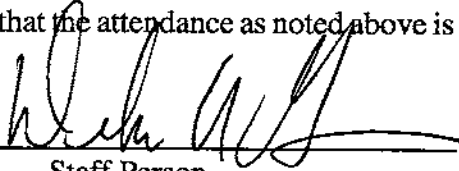
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✓

✓

✓

I certify that the attendance as noted above is correct.



Staff Person

Debra Graham

Please return to Brenda in Room 132-E or Fax to 347-4819.

FEBRUARY INTERIM ATTENDANCE

Legislative Interim Meetings

Sunday 6, 7, and 8, 2005

Tuesday, February 8, 2005

2:00 p.m. - 4:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Robert "Bob" Kiss, ex
officio nonvoting member

Senate

House

Minard

✓

~~Prezioso~~

✓

~~Funnhey~~

✓

Unger

✓

Boley

✓

Minear

✓

~~Funnhey~~

Mahan, Chair

✓

Palumbo, Vice Chair

✓

Cann

✓

Pino

✓

Armstead

✓

Overington

✓

Patrick Campbell, DEP - power pt presentation on
excess mercury in fish; responded to questions

Dr. Ed Snyder, EQB - mercury stds & manganese;
responded to questions

EQB - 46 CSRI

Joe explained

Modify Sept 29th version to incl. Aug. version.

W/draw Aug version

Water Resources UPDES

Joe explained & ansd questions

Bill Brannon? Dr Waste H₂O Mgt responded to q's

Bob Williams & Mark Harman responded to q's

added for Dollie, Ben Gustaf, DEF

Approve as mod

Mahan Unger wants pass regarding permitting of farmers to be
adoption removed.

HOF

I explained

Approve as mod

Mahan u adopt

Dental

Dist'd handouts

John explained handouts

Approve as mod

Unanimous consent to withdraw

Ben withdrawn

Mahan u adopt

Prepare report & bills of work

Mahan

Unger mentioned rule on racial profiling

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Tuesday, February 8, 2005
2:00 p.m. to 4:00 p.m.
House Judiciary Committee Room

✓ 1. **Water Quality Standards Study**

A. Mercury

1. Presentations on cause and status of state fish consumption warning because of excess mercury in fish:

Bret Preston- Department of Natural Resources, Barbara Taylor, Department of Health and Pat Campbell Department of Environmental Protection.

2. Presentation by Dr. Ed Snyder chairman and Dr. Scott Simonton, vice-chairman of Environmental Quality Board on Board proposals regarding mercury water quality standard.

b. Manganese

1. Presentations by Dr. Snyder, Dr. Taylor and a representative from the Department of Environmental Protection regarding the DEP proposal for new manganese standard.

2. **Review of Legislative Rules:**

*Approved
as modified*

a. **West Virginia Environmental Quality Board**
Requirements Governing Water Quality Standards
46CSR1

*Sept 29
version*

- **Approve** *as modified*

*Rec'd
Withdraw*

b. **West Virginia Environmental Quality Board**
Requirements Governing Water Quality Standards
46CSR1

*August 20th
version
withdraw*

- **Approve**

*Approved
as modified*

c. **Office of Water Resources - DEP**
National Pollutant Discharge Elimination System (NPDES)
47CSR10

- **Layover**
- **Approve as Modified**

Approved as modified

West Virginia Health Care Authority
Benchmarking and Discount Contract Rule
65CSR26

- Layover
- Approve as Modified

Ree Withdrawal

e. **West Virginia Board of Dental Examiners**
Fees Established by the Board
5CSR3

- Layover
- Approve as Modified

3. Other Business

Direct staff to prepare report and bills of authorization for introduction.

FEBRUARY INTERIM ATTENDANCE

Legislative Interim Meetings

Sunday 6, 7, and 8, 2005

Tuesday, February 8, 2005

2:00 p.m. - 4:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Robert "Bob" Kiss, ex
officio nonvoting member

Senate

House

Minard, Chair ✓
~~Janning~~ ✓
~~Pizzoso~~ ✓
Unger ✓
Boley ✓
Minear

Mahan, Chair ✓
Palumbo, Vice Chair ✓
Cann ✓
Pino ✓
Armstead ✓
Overington ✓

- Patrick Campbell w/ DEP - presentation ^{and handouts} on fish consumption and responded to questions
- minutes
- Dr. Ed Snyder, Chairman of EQB discussion/ follow-up of mercury in fish, handouts and answered questions
- EQB 46 CSR1 - Joe Explained & answered question modify to include trout streams
Mahan move as modified
Mahan move agency to withdraw Aug 26th
* Modify Sept 29th to include Aug 20th

- DEP - Water Resources 47CSR10 - Joe explained and responded to questions
 - Bill Brannow w/ Waste responded to questions.
 - Bob Williams executive sec. w/ Farm Bureau addressed responded to questions
 - Mark Harmon w/ poultry association responded to questions
 - Joe Dollie, ^{Asst} Counsel w/ DEP responded to questions

Mahan move as modified

Unger ^{move to modify} amendment remove prov. permitting farmers

Debra Mahan answered questions

Mahan ~~disagrees~~ w/ the amendment Debra recommen mod instead of amendment
 moved as modified

- WU Health Care Authority 65CSR26 - Debra Mahan move as modified. ^{explained answer?'s}

- Dental Examiners 5CSR3 - Rita ex'ans. ?'s

- John Parkulo - handouts ~~XXXXXXXXXX~~
- Fanning moved as modified
- Fanning withdrew motion
- Mr. Parkulo explained handouts and answered questions
- Mahan motion for Bd to withdraw!

~~XXXXXXXXXX~~

- motion to disapprove Ther rule
- motion approved

- Minard direct staff to prepare report & bills

Mercury and PCBs In Fish - Statewide Study



By: *Patrick Campbell*
January 11, 2005

*West Virginia Department of
Environmental Protection*

TOPICS

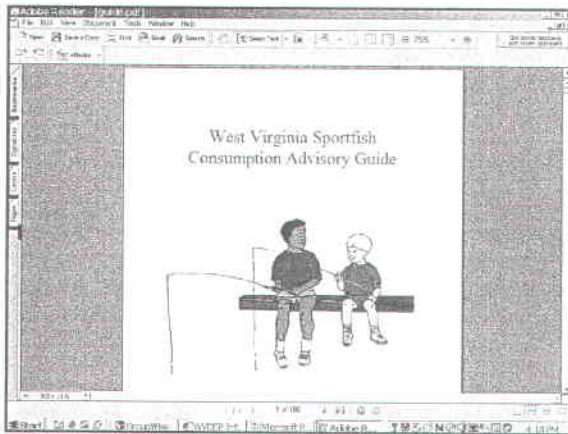
- WV Fish Consumption Advisories (History and Process)
- Statewide Hg/PCB study
- Implications

Executive Order

- Order # 16-00 entered into 9/11/2000
- Established a 7 member committee (2 from each agency and the Commissioner of BPH as chair)
- Directed BPH, DNR and DEP to develop an interagency agreement on the specifics
- BPH Commissioner issues advisories

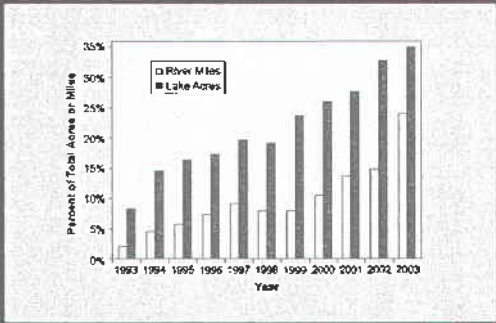
Interagency Agreement

- Between BPH, DNR, DEP
- Effected 11/8/2000
- Set forth principles for advisories (meal sizes, risk levels)
- Set forth roles - DEP manages tissue analysis and the data, DNR collects fish and surveys anglers; BPH issues advisories and is primary media contact





Percentage of River Miles and Lake Acres Under Advisory, 1993-2003



EPA

WV Mercury Information

- Until recently very limited data
- Concern after seeing ORSANCO results, NAWQA survey, and DEP opportunistic data
- Sought EPA funds for statewide Hg and PCB fish tissue monitoring

WV Hg and pcb Fish Tissue Study

- Cooperative effort between DEP, DNR, BPH, WVU Fish and Wildlife Coop. Unit
- Began in Spring 2002, Sampling concluded fall 2003
- Hg. And PCB results finalized May '04
- Well?

Summary of data

- 65 Sites
- 295 Samples
- 78% would have some level of Hg. advisory
- 26% would have some level of PCB advisory

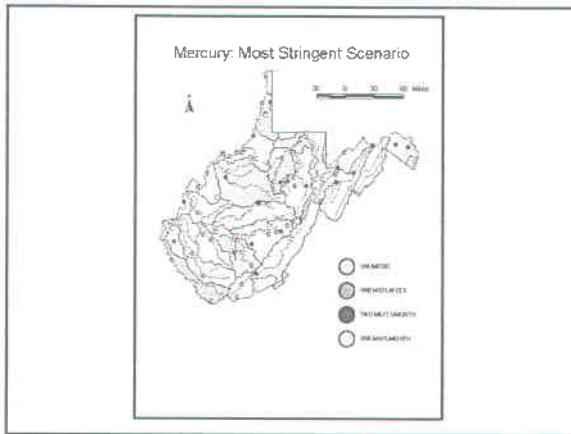
Hg. Fish Tissue Sampling Locations in WV

... includes ORSANCO sites



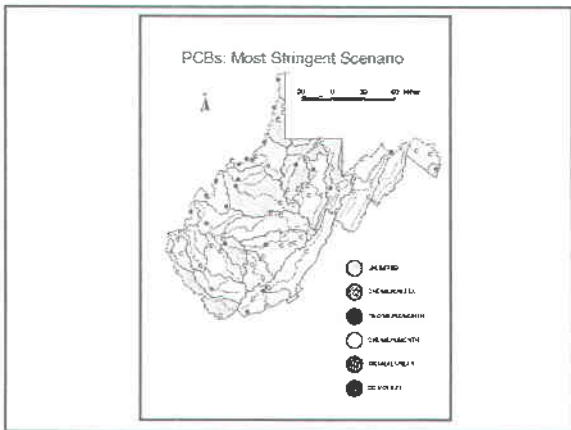
Hg. Sample Summary

Mercury	# Samples	%	
	64	22	Unlimited
	135	46	One meal/week
	72	24	Two meals/month
	24	8	One meal/month
			Six meals/year
			Do Not Eat



PCB Sample Summary

PCB	# Samples	%	Consumption Scenario
	219	74	Unlimited
	45	15	One meal/week
	21	7	Two meals/month
	5	2	One meal/month
	3	1	Six meals/year
	2	1	Do Not Eat



Loose Rules of Thumb

- Larger fish = higher contaminant levels
- Higher Trophic Level fish = higher Hg.
- Bottom feeders = higher pcbs
- Industrial/downstream areas = higher pcbs
- Lake fish = higher Hg.

Actions...

- Fish Consumption Advisory Committee issued updated advisories 12/2004
- 303(d) Listings from Hg. data in 2004 Section 303(d) List.
- Advisory Committee seeking to better understand consumption habits of anglers
- Recently completed inventory of major mercury air emissions in WV

Interest...

- Hg. TMDLs
- ASIWPCA, STAPPA, ECOS, NGA
- Industry
- Activists
- Clear Skies, MACT, EPA Hg. Reduction plan, Quicksilver caucus

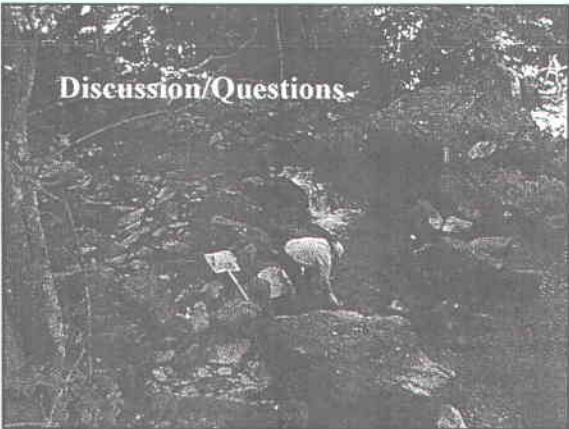
Some Good News...

- People are talking
- Technology for Hg. removal
- Considerable research underway
- Positive Florida experience
- Hg. reduction possible from other sources
- Still better than a Big Mac™?

Final thoughts...

- EPA received thousands of comments on Air rule proposals - must decide a path forward by spring
- Power plants positioning themselves to install controls
- Injection of activated carbon into the wastestream looks promising
- Will be cobenefits by installing SOx scrubbers

Discussion/Questions



WV Fish Consumption Advisories

(back to Advisory Page)

West Virginia Current Fish Advisories

Sections:

[Suggested Meal Sizes](#)

[General Advisories](#)

[Restrictive Advisories](#)

Fish Consumption Advisories Available for 2005

The West Virginia Department of Health and Human Resources (DHHR) has updated the West Virginia sport fish consumption advisory for 2005. West Virginia DHHR, through an interagency agreement, partners with the West Virginia Department of Environmental Protection and the Division of Natural Resources to develop consumption advisories for fish caught in West Virginia. Fish consumption advisories are updated annually and help West Virginia anglers make educated choices about eating the fish they catch.

While most West Virginia sport fish are of high quality, low levels of chemicals like polychlorinated biphenyls (PCBs), mercury and dioxin have been found in some fish from certain waters. To ensure the continued good health of West Virginians, the West Virginia DHHR offers an advisory for how often these fish can be safely eaten. An advisory is advice, and should not be viewed as law or regulation. It is intended to help anglers and their families make educated choices about: where to fish, what types of fish to eat, how to limit the amount and frequency of fish eaten, and how to prepare and cook fish to reduce contaminants.

This advisory covers only sport fish caught in West Virginia waters. Safety regulations and advisories for fish in the market place are the responsibility of the Federal Food and Drug Administration (FDA). For more information you can contact the FDA at www.fda.gov/oc/opacom/hottopics/mercury/backgrounder.html.

The following updated advisory recommendation is the result of a recently completed study of sport fish samples from 56 collection sites across West Virginia and historical data. Data collected from lakes and rivers in West Virginia show that a general statewide advisory of sport-caught fish is appropriate. A review of this information indicates that mercury, PCBs and dioxin are the most prevalent pollutants of concern. If you would like more detailed information about these contaminants and the levels measured consult the DHHR Web Site at www.wvdhhr.org/fish.

Body weight and meal size are important factors in fish advisories. Use this chart to find the size of meal that corresponds to your body weight. This advisory is designed to keep the amount of chemicals you eat at a safe level.

Meal Sizes	
A person weighing between	Should eat no more than this amount per meal
pounds	ounces of precooked fish
20 or less	1.0
21-35	1.5
36-50	2.0
51-70	3.0
71-90	4.0
91-110	5.0
111-130	6.0
131-150	7.0
151 and over	8.0
Remember that 3.0 ounces of precooked fish is about the size of the palm of your hand or a deck of cards	
Remember that 1.5 ounces of precooked fish is about one-half the size of the palm of your hand or one-half of a deck of cards	

Find the meal advice for the fish you've caught. "Do Not Eat" means you should not eat those fish because of higher contamination. The other groups ("One Meal a Week", "Two meals a Month", "One Meal a Month", and "Six Meals a Year") are advice for how often to eat fish.

Women of childbearing age, children and people who regularly eat fish are particularly susceptible to contaminants that build up over time. If you fall into one of these categories, you should be especially careful to follow the meal sizes and space fish meals out according to the advisory tables.

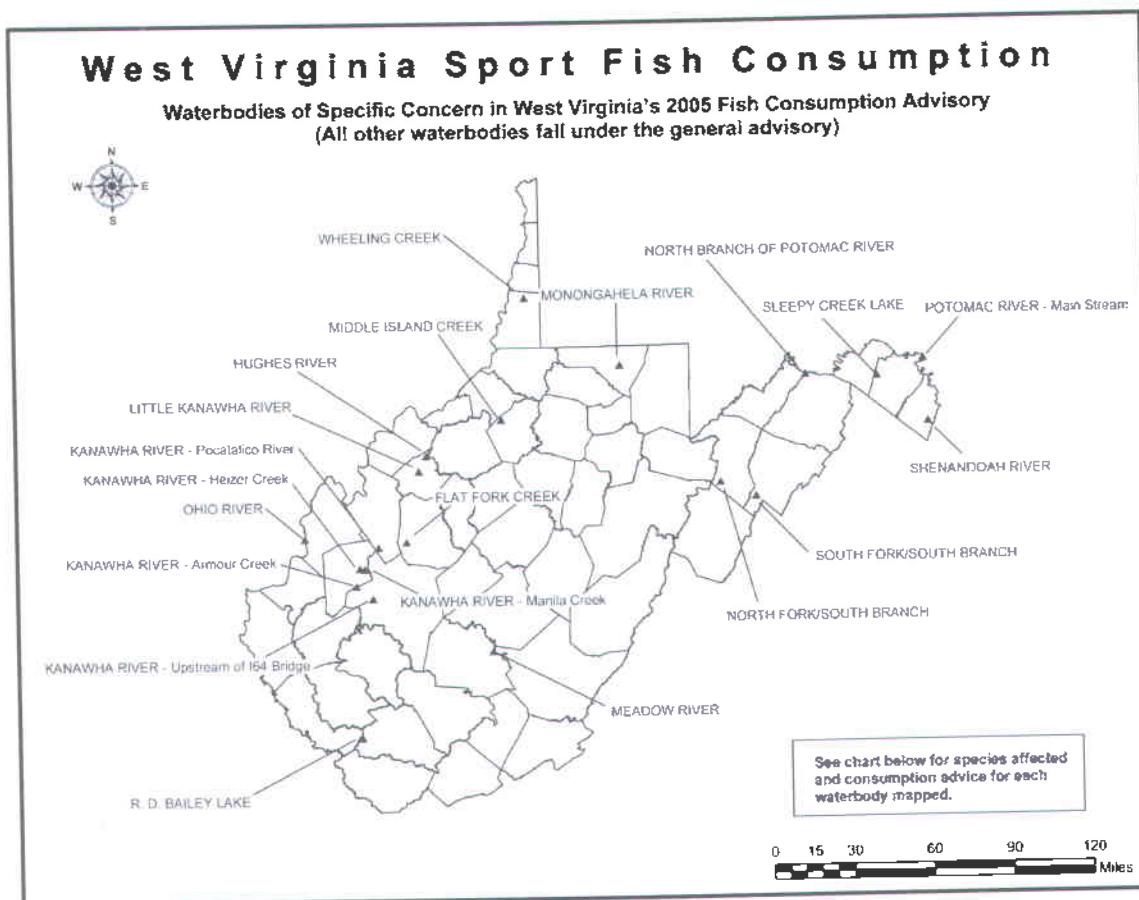
Your body can get rid of some contaminants over time. Spacing the meals out helps prevent the contaminants from building up to harmful levels in the body. For example, if the fish you eat is in the "One Meal a Month Group", wait a month before eating another meal of fish from any restricted category. Occasionally eating fish in quantities slightly greater than the advisories recommend, such as during an annual fishing vacation, should not present a health hazard.

Follow the advice presented in this advisory, noting the differences between the **General Advisories for all West Virginia waters** and the more restrictive **Specific Advisories**.

GENERAL ADVISORIES FOR ALL WEST VIRGINIA WATERS			
Water Body	Species	Limit your fish meals to:	Contaminants*
ALL WEST VIRGINIA WATERS (except where listed in the specific advisories below):	Black Bass (largemouth, smallmouth, spotted) less than 12" Channel Catfish greater than 17" Sauger All Suckers	2 meals a month	*Mercury PCBs
	Black Bass (largemouth, smallmouth, spotted) greater than 12" Walleye Saugeye White Bass Hybrid Striped Bass	1 meal a month	
	Rainbow Trout	No Limit	
	Channel Catfish less than 17" All Other Species	1 meal a week	

*Contaminant: Meal Limits are determined by the chemical with the asterisk. Other listed chemicals would have an advisory at a less restrictive level.

More restrictive advisories issued in 2005 affect the following water bodies:



SPECIFIC ADVISORIES - SPECIES NOT LISTED BELOW CAN BE EATEN AS INDICATED IN THE GENERAL ADVISORY

Water Body	Species	Limit your fish meals to:	Contaminants*
FLAT FORK CREEK	Carp Channel Catfish, all sizes Suckers	Do not eat	*PCBs
HUGHES RIVER	Sauger	1 meal a month	*Mercury
KANAWHA RIVER downstream of I-64 bridge in Dunbar including: all backwaters, Armour Creek, Heizer Creek, Manila Creek, Pocatatico River (lower two miles)	Flathead Catfish, all sizes Channel Catfish, all sizes Carp Hybrid Striped Bass Suckers	Do not eat	*Dioxin Mercury PCBs

	All other species	1 meal a month	
KANAWHA RIVER upstream of I-64 bridge in Dunbar	Channel Catfish less than 17"	2 meals a month	*PCBs Mercury
LITTLE KANAWHA RIVER	Flathead Catfish less than 17"	2 meals a month	*Mercury PCBs
MEADOW RIVER	Rock Bass	2 meals a month	*Mercury
MIDDLE ISLAND CREEK	Spotted Bass less than 12"	1 meal a month	*Mercury PCBs
MONONGAHELA RIVER	Channel Catfish, all sizes	6 meals a year	*PCBs
POTOMAC RIVER main stem	All non-game fish	Do not eat	*Dioxin
NORTH BRANCH of POTOMAC RIVER	All non-game fish	Do not eat	*Dioxin
NORTH FORK of SOUTH BRANCH of POTOMAC RIVER	Rock Bass	2 meals a month	*Mercury
SOUTH FORK of SOUTH BRANCH of POTOMAC RIVER	Smallmouth Bass less than 12"	1 meal a month	*Mercury
	Sunfish	2 meals a month	
OHIO RIVER, entire length in WV	Carp Channel Catfish greater than 17"	Do not eat	*PCBs Mercury Dioxin
	Channel Catfish less than 17" Flathead Catfish, all sizes	6 meals a year	
	Drum	1 meal a month	
R. D. BAILEY LAKE	Channel Catfish greater than 17"	6 meals a year	*PCBs
SHENANDOAH RIVER	Carp Channel Catfish greater than 17"	Do not eat	*PCBs Mercury
SLEEPY CREEK LAKE	Yellow Bullhead	2 meals a month	*Mercury
WHEELING CREEK	Smallmouth Bass less than 12"	1 meal a month	*Mercury

*Contaminant: Meal Limits are determined by the chemical with the asterisk. Other listed chemicals would have an advisory at a less restrictive level.

PCBs: Polychlorinated Biphenyls

For further information or the most current advice consult the DHHR Web Site at www.wvdhhr.org/fish or call 304-558-2981.

Other contacts:

Consult the **WV Division of Natural Resources Web Site** at www.wvdnr.gov/fishing/fishing.shtm or call (304) 558-2771.

Consult the **WV Department of Environmental Protection Web Site** at www.wvdep.org or call (304) 926-0495.

Consult the **US EPA Web Site** at www.epa.gov/ost/fish.

PCB and Mercury Data
Associated with 2005 Fish Consumption Advisories

Sorted by Waterbody

Key:

Advisory Levels	Mercury	PCBs Skin-off Fillets	PCBs Skin-on Fillets
Unlimited	<0.05 ppm	<0.036 ppm	<0.05 ppm
One meal/week	0.05-0.22 ppm	0.036-0.15 ppm	0.05-0.22 ppm
Two meals/month	0.23-0.47 ppm	0.16-0.33 ppm	0.23-0.47 ppm
One meal/month	0.48-0.94 ppm	0.34-0.67 ppm	0.48-0.94 ppm
Six meals/year	0.95-1.88 ppm	0.68-1.34 ppm	0.95-1.88 ppm
Do not eat	>1.88 ppm	>1.34 ppm	>1.88 ppm

Note: Some Ohio River fish were skin-on filets

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length Inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
BEAR ROCK LAKE		OHIO COUNTY, WV	40	4	43	80	32	2	17-Jun-03	CHANNEL CATFISH	16.7	SKIN OFF	<0.018	<0.02
BEAR ROCK LAKE		OHIO COUNTY, WV	40	4	43	80	32	2	17-Jun-03	CHANNEL CATFISH	20.1	SKIN OFF	<0.018	<0.02
BEECH FORK LAKE		WAYNE COUNTY, WV	38	18	5	82	24	44	15-Aug-02	CHANNEL CATFISH	13.5	SKIN OFF	0.1025	0.05
BEECH FORK LAKE		WAYNE COUNTY, WV	38	18	5	82	24	44	15-Aug-02	SPOTTED BASS	10.4	SKIN OFF	0.1725	<0.02
BEECH FORK LAKE		WAYNE COUNTY, WV	38	18	5	82	24	44	15-Aug-02	LARGEMOUTH BASS	14.4	SKIN OFF	0.185	<0.02
BEECH FORK LAKE		WAYNE COUNTY, WV	38	18	5	82	24	44	15-Aug-02	CHANNEL CATFISH	17.0	SKIN OFF	0.2125	<0.02
BEECH FORK LAKE		WAYNE COUNTY, WV	38	18	5	82	24	44	15-Aug-02	LARGEMOUTH BASS	10.8	SKIN OFF	0.2275	<0.02
BEECH FORK LAKE		WAYNE COUNTY, WV	38	18	5	82	24	44	15-Aug-02	LARGEMOUTH BASS	11.4	SKIN OFF	0.28	<0.02
BEECH FORK LAKE		WAYNE COUNTY, WV	38	18	5	82	24	44	15-Aug-02	SPOTTED BASS	12.7	SKIN OFF	0.5325	<0.02
BIG COAL RIVER	19.1	RACINE	38	8	32	81	39	36	04-Jul-03	SPOTTED BASS	8.2	SKIN OFF	0.0225	<0.02
BIG COAL RIVER	19.1	RACINE	38	8	32	81	39	36	02-Jul-03	SILVER REDHORSE SUCKER	18.3	SKIN OFF	0.0275	0.08
BIG COAL RIVER	19.1	RACINE	38	8	32	81	39	36	02-Jul-03	SMALLMOUTH BASS	9.1	SKIN OFF	0.0325	<0.02
BIG COAL RIVER	19.1	RACINE	38	8	32	81	39	36	02-Jul-03	BLACK REDHORSE SUCKER	15.1	SKIN OFF	0.0625	<0.02
BIG COAL RIVER	19.1	RACINE	38	8	32	81	39	36	05-Jul-03	SPOTTED BASS	9.2	SKIN OFF	0.0925	<0.02
BIG COAL RIVER	19.1	RACINE	38	8	32	81	39	36	03-Jul-03	SMALLMOUTH BASS	10.0	SKIN OFF	<0.018	<0.02

PCB and Mercury Data
Associated with 2005 Fish Consumption Advisories

Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length Inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
BLUESTONE LAKE		SUMMERS COUNTY, WV	37	35	36	80	53	40	09-Oct-02	CHANNEL CATFISH	15.8	SKIN OFF	<0.018	0.12
BLUESTONE LAKE		SUMMERS COUNTY, WV	37	35	36	80	53	40	09-Oct-02	CHANNEL CATFISH	18.5	SKIN OFF	<0.018	0.25
BLUESTONE LAKE		SUMMERS COUNTY, WV	37	35	36	80	53	40	09-Oct-02	SPOTTED BASS	10.5	SKIN OFF	<0.018	<0.02
BLUESTONE LAKE		SUMMERS COUNTY, WV	37	35	36	80	53	40	09-Oct-02	SPOTTED BASS	11.9	SKIN OFF	<0.018	<0.02
BLUESTONE LAKE		SUMMERS COUNTY, WV	37	35	36	80	53	40	09-Oct-02	SPOTTED BASS	13.5	SKIN OFF	<0.018	<0.02
BLUESTONE RIVER	22.2	NEAR EADS MILL	37	28	46	81	4	25	25-Jun-03	ROCK BASS	6.4	SKIN OFF	0.0375	<0.02
BLUESTONE RIVER	22.2	NEAR EADS MILL	37	28	46	81	4	25	25-Jun-03	ROCK BASS	7.4	SKIN OFF	0.045	<0.02
BLUESTONE RIVER	22.2	NEAR EADS MILL	37	28	46	81	4	25	25-Jun-03	SMALLMOUTH BASS	8.6	SKIN OFF	0.075	<0.02
BUCKHANNON RIVER	7.5	HALL	39	3	11	80	6	44	20-Aug-02	FLATHEAD CATFISH	17.7	SKIN OFF	0.075	<0.02
BUCKHANNON RIVER	7.5	HALL	39	3	11	80	6	44	20-Aug-02	NORTHERN HOGSUCKER	15.0	SKIN OFF	0.1075	<0.02
BUCKHANNON RIVER	7.5	HALL	39	3	11	80	6	44	20-Aug-02	SMALLMOUTH BASS	11.1	SKIN OFF	0.1175	<0.02
BUCKHANNON RIVER	25.6	IN BUCKHANNON	38	59	41	80	13	16	06-Jun-03	SMALLMOUTH BASS	14.2	SKIN OFF	0.25	<0.02
BURNSVILLE LAKE		BRAXTON COUNTY, WV	38	49	27	80	35	58	10-Jun-02	REDHORSE SUCKER	10.5	SKIN OFF	0.1788	<0.02
BURNSVILLE LAKE		BRAXTON COUNTY, WV	38	49	27	80	35	58	10-Jun-02	REDHORSE SUCKER	16.3	SKIN OFF	0.2503	0.04
BURNSVILLE LAKE		BRAXTON COUNTY, WV	38	49	27	80	35	58	10-Jun-02	LARGEMOUTH BASS	10.7	SKIN OFF	0.2503	0.02
BURNSVILLE LAKE		BRAXTON COUNTY, WV	38	49	28	80	35	30	17-Apr-03	LARGEMOUTH BASS	12.3	SKIN OFF	0.3525	<0.02
BURNSVILLE LAKE		BRAXTON COUNTY, WV	38	49	27	80	35	58	10-Jun-02	SPOTTED BASS	9.0	SKIN OFF	0.3603	0.09
BURNSVILLE LAKE		BRAXTON COUNTY, WV	38	49	27	80	35	58	10-Jun-02	SPOTTED BASS	10.7	SKIN OFF	0.3988	<0.02
BURNSVILLE LAKE		BRAXTON COUNTY, WV	38	49	28	80	35	30	17-Apr-03	LARGEMOUTH BASS	16.5	SKIN OFF	0.61	<0.02
CASTLEMAN RUN LAKE		OHIO/BROOKE COUNTIES, WV	40	9	52	80	32	2	18-Jun-03	LARGEMOUTH BASS	13.2	SKIN OFF	0.1925	<0.02
CASTLEMAN RUN LAKE		OHIO/BROOKE COUNTIES, WV	40	9	52	80	32	2	18-Jun-03	LARGEMOUTH BASS	15.2	SKIN OFF	0.245	<0.02
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	59	79	51	20.24	29-Oct-02	CHANNEL CATFISH	19.9	SKIN OFF	0.025	0.14
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	59	79	51	20.24	29-Oct-02	REDHORSE SUCKER	13.8	SKIN OFF	0.0475	<0.02
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	59	79	51	20.24	29-Oct-02	REDHORSE SUCKER	17.0	SKIN OFF	0.075	0.09
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	59	79	51	20.24	29-Oct-02	CHANNEL CATFISH	16.6	SKIN OFF	0.0925	0.10
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	59	79	51	20.24	15-May-02	LARGEMOUTH BASS	11.3	SKIN OFF	0.18	<0.02
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	59	79	51	20.24	29-Oct-02	WHITE BASS	10.7	SKIN OFF	0.1925	0.25
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	59	79	51	20.24	15-May-02	LARGEMOUTH BASS	14.3	SKIN OFF	0.2	0.05
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	59	79	51	20.24	15-May-02	LARGEMOUTH BASS	12.4	SKIN OFF	0.3	<0.02
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	59	79	51	20.24	29-Oct-02	WHITE BASS	13.5	SKIN OFF	0.3025	0.47
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	59	79	51	20.24	26-Sep-02	SMALLMOUTH BASS	11.3	SKIN OFF	0.34	<0.02
CHEAT LAKE		MONONGALIA COUNTY, WV	39	41	49	79	52	4	05-Aug-03	WHITE BASS	13.1	SKIN OFF	0.5725	<0.02

PCB and Mercury Data
Associated with 2005 Fish Consumption Advisories

Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length Inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
CHERRY RIVER	6.6	FENWICK	38	13	46	80	34	60	08-Sep-02	NORTHERN HOGSUCKER	13.1	SKIN OFF	0.0775	<0.02
CHERRY RIVER	6.6	FENWICK	38	13	46	80	34	60	08-Sep-02	SMALLMOUTH BASS	9.7	SKIN OFF	0.155	<0.02
CHERRY RIVER	6.6	FENWICK	38	13	46	80	34	60	08-Sep-02	NORTHERN HOGSUCKER	11.3	SKIN OFF	0.1775	<0.02
COMMERCIALY GROWN CATFISH		NOT APPLICABLE							23-Jun-03	CHANNEL CATFISH	20.7	SKIN OFF	<0.018	0.09
COMMERCIALY GROWN CATFISH		NOT APPLICABLE							23-Jun-03	CHANNEL CATFISH	22.4	SKIN OFF	<0.018	0.17
COMMERCIALY GROWN CATFISH		NOT APPLICABLE							23-Jun-03	CHANNEL CATFISH	18.2	SKIN OFF	<0.018	<0.02
CRANBERRY RIVER	22.4	IN CATCH AND RELEASE SEGMENT	38	15	33	80	21	23	24-Jun-03	WHITE SUCKER	8.6	SKIN OFF	0.0525	<0.02
CRANBERRY RIVER	22.4	IN CATCH AND RELEASE SEGMENT	38	15	33	80	21	23	24-Jun-03	BROWN TROUT	9.5	SKIN OFF	0.0725	<0.02
CRANBERRY RIVER	22.4	IN CATCH AND RELEASE SEGMENT	38	15	33	80	21	23	24-Jun-03	BROWN TROUT	13.0	SKIN OFF	0.3725	<0.02
DRY FORK	6.7	NEAR GLADWIN	39	1	9	79	33	49	29-Aug-02	GOLDEN REDHORSE SUCKER	14.6	SKIN OFF	0.1175	<0.02
DRY FORK	6.7	NEAR GLADWIN	39	1	9	79	33	49	29-Aug-02	GOLDEN REDHORSE SUCKER	16.6	SKIN OFF	0.125	<0.02
DRY FORK	6.7	NEAR GLADWIN	39	1	9	79	33	49	29-Aug-02	SMALLMOUTH BASS	11.4	SKIN OFF	0.31	<0.02
DRY FORK	6.7	NEAR GLADWIN	39	1	9	79	33	49	29-Aug-02	SMALLMOUTH BASS	13.9	SKIN OFF	0.6125	<0.02
DRY FORK/TUG FORK	31.8	NEAR CANEBRAKE	37	14	54	81	38	29	25-Jun-03	NORTHERN HOGSUCKER	7.4	SKIN OFF	0.02	<0.02
DRY FORK/TUG FORK	31.8	NEAR CANEBRAKE	37	14	54	81	38	29	25-Jun-03	NORTHERN HOGSUCKER	8.5	SKIN OFF	0.025	<0.02
DRY FORK/TUG FORK	31.8	NEAR CANEBRAKE	37	14	54	81	38	29	25-Jun-03	ROCK BASS	6.9	SKIN OFF	0.0675	<0.02
EAST LYNN LAKE		WAYNE COUNTY, WV	38	7	11	82	22	27	24-Jul-03	GOLDEN REDHORSE SUCKER	16.1	SKIN OFF	0.075	<0.02
EAST LYNN LAKE		WAYNE COUNTY, WV	38	6	26	82	21	36	21-Aug-02	FLATHEAD CATFISH	14.0	SKIN OFF	0.1	<0.02
EAST LYNN LAKE		WAYNE COUNTY, WV	38	7	11	82	22	27	24-Jul-03	GOLDEN REDHORSE SUCKER	17.8	SKIN OFF	0.1075	<0.02
EAST LYNN LAKE		WAYNE COUNTY, WV	38	6	26	82	21	36	21-Aug-02	LARGEMOUTH BASS	8.6	SKIN OFF	0.1125	0.03
EAST LYNN LAKE		WAYNE COUNTY, WV	38	6	26	82	21	36	21-Aug-02	LARGEMOUTH BASS	12.7	SKIN OFF	0.1575	<0.02
EAST LYNN LAKE		WAYNE COUNTY, WV	38	6	26	82	21	36	21-Aug-02	SPOTTED BASS	9.6	SKIN OFF	0.16	<0.02
EAST LYNN LAKE		WAYNE COUNTY, WV	38	6	26	82	21	36	21-Aug-02	LARGEMOUTH BASS	10.9	SKIN OFF	0.1825	<0.02
EAST LYNN LAKE		WAYNE COUNTY, WV	38	6	26	82	21	36	21-Aug-02	LARGEMOUTH BASS	14.6	SKIN OFF	0.2125	<0.02
EAST LYNN LAKE		WAYNE COUNTY, WV	38	6	26	82	21	36	21-Aug-02	SPOTTED BASS	11.6	SKIN OFF	0.245	<0.02
ELK FORK LAKE		JACKSON COUNTY, WV	38	45	21	81	33	17	09-May-02	LARGEMOUTH BASS	10.4	SKIN OFF	0.3875	<0.02
ELK FORK LAKE		JACKSON COUNTY, WV	38	45	21	81	33	17	09-May-02	LARGEMOUTH BASS	12.3	SKIN OFF	0.4675	<0.02
ELK FORK LAKE		JACKSON COUNTY, WV	38	45	21	81	33	17	09-May-02	LARGEMOUTH BASS	15.5	SKIN OFF	0.9	<0.02
ELK FORK LAKE		JACKSON COUNTY, WV	38	45	21	81	33	17	09-Oct-02	CHANNEL CATFISH	18.5	SKIN OFF	<0.018	0.33
ELK FORK LAKE		JACKSON COUNTY, WV	38	45	21	81	33	17	09-Oct-02	BLACK BULLHEAD	12.2	SKIN OFF	<0.018	<0.02
ELK FORK LAKE		JACKSON COUNTY, WV	38	45	21	81	33	17	09-Oct-02	CHANNEL CATFISH	21.7	SKIN OFF	<0.018	<0.02
ELK RIVER	100	GASSAWAY	38	40	24	80	46	4	24-Jul-02	REDHORSE SUCKER	15.7	SKIN OFF	0.0575	0.06
ELK RIVER	100	GASSAWAY	38	40	24	80	46	4	24-Jul-02	REDHORSE SUCKER	17.7	SKIN OFF	0.2425	<0.02

PCB and Mercury Data
Associated with 2005 Fish Consumption Advisories

Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length Inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
ELK RIVER	100	GASSAWAY	38	40	24	80	46	4	24-Jul-02	SMALLMOUTH BASS	10.7	SKIN OFF	0.2575	<0.02
ELK RIVER	100	GASSAWAY	38	40	24	80	46	4	24-Jul-02	SMALLMOUTH BASS	9.1	SKIN OFF	0.3775	<0.02
GREENBRIER RIVER	6	WILLOWWOOD	37	38	26	80	48	17	30-Oct-02	NORTHERN HOGSUCKER	14.1	SKIN OFF	0.175	<0.02
GREENBRIER RIVER	6	WILLOWWOOD	37	38	26	80	48	17	30-Oct-02	NORTHERN HOGSUCKER	16.6	SKIN OFF	0.185	0.05
GREENBRIER RIVER	6	WILLOWWOOD	37	38	26	80	48	17	30-Oct-02	SMALLMOUTH BASS	11.8	SKIN OFF	0.22	<0.02
GREENBRIER RIVER	6	WILLOWWOOD	37	38	26	80	48	17	30-Oct-02	SMALLMOUTH BASS	10.1	SKIN OFF	0.2725	<0.02
GREENBRIER RIVER	106	3 MI. ABOVE SEEBERT	38	9	2	80	9	6	21-Aug-02	NORTHERN HOGSUCKER	13.4	SKIN OFF	0.1825	<0.02
GREENBRIER RIVER	106	3 MI. ABOVE SEEBERT	38	9	2	80	9	6	21-Aug-02	SMALLMOUTH BASS	10.4	SKIN OFF	0.425	<0.02
GREENBRIER RIVER	106	3 MI. ABOVE SEEBERT	38	9	2	80	9	6	21-Aug-02	SMALLMOUTH BASS	15.2	SKIN OFF	0.4825	<0.02
GUYANDOTTE RIVER	61.3	AT GODBY HEIGHTS	37	56	13	82	0	46	24-Jul-03	SPOTTED BASS	7.3	SKIN OFF	0.0225	<0.02
GUYANDOTTE RIVER	61.3	AT GODBY HEIGHTS	37	56	13	82	0	46	24-Jul-03	CHANNEL CATFISH	15.5	SKIN OFF	0.0425	<0.02
GUYANDOTTE RIVER	61.3	AT GODBY HEIGHTS	37	56	13	82	0	46	24-Jul-03	CHANNEL CATFISH	19.5	SKIN OFF	0.045	0.13
GUYANDOTTE RIVER	61.3	AT GODBY HEIGHTS	37	56	13	82	0	46	24-Jul-03	SMALLMOUTH BASS	9.7	SKIN OFF	0.0925	<0.02
GUYANDOTTE RIVER	61.3	AT GODBY HEIGHTS	37	56	13	82	0	46	24-Jul-03	SAUGER	11.5	SKIN OFF	0.14	<0.02
GUYANDOTTE RIVER	61.3	AT GODBY HEIGHTS	37	56	13	82	0	46	24-Jul-03	SPOTTED BASS	9.6	SKIN OFF	0.1475	<0.02
HUGHES RIVER	7.5	NEAR FREEPORT	39	8	32	81	20	18	30-Jun-03	CHANNEL CATFISH	15.7	SKIN OFF	0.0975	<0.02
HUGHES RIVER	7.5	NEAR FREEPORT	39	8	32	81	20	18	30-Jun-03	CHANNEL CATFISH	17.5	SKIN OFF	0.1075	0.06
HUGHES RIVER	7.5	NEAR FREEPORT	39	8	32	81	20	18	30-Jun-03	CHANNEL CATFISH	19.4	SKIN OFF	0.1125	0.25
HUGHES RIVER	7.5	NEAR FREEPORT	39	8	32	81	20	18	30-Jun-03	FRESHWATER DRUM	14.2	SKIN OFF	0.2225	<0.02
HUGHES RIVER	7.5	NEAR FREEPORT	39	8	32	81	20	18	30-Jun-03	SAUGER	13.3	SKIN OFF	0.2975	<0.02
HUGHES RIVER	7.5	NEAR FREEPORT	39	8	32	81	20	18	30-Jun-03	WHITE BASS	12.0	SKIN OFF	0.4375	<0.02
HUGHES RIVER	7.5	NEAR FREEPORT	39	8	32	81	20	18	30-Jun-03	SAUGER	14.5	SKIN OFF	0.53	<0.02
JENNINGS RANDOLPH LAKE		MINERAL COUNTY, WV	39	24	56	79	7	54	18-May-02	SMALLMOUTH BASS	12.2	SKIN OFF	0.115	<0.02
JENNINGS RANDOLPH LAKE		MINERAL COUNTY, WV	39	24	56	79	7	54	16-May-02	SMALLMOUTH BASS	14.6	SKIN OFF	0.1375	<0.02
JENNINGS RANDOLPH LAKE		MINERAL COUNTY, WV	39	24	56	79	7	54	17-May-02	SMALLMOUTH BASS	10.7	SKIN OFF	0.1575	<0.02
JENNINGS RANDOLPH LAKE		MINERAL COUNTY, WV	39	24	56	79	7	54	14-May-02	RAINBOW TROUT	10.4	SKIN OFF	<0.018	<0.02
JENNINGS RANDOLPH LAKE		MINERAL COUNTY, WV	39	24	56	79	7	54	15-May-02	RAINBOW TROUT	12.0	SKIN OFF	<0.018	<0.02

PCB and Mercury Data
Associated with 2005 Fish Consumption Advisories

Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length Inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
KANAWHA RIVER	31	WINFIELD	38	31	32	81	54	49	21-Aug-02	SMALLMOUTH BASS	15.1	SKIN OFF	0.095	0.04
KANAWHA RIVER	31	WINFIELD	38	31	32	81	54	49	21-Aug-02	FLATHEAD CATFISH	14.8	SKIN OFF	0.0975	<0.02
KANAWHA RIVER	31	WINFIELD	38	31	32	81	54	49	21-Aug-02	SMALLMOUTH BASS	12.0	SKIN OFF	0.1025	0.03
KANAWHA RIVER	31	WINFIELD	38	31	32	81	54	49	21-Aug-02	SMALLMOUTH BASS	9.4	SKIN OFF	0.1175	<0.02
KANAWHA RIVER	32.2	WINFIELD TAILWATERS	38	31	34	81	54	50	27-Mar-03	SAUGER	13.6	SKIN OFF	0.0275	0.12
KANAWHA RIVER	33.2	WINFIELD TAILWATERS	38	31	34	81	54	50	21-Apr-03	WHITE BASS		SKIN OFF	0.07	0.56
KANAWHA RIVER	33.2	WINFIELD TAILWATERS	38	31	34	81	54	50	21-Apr-03	CHANNEL CATFISH	17.4	SKIN OFF	<0.018	0.43
KANAWHA RIVER	33.2	WINFIELD TAILWATERS	38	31	34	81	54	50	21-Apr-03	CHANNEL CATFISH	15.2	SKIN OFF	<0.018	0.06
KANAWHA RIVER	33.2	WINFIELD TAILWATERS	38	31	34	81	54	50	27-Mar-03	SAUGER	15.7	SKIN OFF	<0.018	0.12
KANAWHA RIVER	33.2	WINFIELD TAILWATERS	38	31	34	81	54	50	21-Apr-03	CHANNEL CATFISH	19.5	SKIN OFF	<0.018	0.95
KANAWHA RIVER	33.2	WINFIELD TAILWATERS	38	31	34	81	54	50	21-Apr-03	WHITE BASS		SKIN OFF	<0.018	0.19
KANAWHA RIVER	70.8	MARMET TAILWATERS	38	15	18	81	34	10	25-Mar-03	CHANNEL CATFISH	14.6	SKIN OFF	0.06	0.17
KANAWHA RIVER	70.8	MARMET TAILWATERS	38	15	18	81	34	10	25-Mar-03	CHANNEL CATFISH	16.2	SKIN OFF	0.16	0.17
KANAWHA RIVER	70.8	MARMET TAILWATERS	38	15	18	81	34	10	25-Mar-03	SMALLMOUTH BASS	10.7	SKIN OFF	0.18	<0.02
KANAWHA RIVER	70.8	MARMET TAILWATERS	38	15	18	81	34	10	25-Mar-03	SMALLMOUTH BASS	13.5	SKIN OFF	0.5225	0.12
KANAWHA RIVER	70.8	MARMET TAILWATERS	38	15	18	81	34	10	25-Mar-03	SMALLMOUTH BASS	12.4	SKIN OFF	0.7075	<0.02
KEE RESERVOIR		MERCER COUNTY, WV	37	18	21	81	10	3	25-Jun-03	CHANNEL CATFISH	21.3	SKIN OFF	0.0925	<0.02
KEE RESERVOIR		MERCER COUNTY, WV	37	18	21	81	10	3	25-Jun-03	LARGEMOUTH BASS	14.7	SKIN OFF	0.1775	<0.02
KEE RESERVOIR		MERCER COUNTY, WV	37	18	21	81	10	3	25-Jun-03	LARGEMOUTH BASS	10.0	SKIN OFF	<0.018	0.31
LITTLE COAL RIVER	8.5	NEAR MCCORKLE	38	13	4	81	49	5	03-Jul-03	SPOTTED BASS	9.1	SKIN OFF	0.0425	<0.02
LITTLE COAL RIVER	8.5	NEAR MCCORKLE	38	13	4	81	49	5	03-Jul-03	SPOTTED BASS	18.5	SKIN OFF	0.07	<0.02
LITTLE COAL RIVER	8.5	NEAR MCCORKLE	38	13	4	81	49	5	03-Jul-03	GOLDEN REDHORSE SUCKER	17.8	SKIN OFF	0.075	<0.02
LITTLE COAL RIVER	8.5	NEAR MCCORKLE	38	13	4	81	49	5	03-Jul-03	CHANNEL CATFISH	19.8	SKIN OFF	0.08	0.04
LITTLE COAL RIVER	8.5	NEAR MCCORKLE	38	13	4	81	49	5	03-Jul-03	SAUGER	15.4	SKIN OFF	0.1	0.06
LITTLE COAL RIVER	8.5	NEAR MCCORKLE	38	13	4	81	49	5	03-Jul-03	GOLDEN REDHORSE SUCKER	14.4	SKIN OFF	<0.018	<0.02
LITTLE KANAWHA RIVER	30	ELIZABETH	39	3	19	81	23	27	11-Sep-02	CHANNEL CATFISH	17.4	SKIN OFF	0.1375	0.06
LITTLE KANAWHA RIVER	30	ELIZABETH	39	3	19	81	23	27	11-Sep-02	CHANNEL CATFISH	15.2	SKIN OFF	0.1925	0.08
LITTLE KANAWHA RIVER	30	ELIZABETH	39	3	19	81	23	27	11-Sep-02	FLATHEAD CATFISH	14.6	SKIN OFF	0.225	0.05
LITTLE KANAWHA RIVER	30	ELIZABETH	39	3	19	81	23	27	11-Sep-02	CHANNEL CATFISH	19.4	SKIN OFF	0.225	0.27
LITTLE KANAWHA RIVER	30	ELIZABETH	39	3	19	81	23	27	11-Sep-02	SPOTTED BASS	10.1	SKIN OFF	0.3675	<0.02
LITTLE KANAWHA RIVER	30	ELIZABETH	39	3	19	81	23	27	11-Sep-02	SPOTTED BASS	10.9	SKIN OFF	0.395	<0.02
LITTLE KANAWHA RIVER	30	ELIZABETH	39	3	19	81	23	27	11-Sep-02	BLUEGILL	6.0	SKIN OFF	<0.018	<0.02

PCB and Mercury Data
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Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length Inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
MEADOW RIVER	15.1	RUSSELVILLE	38	4	39	80	53	30	25-Jun-03	ROCK BASS	5.9	SKIN OFF	0.06	<0.02
MEADOW RIVER	15.1	RUSSELVILLE	38	4	39	80	53	30	26-Jun-03	SMALLMOUTH BASS	9.1	SKIN OFF	0.1075	<0.02
MEADOW RIVER	15.1	RUSSELVILLE	38	4	39	80	53	30	26-Jun-03	SMALLMOUTH BASS	7.9	SKIN OFF	0.1175	<0.02
MEADOW RIVER	15.1	RUSSELVILLE	38	4	39	80	53	30	25-Jun-03	ROCK BASS	7.2	SKIN OFF	0.245	<0.02
MIDDLE FORK	16	NEAR ELLAMORE	38	55	41	80	5	50	08-Aug-02	SUNFISH	7.5	SKIN OFF	0.095	<0.02
MIDDLE FORK	16	NEAR ELLAMORE	38	55	41	80	5	50	08-Aug-02	BROWN BULLHEAD	9.9	SKIN OFF	0.1125	<0.02
MIDDLE FORK	16	NEAR ELLAMORE	38	55	41	80	5	50	08-Aug-02	WHITE SUCKER	15.7	SKIN OFF	0.1475	<0.02
MIDDLE FORK	16	NEAR ELLAMORE	38	55	41	80	5	50	08-Aug-02	SMALLMOUTH BASS	9.1	SKIN OFF	0.1975	<0.02
MIDDLE FORK	16	NEAR ELLAMORE	38	55	41	80	5	50	08-Aug-02	SMALLMOUTH BASS	11.9	SKIN OFF	0.215	<0.02
MIDDLE ISLAND CREEK	11	MOUTH OF SUGAR CREEK	39	25	9	81	5	25	16-Aug-02	CHANNEL CATFISH	17.2	SKIN OFF	0.1475	0.16
MIDDLE ISLAND CREEK	11	MOUTH OF SUGAR CREEK	39	25	9	81	5	25	16-Aug-02	CHANNEL CATFISH	14.7	SKIN OFF	0.2	0.22
MIDDLE ISLAND CREEK	25	MOUTH OF BUFFALO RUN	39	28	19	81	1	2	13-Aug-02	CHANNEL CATFISH	19.6	SKIN OFF	0.1875	0.11
MIDDLE ISLAND CREEK	66.7	NEAR WEST UNION	39	20	3	80	48	32	24-Mar-03	SPOTTED BASS	12.8	SKIN OFF	0.5	<0.02
MIDDLE ISLAND CREEK	66.7	NEAR WEST UNION	39	20	3	80	48	32	24-Mar-03	SPOTTED BASS	10.3	SKIN OFF	0.5075	0.05
MIDDLE ISLAND CREEK	66.7	NEAR WEST UNION	39	20	3	80	48	32	24-Mar-03	SPOTTED BASS	11.4	SKIN OFF	0.5125	<0.02
MONONGAHELA RIVER	101.5	MORGANTOWN	39	37	19	79	58	3	10-Oct-02	REDHORSE SUCKER	13.7	SKIN OFF	0.035	0.04
MONONGAHELA RIVER	101.5	MORGANTOWN	39	37	19	79	58	3	10-Oct-02	CHANNEL CATFISH	16.8	SKIN OFF	0.04	1.85
MONONGAHELA RIVER	101.5	MORGANTOWN	39	37	19	79	58	3	10-Oct-02	CHANNEL CATFISH	19.8	SKIN OFF	0.04	0.66
MONONGAHELA RIVER	102	MORGANTOWN LOCKS AND DAM	39	37	13	79	58	8	18-Sep-03	WHITE BASS	10.9	SKIN OFF	0.075	<0.02
MONONGAHELA RIVER	102	BELOW MORGANTOWN LOCKS AND DAM	39	37	24	79	58	0	04-Jun-02	SMALLMOUTH BASS	10.3	SKIN OFF	0.077	<0.02
MONONGAHELA RIVER	102	BELOW MORGANTOWN LOCKS AND DAM	39	37	24	79	58	0	04-Jun-02	SAUGER	11.5	SKIN OFF	0.099	0.20
MONONGAHELA RIVER	102	BELOW MORGANTOWN LOCKS AND DAM	39	37	24	79	58	0	04-Jun-02	SMALLMOUTH BASS	12.7	SKIN OFF	0.1075	<0.02
MONONGAHELA RIVER	102	BELOW MORGANTOWN LOCKS AND DAM	39	37	24	79	58	0	04-Jun-02	SMALLMOUTH BASS	14.2	SKIN OFF	0.1155	0.13
MONONGAHELA RIVER	102	BELOW MORGANTOWN LOCKS AND DAM	39	37	24	79	58	0	04-Jun-02	SAUGER	12.4	SKIN OFF	0.1815	0.08
MONONGAHELA RIVER	102	BELOW MORGANTOWN LOCKS AND DAM	39	37	24	79	58	0	04-Jun-02	SAUGER	14.4	SKIN OFF	0.2695	<0.02
MOUNT STORM LAKE		GRANT COUNTY, WV	39	11	26	79	15	41	06-May-02	LARGEMOUTH BASS	13.7	SKIN OFF	0.11	0.10
MOUNT STORM LAKE		GRANT COUNTY, WV	39	11	26	79	15	41	06-May-02	LARGEMOUTH BASS	10.4	SKIN OFF	0.3225	<0.02
MOUNT STORM LAKE		GRANT COUNTY, WV	39	11	26	79	15	41	06-May-02	CHANNEL CATFISH	13.3	SKIN OFF	<0.018	0.37
MOUNT STORM LAKE		GRANT COUNTY, WV	39	11	26	79	15	41	06-May-02	CHANNEL CATFISH	10.4	SKIN OFF	<0.018	0.12
MOUNT STORM LAKE		GRANT COUNTY, WV	39	11	26	79	15	41	06-May-02	CHANNEL CATFISH	11.5	SKIN OFF	<0.018	<0.02
MOUNT STORM LAKE		GRANT COUNTY, WV	39	11	26	79	15	41	06-May-02	LARGEMOUTH BASS	11.7	SKIN OFF	<0.018	0.02

PCB and Mercury Data
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Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length Inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
NEW RIVER	26.4	THURMOND	37	57	42	81	5	11	17-Oct-02	SMALLMOUTH BASS	11.1	SKIN OFF	0.0925	<0.02
NEW RIVER	56.7	SANDSTONE	37	46	13	80	53	36	27-Aug-03	NORTHERN HOGSUCKER	14.6	SKIN OFF	0.02	<0.02
NEW RIVER	56.7	SANDSTONE	37	46	13	80	53	36	27-Aug-03	ROCK BASS	6.0	SKIN OFF	0.02	<0.02
NEW RIVER	56.7	SANDSTONE	37	46	13	80	53	36	27-Aug-03	SMALLMOUTH BASS	9.2	SKIN OFF	0.035	<0.02
NEW RIVER	56.7	SANDSTONE	37	46	13	80	53	36	27-Aug-03	SMALLMOUTH BASS	10.0	SKIN OFF	0.0675	<0.02
NEW RIVER	56.7	SANDSTONE	37	46	13	80	53	36	27-Aug-03	SMALLMOUTH BASS	12.5	SKIN OFF	0.0975	<0.02
NEW RIVER	56.7	SANDSTONE	37	46	13	80	53	36	27-Aug-03	ROCK BASS	8.1	SKIN OFF	0.1025	<0.02
NEW RIVER	56.7	SANDSTONE	37	46	13	80	53	36	27-Aug-03	FLATHEAD CATFISH	10.6	SKIN OFF	<0.018	<0.02
NEW RIVER	56.7	SANDSTONE	37	46	13	80	53	36	27-Aug-03	NORTHERN HOGSUCKER	9.7	SKIN OFF	<0.018	<0.02
NEW RIVER	56.7	SANDSTONE	37	46	13	80	53	36	27-Aug-03	SUNFISH	7.4	SKIN OFF	<0.018	<0.02
NORTH FORK/SOUTH BRANCH	6	6 MILES ABOVE MOUTH	38	58	3	79	17	9	17-Sep-02	ROCK BASS	6.5	SKIN OFF	0.135	<0.02
NORTH FORK/SOUTH BRANCH	6	6 MILES ABOVE MOUTH	38	58	3	79	17	9	17-Sep-02	REDHORSE SUCKER	16.7	SKIN OFF	0.245	<0.02
NORTH FORK/SOUTH BRANCH	6	6 MILES ABOVE MOUTH	38	58	3	79	17	9	17-Sep-02	WHITE SUCKER	14.8	SKIN OFF	0.2975	<0.02
NORTH FORK/SOUTH BRANCH	6	6 MILES ABOVE MOUTH	38	58	3	79	17	9	17-Sep-02	ROCK BASS	8.4	SKIN OFF	0.3875	<0.02
NORTH FORK/SOUTH BRANCH	6	6 MILES ABOVE MOUTH	38	58	3	79	17	9	17-Sep-02	SMALLMOUTH BASS	12.4	SKIN OFF	0.4575	<0.02
NORTH FORK/SOUTH BRANCH	6	6 MILES ABOVE MOUTH	38	58	3	79	17	9	17-Sep-02	SMALLMOUTH BASS	11.4	SKIN OFF	0.4675	<0.02
NORTH FORK/SOUTH BRANCH	6	6 MILES ABOVE MOUTH	38	58	3	79	17	9	17-Sep-02	RAINBOW TROUT	12.5	SKIN OFF	<0.018	<0.02
OHIO RIVER	54	NEW CUMBERLAND LOCKS AND DAM	40	31	33	80	37	39	01-Jan-00	CHANNEL CATFISH	22.6	SKIN OFF	0.02	5.10
OHIO RIVER	54	NEW CUMBERLAND LOCKS AND DAM	40	31	33	80	37	39	01-Jan-00	CHANNEL CATFISH	14.8	SKIN OFF	0.05	0.85
OHIO RIVER	54	NEW CUMBERLAND POOL	40	31	56	80	37	33	01-Jul-02	CARP	19.8	SKIN OFF	0.089	1.57
OHIO RIVER	54	NEW CUMBERLAND POOL	40	31	56	80	37	33	01-Jul-02	SMALLMOUTH BASS	13.6	SKIN ON	0.098	0.24
OHIO RIVER	54	NEW CUMBERLAND LOCKS AND DAM	40	31	33	80	37	39	01-Jan-00	CARP	22.6	SKIN ON	0.12	2.00
OHIO RIVER	54	NEW CUMBERLAND LOCKS AND DAM	40	31	33	80	37	39	01-Jan-00	CARP	21.9	SKIN ON	0.13	2.00
OHIO RIVER	54	NEW CUMBERLAND LOCKS AND DAM	40	31	33	80	37	39	01-Jan-00	FRESHWATER DRUM	16.3	SKIN ON	0.13	0.55
OHIO RIVER	54	NEW CUMBERLAND LOCKS AND DAM	40	31	33	80	37	39	01-Jan-00	FLATHEAD CATFISH	20.6	SKIN OFF	0.13	1.10
OHIO RIVER	54	NEW CUMBERLAND LOCKS AND DAM	40	31	33	80	37	39	01-Jan-00	FLATHEAD CATFISH	25.3	SKIN OFF	0.15	1.60
OHIO RIVER	54	NEW CUMBERLAND LOCKS AND DAM	40	31	33	80	37	39	01-Jan-00	WHITE BASS	13.6	SKIN ON	0.18	1.80
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-01	CHANNEL CATFISH	15.7	SKIN OFF	0.035	1.04
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-99	CHANNEL CATFISH	15.9	SKIN OFF	0.05	0.74
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-01	CHANNEL CATFISH	20.9	SKIN OFF	0.079	2.88
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-99	FLATHEAD CATFISH	20.6	SKIN OFF	0.086	0.77
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-99	HYBRID STRIPED BASS	17.3	SKIN ON	0.094	0.75
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-99	CHANNEL CATFISH	22.0	SKIN OFF	0.099	2.47
OHIO RIVER	84	PIKE ISLAND POOL	40	9	13	80	42	13	01-Jul-02	SMALLMOUTH BASS	13.6	SKIN ON	0.11	0.33
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-01	FRESHWATER DRUM	16.2	SKIN ON	0.118	0.41
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-99	WALLEYE	17.6	SKIN ON	0.128	0.41
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-99	WHITE BASS	11.7	SKIN ON	0.137	0.99
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-01	CARP	22.0	SKIN OFF	0.138	2.44

PCB and Mercury Data
Associated with 2005 Fish Consumption Advisories

Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-01	FLATHEAD CATFISH	22.8	SKIN OFF	0.14	0.69
OHIO RIVER	84	PIKE ISLAND POOL	40	9	13	80	42	13	01-Jul-02	CARP	20.7	SKIN OFF	0.151	1.11
OHIO RIVER	84	PIKE ISLAND POOL	40	9	13	80	42	13	01-Jul-02	LARGEMOUTH BASS	15.6	SKIN ON	0.159	0.30
OHIO RIVER	84	PIKE ISLAND LOCKS AND DAM	40	8	53	80	42	4	01-Sep-99	SAUGEYE	16.1	SKIN ON	0.16	0.40
OHIO RIVER	126	HANNIBAL LOCKS AND DAM	39	39	58	80	51	59	01-Jan-00	CHANNEL CATFISH	18.6	SKIN OFF	0.04	0.90
OHIO RIVER	126	HANNIBAL POOL	39	40	20	80	51	54	01-Jul-02	CHANNEL CATFISH	17.9	SKIN OFF	0.066	0.78
OHIO RIVER	126	HANNIBAL	39	40	20	80	51	54	14-Sep-99	CHANNEL CATFISH	16.3	SKIN OFF	0.07	2.43
OHIO RIVER	126	HANNIBAL LOCKS AND DAM	39	39	58	80	51	59	01-Jan-00	HYBRID STRIPED BASS	12.6	SKIN ON	0.088	0.54
OHIO RIVER	126	HANNIBAL LOCKS AND DAM	39	39	58	80	51	59	01-Jan-00	CARP	23.5	SKIN ON	0.11	2.10
OHIO RIVER	126	HANNIBAL LOCKS AND DAM	39	39	58	80	51	59	01-Jan-00	FRESHWATER DRUM	15.1	SKIN ON	0.119	1.10
OHIO RIVER	126	HANNIBAL	39	40	20	80	51	54	14-Sep-99	HYBRID STRIPED BASS	15.7	SKIN ON	0.12	0.55
OHIO RIVER	126	HANNIBAL POOL	39	40	20	80	51	54	01-Jul-02	CARP	21.3	SKIN OFF	0.125	1.14
OHIO RIVER	126	HANNIBAL LOCKS AND DAM	39	39	58	80	51	59	01-Jan-00	CHANNEL CATFISH	21.7	SKIN OFF	0.128	2.50
OHIO RIVER	126	HANNIBAL POOL	39	40	20	80	51	54	01-Jul-02	SMALLMOUTH BASS	12.4	SKIN ON	0.175	0.29
OHIO RIVER	126	HANNIBAL LOCKS AND DAM	39	39	58	80	51	59	01-Jan-00	HYBRID STRIPED BASS	17.6	SKIN ON	0.181	0.87
OHIO RIVER	126	HANNIBAL LOCKS AND DAM	39	39	58	80	51	59	01-Jan-00	FRESHWATER DRUM	19.7	SKIN ON	0.195	0.41
OHIO RIVER	126	HANNIBAL LOCKS AND DAM	39	39	58	80	51	59	01-Jan-00	FLATHEAD CATFISH	24.0	SKIN OFF	0.265	1.30
OHIO RIVER	152	WILLOW ISLAND POOL	39	25	45	81	11	10	01-Jul-02	SAUGER	13.0	SKIN ON	0.175	0.30
OHIO RIVER	161	WILLOW ISLAND LOCKS AND DAM	39	21	40	81	19	10	01-Sep-99	FRESHWATER DRUM	15.9	SKIN ON	0.068	0.23
OHIO RIVER	161	WILLOW ISLAND LOCKS AND DAM	39	21	40	81	19	10	01-Sep-99	CHANNEL CATFISH	17.2	SKIN OFF	0.076	0.70
OHIO RIVER	161	WILLOW ISLAND LOCKS AND DAM	39	21	40	81	19	10	01-Sep-99	CHANNEL CATFISH	20.6	SKIN OFF	0.109	2.72
OHIO RIVER	161	WILLOW ISLAND LOCKS AND DAM	39	21	40	81	19	10	01-Sep-99	CARP	19.3	SKIN ON	0.152	2.71
OHIO RIVER	161	WILLOW ISLAND LOCKS AND DAM	39	21	40	81	19	10	01-Sep-99	WHITE BASS	12.0	SKIN ON	0.169	0.80
OHIO RIVER	161	WILLOW ISLAND LOCKS AND DAM	39	21	40	81	19	10	01-Sep-99	HYBRID STRIPED BASS	17.1	SKIN ON	0.182	0.68
OHIO RIVER	161	WILLOW ISLAND LOCKS AND DAM	39	21	40	81	19	10	01-Sep-99	SAUGEYE	15.6	SKIN ON	0.197	0.21
OHIO RIVER	168.2	MARIETTA, ABOVE DUCK CREEK	39	24	11	81	25	33	10-Oct-01	CHANNEL CATFISH	19.5	SKIN OFF	0.055	0.19
OHIO RIVER	168.2	MARIETTA, ABOVE DUCK CREEK	39	24	38	81	26	56	10-Oct-01	SMALLMOUTH BUFFALO	20.9	SKIN ON	0.089	0.67
OHIO RIVER	168.2	MARIETTA, ABOVE DUCK CREEK	39	24	11	81	25	33	10-Oct-01	FRESHWATER DRUM	16.5	SKIN ON	0.103	0.10
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	CARP	17.3	SKIN ON	0.027	0.12
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	BLACK CRAPPIE	10.6	SKIN ON	0.054	<0.049
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	WARMOUTH SUNFISH	8.3	SKIN ON	0.059	<0.049
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	CHANNEL CATFISH	18.3	SKIN OFF	0.06	0.06
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	FLATHEAD CATFISH	16.3	SKIN OFF	0.064	0.14
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	LARGEMOUTH BASS	11.8	SKIN ON	0.067	0.42
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	SMALLMOUTH BASS	12.2	SKIN ON	0.081	0.15
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	SMALLMOUTH BUFFALO	27.5	SKIN ON	0.108	1.32
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	CARP	24.2	SKIN ON	0.139	0.70
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	FRESHWATER DRUM	20.3	SKIN ON	0.148	<0.10
OHIO RIVER	169.4	MARIETTA, BELOW DUCK CREEK	39	24	38	81	26	56	10-Oct-01	FRESHWATER DRUM	21.5	SKIN ON	0.261	0.27
OHIO RIVER	203	BELLEVILLE LOCKS AND DAM	39	7	6	81	44	34	01-Sep-01	CHANNEL CATFISH		SKIN OFF	0.067	0.43
OHIO RIVER	203	BELLEVILLE LOCKS AND DAM	39	7	6	81	44	34	01-Sep-01	HYBRID STRIPED BASS	15.4	SKIN ON	0.079	0.62

PCB and Mercury Data
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Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length Inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
OHIO RIVER	203	BELLEVILLE LOCKS AND DAM	39	7	6	81	44	34	01-Sep-01	CARP	24.6	SKIN OFF	0.102	1.91
OHIO RIVER	203	BELLEVILLE LOCKS AND DAM	39	7	6	81	44	34	01-Sep-01	FRESHWATER DRUM	17.2	SKIN ON	0.104	0.73
OHIO RIVER	204	BELLEVILLE POOL	39	7	25	81	44	30	01-Jul-02	CHANNEL CATFISH	21.8	SKIN OFF	0.052	1.04
OHIO RIVER	204	BELLEVILLE POOL	39	7	25	81	44	30	01-Jul-02	CARP	23.1	SKIN OFF	0.154	0.56
OHIO RIVER	237	RACINE POOL	38	54	39	81	55	7	01-Jul-02	SPOTTED BASS	13.4	SKIN ON	0.118	0.12
OHIO RIVER	237	RACINE POOL	38	54	39	81	55	7	01-Jul-02	CARP	23.8	SKIN OFF	0.122	1.27
OHIO RIVER	237	RACINE POOL	38	54	39	81	55	7	01-Jul-02	CHANNEL CATFISH	19.9	SKIN OFF	0.135	0.51
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Jan-00	CHANNEL CATFISH	14.7	SKIN OFF	0.085	0.35
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Sep-99	CHANNEL CATFISH	22.7	SKIN OFF	0.102	2.30
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Sep-99	CHANNEL CATFISH	18.0	SKIN OFF	0.105	0.91
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Jan-00	WHITE CRAPPIE	10.6	SKIN ON	0.132	0.18
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Jan-00	HYBRID STRIPED BASS	11.7	SKIN ON	0.145	0.56
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Jan-00	FRESHWATER DRUM	16.7	SKIN ON	0.154	0.47
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Sep-99	FRESHWATER DRUM	15.3	SKIN ON	0.184	0.38
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Jan-00	CHANNEL CATFISH	23.7	SKIN OFF	0.186	2.30
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Jan-00	CARP	22.1	SKIN ON	0.208	4.00
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Sep-99	WHITE BASS	12.0	SKIN ON	0.215	0.64
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Sep-99	FLATHEAD CATFISH	19.3	SKIN OFF	0.231	0.48
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Sep-99	SAUGER	13.5	SKIN ON	0.235	0.28
OHIO RIVER	238	RACINE LOCKS AND DAM	38	55	7	81	54	40	01-Jan-00	STRIPED BASS	17.7	SKIN ON	0.265	0.84
OHIO RIVER	279	BYRD LOCKS AND DAM	38	41	15	82	11	17	01-Jan-00	CHANNEL CATFISH	15.5	SKIN OFF	0.055	0.33
OHIO RIVER	279	BYRD POOL	38	41	5	82	11	22	01-Jul-02	SAUGER	12.7	SKIN ON	0.081	0.19
OHIO RIVER	279	BYRD LOCKS AND DAM	38	41	15	82	11	17	01-Jan-00	CHANNEL CATFISH	20.3	SKIN OFF	0.081	0.84
OHIO RIVER	279	BYRD POOL	38	41	5	82	11	22	01-Jul-02	LARGEMOUTH BASS	12.2	SKIN ON	0.087	0.05
OHIO RIVER	279	BYRD LOCKS AND DAM	38	41	15	82	11	17	01-Sep-01	FRESHWATER DRUM		SKIN ON	0.093	0.55
OHIO RIVER	279	BYRD POOL	38	41	5	82	11	22	01-Jul-02	CHANNEL CATFISH	19.5	SKIN OFF	0.095	0.64
OHIO RIVER	279	BYRD POOL	38	41	5	82	11	22	01-Jul-02	CARP	23.1	SKIN OFF	0.11	0.63
OHIO RIVER	279	BYRD LOCKS AND DAM	38	41	15	82	11	17	01-Jan-00	WHITE BASS	13.0	SKIN ON	0.116	0.57
OHIO RIVER	279	BYRD LOCKS AND DAM	38	41	15	82	11	17	01-Jan-00	CARP		SKIN ON	0.121	0.66
OHIO RIVER	279	BYRD LOCKS AND DAM	38	41	15	82	11	17	01-Sep-01	CARP		SKIN OFF	0.121	1.09
OHIO RIVER	279	BYRD LOCKS AND DAM	38	41	15	82	11	17	01-Jan-00	FRESHWATER DRUM	17.4	SKIN ON	0.14	0.88
OHIO RIVER	279	BYRD POOL	38	41	5	82	11	22	01-Jul-02	SPOTTED BASS	13.0	SKIN ON	0.157	0.06
OHIO RIVER	279	BYRD LOCKS AND DAM	38	41	15	82	11	17	01-Sep-01	CHANNEL CATFISH		SKIN OFF	0.176	1.55
OHIO RIVER	279	BYRD POOL	38	41	5	82	11	22	01-Jul-02	FRESHWATER DRUM	19.3	SKIN ON	0.266	1.66
OHIO RIVER	279	BYRD LOCKS AND DAM	38	41	15	82	11	17	01-Jan-00	HYBRID STRIPED BASS	11.5	SKIN ON	0.28	0.51
OHIO RIVER	279	BYRD LOCKS AND DAM	38	41	15	82	11	17	01-Jan-00	FLATHEAD CATFISH	23.9	SKIN OFF	0.315	0.84
OPEQUON CREEK	8.1	NEAR MARTINGSBURG AT RT. 45 BRIDGE	39	27	36	77	55	12	08-Oct-02	REDBREAST SUNFISH		SKIN OFF	0.085	<0.02
OPEQUON CREEK	8.1	NEAR MARTINGSBURG AT RT. 45 BRIDGE	39	27	36	77	55	12	08-Oct-02	WHITE SUCKER		SKIN OFF	0.28	0.05

PCB and Mercury Data
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Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length Inches	Fillet Preparation	Mercury ppm	PCBs ppt
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
PLUM ORCHARD LAKE		FAYETTE COUNTY, WV	37	56	47	81	13	7	09-Oct-02	LARGEMOUTH BASS	13.3	SKIN OFF	0.205	<0.02
PLUM ORCHARD LAKE		FAYETTE COUNTY, WV	37	56	47	81	13	7	09-Oct-02	LARGEMOUTH BASS	11.8	SKIN OFF	0.2375	<0.02
R. D. BAILEY LAKE		MINGO/WYOMING COUNTIES, WV	37	36	36	81	47	50	10-Oct-02	CHANNEL CATFISH	19.0	SKIN OFF	0.0225	0.86
R. D. BAILEY LAKE		MINGO/WYOMING COUNTIES, WV	37	36	36	81	47	50	10-Oct-02	SPOTTED BASS	10.9	SKIN OFF	0.0375	<0.02
R. D. BAILEY LAKE		MINGO/WYOMING COUNTIES, WV	37	36	36	81	47	50	10-Oct-02	SPOTTED BASS	16.1	SKIN OFF	0.22	0.17
R. D. BAILEY LAKE		MINGO/WYOMING COUNTIES, WV	37	36	36	81	47	50	10-Oct-02	CHANNEL CATFISH	15.7	SKIN OFF	<0.018	0.12
SHAVERS FORK	8.7	8.7 MILES ABOVE MOUTH	39	1	24	79	42	7	29-Aug-02	NORTHERN HOGSUCKER	10.6	SKIN OFF	0.1375	<0.02
SHAVERS FORK	8.7	8.7 MILES ABOVE MOUTH	39	1	24	79	42	7	29-Aug-02	SMALLMOUTH BASS	8.6	SKIN OFF	0.305	<0.02
SHAVERS FORK	8.7	8.7 MILES ABOVE MOUTH	39	1	24	79	42	7	29-Aug-02	NORTHERN HOGSUCKER		SKIN OFF	0.335	<0.02
SHAVERS FORK	8.7	8.7 MILES ABOVE MOUTH	39	1	24	79	42	7	29-Aug-02	REDHORSE SUCKER	16.9	SKIN OFF	0.3725	0.32
SHAVERS FORK	8.7	8.7 MILES ABOVE MOUTH	39	1	24	79	42	7	29-Aug-02	SMALLMOUTH BASS	12.8	SKIN OFF	0.525	<0.02
SHENANDOAH RIVER	9	ROUTE 9 BRIDGE	39	15	12	77	49	1	25-Sep-02	REDBREAST SUNFISH	7.3	SKIN OFF	0.095	0.13
SHENANDOAH RIVER	9	ROUTE 9 BRIDGE	39	15	12	77	49	1	25-Sep-02	BLUEGILL	6.5	SKIN OFF	0.1625	1.20
SHENANDOAH RIVER	9	ROUTE 9 BRIDGE	39	15	12	77	49	1	25-Sep-02	REDHORSE SUCKER	19.0	SKIN OFF	0.385	2.11
SHENANDOAH RIVER	9	ROUTE 9 BRIDGE	39	15	12	77	49	1	25-Sep-02	SMALLMOUTH BASS	11.7	SKIN OFF	0.7475	0.07
SLATY FORK		TOWN OF SLATY FORK	38	24	38	80	7	15	09-Sep-02	RAINBOW TROUT	8.9	SKIN OFF	0.0425	<0.02
SLATY FORK		TOWN OF SLATY FORK	38	24	38	80	7	15	09-Sep-02	WHITE SUCKER	11.5	SKIN OFF	0.0625	<0.02
SLEEPY CREEK LAKE		BERKELEY COUNTY, WV	39	30	43	78	9	29	15-May-03	YELLOW BULLHEAD	10.6	SKIN OFF	0.225	<0.02
SLEEPY CREEK LAKE		BERKELEY COUNTY, WV	39	30	43	78	9	29	15-May-03	LARGEMOUTH BASS	10.4	SKIN OFF	0.25	<0.02
SLEEPY CREEK LAKE		BERKELEY COUNTY, WV	39	30	43	78	9	29	15-May-03	LARGEMOUTH BASS	11.9	SKIN OFF	0.325	<0.02
SLEEPY CREEK LAKE		BERKELEY COUNTY, WV	39	30	43	78	9	29	15-May-03	LARGEMOUTH BASS	15.4	SKIN OFF	0.35	<0.02

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			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
SOUTH BRANCH/POTOMAC RIVER	4.5	NEAR MOUTH	39	30	35	78	35	57	18-Jun-02	CHANNEL CATFISH	15.4	SKIN OFF	0.0525	0.06
SOUTH BRANCH/POTOMAC RIVER	4.5	NEAR MOUTH	39	30	35	78	35	57	18-Jun-02	CHANNEL CATFISH	18.0	SKIN OFF	0.0525	0.18
SOUTH BRANCH/POTOMAC RIVER	4.5	NEAR MOUTH	39	30	35	78	35	57	18-Jun-02	CHANNEL CATFISH	20.1	SKIN OFF	0.055	0.21
SOUTH BRANCH/POTOMAC RIVER	4.5	NEAR MOUTH	39	30	35	78	35	57	18-Jun-02	REDHORSE SUCKER	14.1	SKIN OFF	0.115	<0.02
SOUTH BRANCH/POTOMAC RIVER	4.5	NEAR MOUTH	39	30	35	78	35	57	18-Jun-02	REDHORSE SUCKER	18.3	SKIN OFF	0.17	0.17
SOUTH BRANCH/POTOMAC RIVER	4.5	NEAR MOUTH	39	30	35	78	35	57	18-Jun-02	SMALLMOUTH BASS	11.7	SKIN OFF	0.2575	<0.02
SOUTH BRANCH/POTOMAC RIVER	4.5	NEAR MOUTH	39	30	35	78	35	57	18-Jun-02	SMALLMOUTH BASS	12.5	SKIN OFF	0.325	<0.02
SOUTH BRANCH/POTOMAC RIVER	57.7	OLD FIELDS	39	6	13	78	57	34	18-Apr-03	REDBREAST SUNFISH	7.1	SKIN OFF	0.0325	<0.02
SOUTH BRANCH/POTOMAC RIVER	57.7	OLD FIELDS	39	6	13	78	57	34	17-Jun-02	REDHORSE SUCKER	13.7	SKIN OFF	0.07	<0.02
SOUTH BRANCH/POTOMAC RIVER	57.7	OLD FIELDS	39	6	13	78	57	34	17-Jun-02	REDHORSE SUCKER	14.7	SKIN OFF	0.075	<0.02
SOUTH BRANCH/POTOMAC RIVER	57.7	OLD FIELDS	39	6	13	78	57	34	18-Apr-03	ROCK BASS	7.5	SKIN OFF	0.105	<0.02
SOUTH BRANCH/POTOMAC RIVER	57.7	OLD FIELDS	39	6	13	78	57	34	17-Jun-02	REDHORSE SUCKER	12.3	SKIN OFF	0.145	<0.02
SOUTH BRANCH/POTOMAC RIVER	57.7	OLD FIELDS	39	6	13	78	57	34	17-Jun-02	SMALLMOUTH BASS	10.3	SKIN OFF	0.1475	<0.02
SOUTH BRANCH/POTOMAC RIVER	57.7	OLD FIELDS	39	6	13	78	57	34	17-Jun-02	SMALLMOUTH BASS	12.3	SKIN OFF	0.1975	<0.02
SOUTH BRANCH/POTOMAC RIVER	57.7	OLD FIELDS	39	6	13	78	57	34	17-Jun-02	SMALLMOUTH BASS	15.7	SKIN OFF	0.235	<0.02
SOUTH FORK/SOUTH BRANCH	16.8	NEAR MOUTH OF BRAKE RUN	38	53	7	79	2	13	18-Sep-02	SUNFISH	7.3	SKIN OFF	0.1625	<0.02
SOUTH FORK/SOUTH BRANCH	16.8	NEAR MOUTH OF BRAKE RUN	38	53	7	79	2	13	18-Sep-02	REDHORSE SUCKER	15.7	SKIN OFF	0.1725	<0.02
SOUTH FORK/SOUTH BRANCH	16.8	NEAR MOUTH OF BRAKE RUN	38	53	7	79	2	13	18-Sep-02	SUNFISH	6.3	SKIN OFF	0.26	<0.02
SOUTH FORK/SOUTH BRANCH	16.8	NEAR MOUTH OF BRAKE RUN	38	53	7	79	2	13	18-Sep-02	SMALLMOUTH BASS	10.6	SKIN OFF	0.64	<0.02
SPRUCE KNOB LAKE		RANDOLPH COUNTY, WV	38	42	9	79	35	18	10-Jun-03	BROWN BULL HEAD	12.5	SKIN OFF	0.15	<0.02
SPRUCE KNOB LAKE		RANDOLPH COUNTY, WV	38	42	9	79	35	18	10-Jun-03	RAINBOW TROUT	13.6	SKIN OFF	<0.018	<0.02
SPRUCE KNOB LAKE		RANDOLPH COUNTY, WV	38	42	9	79	35	18	10-Jun-03	RAINBOW TROUT	14.9	SKIN OFF	<0.018	<0.02
STONECOAL LAKE		LEWIS COUNTY, WV	38	58	44	80	21	56	13-Jun-02	CHANNEL CATFISH	16.9	SKIN OFF	0.0715	<0.02
STONECOAL LAKE		LEWIS COUNTY, WV	38	58	44	80	21	56	13-Jun-02	LARGEMOUTH BASS	11.4	SKIN OFF	0.1898	<0.02
STONECOAL LAKE		LEWIS COUNTY, WV	38	58	44	80	21	56	13-Jun-02	CHANNEL CATFISH	23.5	SKIN OFF	0.2008	0.03
STONECOAL LAKE		LEWIS COUNTY, WV	38	58	44	80	21	56	13-Jun-02	WHITE CRAPPIE	9.1	SKIN OFF	0.2255	<0.02
STONECOAL LAKE		LEWIS COUNTY, WV	38	58	44	80	21	56	13-Jun-02	LARGEMOUTH BASS	14.4	SKIN OFF	0.4533	<0.02
STONEWALL JACKSON LAKE		LEWIS COUNTY, WV	38	59	55	80	28	32	03-Jun-02	CHANNEL CATFISH	13.5	SKIN OFF	0.0523	<0.02
STONEWALL JACKSON LAKE		LEWIS COUNTY, WV	39	0	9	80	28	60	02-Jul-03	BLACK CRAPPIE	7.8	SKIN OFF	0.1325	<0.02
STONEWALL JACKSON LAKE		LEWIS COUNTY, WV	39	0	9	80	28	60	02-Jul-03	WALLEYE	12.5	SKIN OFF	0.1625	<0.02
STONEWALL JACKSON LAKE		LEWIS COUNTY, WV	38	59	55	80	28	32	09-May-02	LARGEMOUTH BASS	11.5	SKIN OFF	0.26	<0.02
STONEWALL JACKSON LAKE		LEWIS COUNTY, WV	38	59	55	80	28	32	13-Jun-02	CHANNEL CATFISH	18.5	SKIN OFF	0.2805	<0.02
STONEWALL JACKSON LAKE		LEWIS COUNTY, WV	39	0	9	80	28	60	02-Jul-03	SAUGEYE	15.7	SKIN OFF	0.33	<0.02
STONEWALL JACKSON LAKE		LEWIS COUNTY, WV	38	59	55	80	28	32	09-May-02	LARGEMOUTH BASS	15.7	SKIN OFF	0.37	0.08
STONEWALL JACKSON LAKE		LEWIS COUNTY, WV	38	59	55	80	28	32	09-May-02	LARGEMOUTH BASS	13.1	SKIN OFF	0.8875	<0.02

PCB and Mercury Data
Associated with 2005 Fish Consumption Advisories

Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length Inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
SUMMERSVILLE LAKE		NICHOLAS COUNTY, WV	38	14	22	80	51	5	24-Jul-03	SMALLMOUTH BASS	12.6	SKIN OFF	0.0225	<0.02
SUMMERSVILLE LAKE		NICHOLAS COUNTY, WV	38	14	22	80	51	5	19-Jun-02	LARGEMOUTH BASS	11.1	SKIN OFF	0.175	<0.02
SUMMERSVILLE LAKE		NICHOLAS COUNTY, WV	38	14	22	80	51	5	19-Jun-02	REDHORSE SUCKER	17.2	SKIN OFF	0.1775	<0.02
SUMMERSVILLE LAKE		NICHOLAS COUNTY, WV	38	14	22	80	51	5	24-Jul-03	CHANNEL CATFISH		SKIN OFF	0.18	0.08
SUMMERSVILLE LAKE		NICHOLAS COUNTY, WV	38	14	22	80	51	5	24-Jul-03	SMALLMOUTH BASS	10.9	SKIN OFF	0.2275	<0.02
SUMMERSVILLE LAKE		NICHOLAS COUNTY, WV	38	14	22	80	51	5	19-Jun-02	LARGEMOUTH BASS	15.9	SKIN OFF	0.46	<0.02
SUMMERSVILLE LAKE		NICHOLAS COUNTY, WV	38	14	22	80	51	5	31-Oct-03	WALLEYE	17.6	SKIN OFF	0.515	0.20
SUMMERSVILLE LAKE		NICHOLAS COUNTY, WV	38	14	22	80	51	5	31-Oct-03	WALLEYE	12.7	SKIN OFF	0.5688	<0.02
SUMMIT LAKE		GREENBRIER COUNTY, WV	38	15	6	80	26	15	24-Jul-03	BLUEGILL	5.3	SKIN OFF	0.045	<0.02
SUMMIT LAKE		GREENBRIER COUNTY, WV	38	15	6	80	26	15	24-Jul-03	LARGEMOUTH BASS	8.3	SKIN OFF	0.1425	<0.02
SUMMIT LAKE		GREENBRIER COUNTY, WV	38	15	6	80	26	15	24-Jul-03	BLUEGILL	7.1	SKIN OFF	0.1475	<0.02
SUMMIT LAKE		GREENBRIER COUNTY, WV	38	15	6	80	26	15	24-Jul-03	LARGEMOUTH BASS	12.5	SKIN OFF	0.21	<0.02
SUMMIT LAKE		GREENBRIER COUNTY, WV	38	15	6	80	26	15	24-Jul-03	BLUEGILL	6.3	SKIN OFF	<0.018	<0.02
SUMMIT LAKE		GREENBRIER COUNTY, WV	38	15	6	80	26	15	24-Jul-03	LARGEMOUTH BASS	9.5	SKIN OFF	<0.018	<0.02
SUTTON LAKE		BRAXTON COUNTY, WV	38	39	17	80	35	27	29-Apr-03	REDHORSE SUCKER	16.2	SKIN OFF	0.0625	<0.02
SUTTON LAKE		BRAXTON COUNTY, WV	38	38	56	80	36	33	10-Jun-02	LARGEMOUTH BASS	10.3	SKIN OFF	0.275	<0.02
SUTTON LAKE		BRAXTON COUNTY, WV	38	38	56	80	36	33	10-Jun-02	SPOTTED BASS	11.4	SKIN OFF	0.2915	<0.02
SUTTON LAKE		BRAXTON COUNTY, WV	38	38	56	80	36	33	10-Jun-02	SPOTTED BASS	9.8	SKIN OFF	0.374	<0.02
SUTTON LAKE		BRAXTON COUNTY, WV	38	38	56	80	36	33	10-Jun-02	LARGEMOUTH BASS	13.2	SKIN OFF	0.5088	<0.02
SUTTON LAKE		BRAXTON COUNTY, WV	38	39	17	80	35	27	29-Apr-03	LARGEMOUTH BASS	15.8	SKIN OFF	0.6475	<0.02
TUG FORK	36.3	KERMIT	37	50	30	82	24	39	02-Jul-03	FLATHEAD CATFISH		SKIN OFF	0.03	<0.02
TUG FORK	36.3	KERMIT	37	50	30	82	24	39	02-Jul-03	GOLDEN REDHORSE SUCKER	14.5	SKIN OFF	0.0325	<0.02
TUG FORK	36.3	KERMIT	37	50	30	82	24	39	02-Jul-03	LONGNOSE GAR	21.9	SKIN OFF	0.09	0.08
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	30-Oct-02	CHANNEL CATFISH	17.9	SKIN OFF	0.09	0.25
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	16-May-02	LARGEMOUTH BASS	12.8	SKIN OFF	0.1775	<0.02
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	16-May-02	SMALLMOUTH BASS	11.5	SKIN OFF	0.235	<0.02
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	16-May-02	SMALLMOUTH BASS	10.1	SKIN OFF	0.2425	0.08
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	30-Oct-02	WHITE BASS	10.9	SKIN OFF	0.275	0.13
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	15-Apr-02	WALLEYE	12.6	SKIN OFF	0.28	<0.02
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	16-May-02	SMALLMOUTH BASS	12.9	SKIN OFF	0.32	0.03
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	15-Apr-02	WALLEYE	14.7	SKIN OFF	0.3975	<0.02
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	30-Oct-02	WALLEYE	19.1	SKIN OFF	0.4825	0.05
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	15-Apr-02	WALLEYE	17.4	SKIN OFF	0.57	<0.02
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	30-Oct-02	WHITE BASS	14.5	SKIN OFF	0.785	0.10
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	16-May-02	YELLOW PERCH	7.8	SKIN OFF	<0.018	<0.02
TYGART LAKE		TAYLOR COUNTY, WV	39	17	4	80	1	4	16-May-02	YELLOW PERCH	9.5	SKIN OFF	<0.018	<0.02

PCB and Mercury Data
Associated with 2005 Fish Consumption Advisories

Sorted by Waterbody

Waterbody	River Mile	LOCATION	Latitude			Longitude			Collection Date	Species	Length inches	Fillet Preparation	Mercury ppm	PCBs ppm
			Deg.	Min.	Sec.	Deg.	Min.	Sec.						
TYGART VALLEY RIVER	83	ELKINS	38	55	26	79	52	45	25-Jul-02	LARGEMOUTH BASS	10.5	SKIN OFF	0.1775	<0.02
TYGART VALLEY RIVER	83	ELKINS	38	55	26	79	52	45	25-Jul-02	LARGEMOUTH BASS	14.8	SKIN OFF	0.33	<0.02
TYGART VALLEY RIVER	83	ELKINS	38	55	26	79	52	45	25-Jul-02	BULLHEAD	12.3	SKIN OFF	<0.018	<0.02
WEST FORK RIVER	23.5	NEAR SPELTER	39	20	57	80	19	15	17-Sep-02	CHANNEL CATFISH	14.7	SKIN OFF	0.055	0.11
WEST FORK RIVER	23.5	NEAR SPELTER	39	20	57	80	19	15	17-Sep-02	CHANNEL CATFISH	16.6	SKIN OFF	0.06	0.22
WHEELING CREEK	14	NEAR SHERRARD	39	59	34	80	37	49	23-Sep-02	REDHORSE SUCKER	10.7	SKIN OFF	0.1125	<0.02
WHEELING CREEK	14	NEAR SHERRARD	39	59	34	80	37	49	23-Sep-02	REDHORSE SUCKER	14.3	SKIN OFF	0.2625	0.09
WHEELING CREEK	14	NEAR SHERRARD	39	59	34	80	37	49	23-Sep-02	REDHORSE SUCKER	21.9	SKIN OFF	0.2775	<0.02
WHEELING CREEK	18.6	NEAR BURCHES RUN	39	58	32	80	37	52	15-May-03	SMALLMOUTH BASS	9.9	SKIN OFF	0.35	<0.02
WHEELING CREEK	18.6	NEAR BURCHES RUN	39	58	32	80	37	52	15-May-03	SMALLMOUTH BASS	11.7	SKIN OFF	0.475	<0.02
WHEELING CREEK		UNKNOWN							15-May-03	SMALLMOUTH BASS	15.6	SKIN OFF	0.4375	<0.02
WILLIAMS RIVER	22	BELOW TEA CREEK	38	20	45	80	14	8	27-Aug-02	RAINBOW TROUT	9.3	SKIN OFF	0.0625	<0.02
WILLIAMS RIVER	22	BELOW TEA CREEK	38	20	45	80	14	8	27-Aug-02	NORTHERN HOGSUCKER	10.9	SKIN OFF	0.09	<0.02
WILLIAMS RIVER	22	BELOW TEA CREEK	38	20	45	80	14	8	27-Aug-02	BROWN TROUT	11.5	SKIN OFF	0.1	<0.02

To: Legislative Rule Making and Review Committee
Re: Mercury Rule
Date: January 10, 2005

The following outline follows the process that led to the proposed changes for mercury standards sent to the Legislature by the Environmental Quality Board during the last Triennial Review. Environmental Quality Board meetings along with EQB action taken are indicated, along with public comments.

November 4, 2002 Board Meeting

Issues regarding mercury during Triennial Review discussion.

Section 8.18. Mercury. The DEP has suggested that the Board clarify the application of body burden value for mercury. Ms. Charles informed the Board that she had researched the issue and would recommend that the Board change the language in that section to provide "The total organism body burden of appropriate aquatic species shall not exceed..." and adopt footnote (j) from USEPA's National Recommended Water Quality Criteria 2002 which provides "the fish tissue residue for methylmercury is based on a total fish consumption rate of 0.0175 kg/day."

The Board directed staff to incorporate this proposed change into the criteria comparison table they are creating for the Board's review.

April 16, 2003 Board Meeting

The Board members expressed concern regarding removal of the methylmercury value from the Human Health - Category A (Water Supply Public) and determined that it would require additional information and input from the USEPA and the WVDEP prior to making a final determination on the values for this criteria.

April 17, 2003 Board Meeting

Section 8.18. Mercury.

The Board **retained section 8.18** in Appendix E which contains the human health total body burden value for mercury of 0.5. Also in section 8.18.1 the Board **retained the in-stream total mercury value of 0.15 for human health Category "C" and a human health Category "A" mercury value of 0.14**, but **deleted the acute aquatic life value of 2.4 from that section**, the motion carried unanimously 5 to 0.

The Board **adopted dissolved mercury values for Aquatic Life of Acute 1.4 ug/l and Aquatic Life Chronic of 0.77 ug/l with the appropriate conversion factor**, but **deleted the methylmercury parameter in section 8.8.2 from Appendix E of the rule.**

July 11 2003; Libby Chatfield's Memo
Summary of Comments on proposed revisions to 46 CSR 1

Summary of proposed revisions and associated Board action.
§95.a-95.c Mercury. Revised WV mercury values

• USEPA encourages Board to consider adoption of the 2002 National Recommended Water Quality Criteria for mercury.

June 23, 2003 correspondence from EPA.
Evelyn MacKnight, Chief
PA/DE/WV Branch

Mercury and Methylmercury

"EPA has updated its national recommended mercury and methylmercury criteria for human health and they are available in the report, National Recommended Water Quality Criteria: 2002 (EPA-822-R-02-047). EPA encourages WV to review EPA's human health methylmercury criterion and consider adoption of the EPA 2002 National Recommended Water Quality Criteria for this parameter.

• IOGA (Independent Oil and Gas Association) suggests adoption of current MCL of 2.0 ug/l for inorganic mercury for category A protection.

June 23, 2003 correspondence from Independent Oil and Gas Association of West Virginia
M. Ann Bradley, attorney

" Mercury - The Board has proposed to eliminate the acute criterion for "total Mercury in any unfiltered water sample" for aquatic life. The Board has not proposed any change however in this criteria as it would apply to Category of Category C. SEE Section 8.1, 46 CSR.

1. Consistent with action the Board has taken with regard to other parameters, the Board should have proposed to change the Mercury criterion to 2 ug/l, the current MCL for "inorganic mercury" as established under the federal SWDA. See 40 CFR 141.62(b). Because there is not currently a human health criteria established by EPA under the CWA, to adopt MCL as established under the SWDA would be consistent with EPA guidance, and other guidance that has been heretofore provided to the Board."

August 1, 2003

46 CSR 1

Requirements Governing Water Quality Standards

Responses to Comments and Explanation of Proposed Amendments

§95.a - 95.c. Mercury Proposed replacing current aquatic life criteria with USEPA's recommended values for dissolved mercury for protection of Categories B1, B2, and B4. Current human health mercury criteria retained.

- USEPA encourages Board to consider adoption of the 2002 National Recommended Water Quality Criteria for mercury - which include new body burden values.
- Another commenter suggests adoption of current 2 ug/l for inorganic mercury for Category A protection.

Board Response. In our review of this parameter, the Board considered of USEPA's recently developed body burden value for mercury. We were concerned, however, because the agency's implementation guidance for the new body burden value has not been completed. Moving to a body burden value, without in stream values, nor implementation guidance would provide little assistance to the WVDEP in implementing the new criteria. We determined that retaining our current human health values until USEPA's implementation guidance is finalized is the appropriate route to take for this parameter. We note that a revision to this section is needed to provide reference to the Conversion Factor (CF) for the dissolved aquatic life criteria for mercury.

Board Action. Proposed revisions adopted; also adopted reference to conversion factors for aquatic life criteria.

The WV Environmental Quality Board Agency Proposed Legislative Rule submitted to the Legislature on May 19, 2003 contained the following criteria for mercury.

Parameter	CAS	Aquatic Life				Human Health	
		B1, B4		B2		A	C
		Acute	Chronic	Acute	Chronic		
95a. Mercury-dissolved (ug/l)	7439976	1.4	0.77	1.4	0.77		
95b. Total mercury in any unfiltered water sample shall not exceed (ug/l)						0.14	0.15
95.c Mercury - total organism body burden of appropriate aquatic species shall not exceed 0.05 ug/g as methyl mercury						0.5	0.5

The WV Environmental Quality Board Agency Approved Legislative Rule submitted to the Legislature on August 1, 2003 contained the following criteria for mercury.

Health Parameter	CAS	Aquatic Life				Human	
		B1, B4		B2		A	C
		Acute	Chronic	Acute	Chronic		
95a. Mercury-dissolved (ug/l)	7439976	1.4CFs	0.77CFs	1.4CFs	0.77CFs		
95b. Total mercury in any unfiltered water sample shall not exceed (ug/l):						0.14	0.15
95.c Mercury - total organism body burden of appropriate aquatic species shall not exceed 0.05 ug/g as methyl mercury.						0.5	0.5

The Legislative Rule passed by the Legislature and Final Filed by the Environmental Quality Board on May 7, 2004 contained the following criteria for mercury.

Health Parameter	Aquatic Life				Human		
	B1, B4		B2		A	C	
	Acute	Chronic	Acute	Chronic			
8.18 Mercury The total organism body burden of any aquatic species shall not exceed 0.5 ug/g as methylmercury.						0.5	0.5
8.18.1 Total mercury in any unfiltered water sample shall not exceed (ug/l):	2.4		2.4		0.14	0.15	
8.18.2 Methylmercury (water column) Not to exceed (ug/l):	0.12		0.12				

I have placed the Legislative Rule focused on Mercury from August 1, 2003 (the final rule that went to the Legislature from the EQB) and the Legislative Rule focused on Mercury from May 7, 2004 (the final rule passed by the Legislature) together on the previous page for comparison.

The standards in the Legislative Rule have not been revised, and remain those in place prior to the triennial revision proposed to the Legislature. I hope this provides some insight on the EQB's position as it relates to the ongoing debate on this matter. Thank you for the opportunity to address the committee, and I sincerely thank you for your interest in addressing the important policy matters related to water protection for the State of West Virginia.

Thank you for your interest in addressing the important policy matters related to water protection for the State of West Virginia.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. M. Snyder', with a long horizontal flourish extending to the right.

Edward M. Snyder
Chair, West Virginia Environmental Quality Board

To: Legislative Rule Making and Review Committee
Re: Manganese Rule
Date: January 10, 2005

As a background to the issue of manganese, and as you are aware, the Environmental Quality Board conducted a review of the Water Quality Standards rule and submitted amendments to it that were considered by the Legislature in the 2004 session. On July 23, 2002, the Board solicited public comments regarding issues that the Board should address during its upcoming triennial review. The EQB did not receive comments on the manganese 5-mile rule language, and did not therefore propose revisions to it. During the legislative session, the manganese 5-mile rule revision was advanced by the regulated community and adopted as an amendment to the rule in House Bill 4193. After passage of the bill, the Coal Association contacted our staff, and followed up with a letter suggesting that the EQB provide appropriate justification of the manganese revision.

The EQB reviewed that letter at its May 2004 meeting and agreed to write the House and Senate Judiciary Committee chairmen to request any supporting documentation that it considered when revising the rule. (The letter was carbon copied to the Legislative Rule Making and Review Committee). The EQB also agreed at the May meeting that if no information was forthcoming from the committees, that the rule would be forwarded to the EPA with an explanation of the situation and of the EQB's effort to get supporting documentation.

The EQB received responses from Senator Kessler, and from Senator Ross and Delegate Mahan, indicating that no supporting data was available. In early June those letters were forwarded to USEPA along with the rule package, in accordance with the Clean Water Act requirements for submission of WQS revisions to the agency for review and approval.

On June 8th, the EQB received documents from the Coal Association which included a rationale in support of the revised manganese 5-mile rule language. The EQB addressed the Coal Association's submission at its June 11th meeting and agreed to forward that information, without recommendation, to the USEPA. Further, we agreed to provide an opportunity for the public to submit information in response to the manganese revision by July 2nd, which the EQB would also forward to the USEPA. A number of additional comments were received and forwarded to the agency on July 6th, also without recommendation from the EQB. All these comments were forwarded to the Committee in a letter dated July 15th, 2004.

There was a statement made before this committee in June of 2004 by Chris Hamilton of the West Virginia Coal Association that the EQB was unwilling to cooperate in addressing the revision to the "manganese 5-mile rule", that the EQB had not been willing to forward information from the coal association to the USEPA, and further that the EQB had "lost the information or something". No document was lost or retained inappropriately by the EQB during the process. Further, the EQB has historically been

receptive to comments by the Coal Association and prioritized mining issues including remaining permits.

The Coal Association has also expressed concern that they have sent a great deal of information to the EQB over the years regarding impacts of manganese pollution, and has criticized the EQB for not forwarding the historic information in support on the manganese 5-mile rule. I agree that we have received manganese information over the years, but all that information addressed the toxicity of manganese to aquatic life. The EQB removed aquatic life limits for manganese a number of years ago.

The manganese 5-mile rule being discussed today addresses the human health protection value. It is my opinion that sending the "historic data" addressing aquatic life matters for which the standards have been removed from the rule would have been irrelevant in evaluating the change of the human health criterion.

To put it simply, the data needed to support the human health criteria is different from the data needed to make the prior change in the aquatic life criteria. The EQB does not have studies or scientific information to address the human health criterion change.

By letter received on December 27, 2004, EPA informed the EQB that it is deferring action on the "Manganese Five Mile Rule" change while it evaluates and collects additional information sufficient to finalize a decision. As EPA moves to collect the information and to evaluate it, we are willing to assist EPA in its effort.

I hope this provides some insight on the EQB's position as it relates to the ongoing debate on this matter. Thank you for the opportunity to address the committee, and I sincerely thank you for your interest in addressing the important policy matters related to water protection for the State of West Virginia.

Sincerely,



Edward M. Snyder
Chair, West Virginia Environmental Quality Board

THE REGISTER-HERALD

Print Page

Water

Quality of streams cannot be compromised for any reason

John Denver touched on only a slice of West Virginia when he sang about the Shenandoah River.

But we're sure his view of "Almost Heaven" included all of the state's streams, every mile of them.

Last week, a chemical industry official told state legislators that West Virginia should stop requiring that all of its rivers and streams be clean enough to drink from. John Hill of Dow Chemical was speaking on behalf of the West Virginia Manufacturers Association, which wants the Legislature to change a 1960s-era state rule governing water quality standards.

He said Huntington Alloys has paid thousands of dollars to treat what it discharges into a nearby creek that "is not nor ever will be a public water supply."

"Having all the waterways in West Virginia meet drinking water standards is like having all the highways in the state meet school zone speed standards," he said.

We fail to see the logic in his analogy. Highways don't flow and carry toxins that enter our bodies. Rivers and streams do. Highways don't attract swimmers, fishermen and boaters. Rivers and streams do. Highways are not home to aquatic life. Rivers and streams are.

That's not being environmentally extreme. That's being honest.

Hill also termed the protection "an unnecessary burden that provides no public benefits."

He is off the mark. Water is our most important resource. Because of water we have agriculture, recreational tourism, green fields, trees, fish, wildlife, water for our homes and businesses. When it comes right down to it, we have a water-based economy.

The damage that can be done is certainly to the public's detriment. A little stream flows into a larger one that flows in a creek that flows into a river -- perhaps the very creek or river from which our drinking water comes.

Industrial contaminants are not easily diluted and surely have more far-reaching effects than Hill -- or the companies he represents -- is willing to claim.

West Virginia and the nation have come a long way since the days when there were questions whether some rivers and streams actually contained water.

We don't want to return to those days. We owe it to ourselves and to coming generations to continue the progress toward better and better water quality.

For the sake of those who live here and those who visit, water quality can't be compromised. If West Virginia is indeed "Almost Heaven," let's keep it that way.

Katherine Bonenberger	<i>left a message</i>	PA	
Dana Sill	will renew it	FL	
Pamela Graham	<i>left a message</i>	VA	
Lois Logan	Less likely	NC	
Melissa Cochran-Gust	<i>left a message</i>	OH	
Michelle Spagnuolo	will renew it	NC	
Shawn Fox	will renew it	TN	
Amanda Hatfield	will renew it	MD	wouldn't like it
Billie Taylor	<i>left a message</i>	MD	
Laura Santos	Will renew it	MN	
Michele Schmidt	will renew it	VA	
Julie Likar	Less likely	PA	
Amanda Dight	will renew it	VA	
Dorrie Bintz	<i>Left a message</i>	OH	
Darcy Henry	Less likely	OH	
Terica Springer	<i>left a message</i>	KS	
Maria Weatherspoon	less likely	NC	
Dawn Barnes	will renew it	PA	would like biennial renewals
Donna Tweel	will renew it	TN	

Based on the data gathered 1 out of every 3 out of state licensed hygienists are less likely to renew, resulting in a potential net loss of 137 licensees under line item 4.8.

H. Richard Marshall, Jr., DDS
President
120 Maplewood Avenue
Ronceverte, WV 24970

Mrs. Dina Agnone Vaughan, BSDH, MS
Secretary
Francis Way
Lewisburg, WV 24901

George D. Conard, Jr., DDS
6353 East Pea Ridge Road
Huntington, WV 25705

John C. Dixon, DDS
1961 Parkwood Road
Charleston, WV 25314

Richard D. Smith, DDS
1501 Seventh Avenue
Charleston, WV 25312

John F. Parkulo
Executive Secretary
207 S. Heber Street
Beckley, WV 25801



WEST VIRGINIA BOARD OF DENTAL EXAMINERS
207 S. HEBER STREET
BECKLEY, WV 25801
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Beckley, WV 25801

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56 Silver Maple Lane
Union, WV 24983

Mrs. Dolores L. Gribble
11 Davis Place
Clarksburg, WV 26301

Susan M. Combs
Office Manager
207 S. Heber Street
Beckley, WV 25801

June 10, 2004

RE: 5CSR1, 5CSR2, 5CSR3 & 5CSR6

Dear Licensee:

Please find enclosed a copy of proposed rule changes to Title 5, Series 3, of the Code of State Regulations concerning the Board's fee schedule. This proposed rule is scheduled for a comment period to end on July 12, 2004 at 4:00 pm. Comments are to be mailed to the Board's address, 207 South Heber Street, Beckley, West Virginia 25801. *Any comments received after 4:00 pm July 12, 2004 will not be considered.*

Also, please be advised the Board has also set a comment period for proposed rule changes to Series 1, the Rule for the West Virginia Board of Dental Examiners mainly for changes to continuing education requirements, Series 2, Formation and Approval of Professional Limited Liability Companies for language changes concerning names of PLLC and Series 3, Formation and Approval of Dental Corporations for language changes concerning names of Corporations.

These rules may be viewed on the Board's website at www.wvdentalboard.org or you may call the Board's office or the Secretary of State's office for a copy of these proposed rules. The comment period for these proposed rules ends on July 12, 2004 at 4:00 pm. Comments are to be mailed to the Board's address, 207 South Heber Street, Beckley, West Virginia 25801. *Any comments received after 4:00 pm July 12, 2004 will not be considered.*

As always, if you have any questions please do not hesitate to contact this office.

Very truly yours,

Handwritten signature of John F. Parkulo in black ink.
JOHN F. PARKULO
Executive Secretary

JFP/smc
Enclosures

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

Do Not Mark In This Box

Form # 1

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Dental Examiners TITLE NUMBER: 5

RULE TYPE: Legislative CITE AUTHORITY: 3-1-5 3-4-1 et seq

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: Fees Established by The Board

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

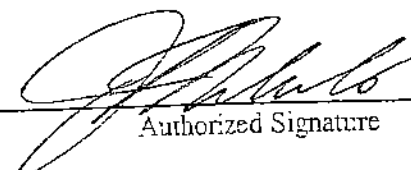
IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 12, 2004 AT 4:00 pm ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

West Virginia Board of Dental Examiners

207 South Heber Street

Beckley, WV 25801

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



Authorized Signature

ATTACH A BRIEF SUMMARY OF YOUR PROPOSAL

SUMMARY OF PROPOSED RULE

To increase various application and renewal fees as well as charging for services currently supplied by the board that are not recouped at this time but are services charged by other State boards.

STATEMENT OF CIRCUMSTANCES

To enable the Board to continue to carry out effectively their responsibilities of licensure registration and discipline of individuals subject to their authority by increasing the various application and renewal fees as well as charging for services currently supplied by the board that are not recouped at this time, in order to prepare for increased costs of office expenses anticipated in the short term, including but not limited to, rent increase/relocation costs, additional legal expenses, increased costs associated with two additional Board Members, anticipated costs of hiring a hearing examiner; increased costs of insurance premiums, and future considerations to salary increases to current employees.

□
APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Fees Established By The Board

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia Board of Dental Examiners

Address: 207 South Heber Street
Beckley, WV 25801

1. Effect of Proposed rule: These amounts are only estimated and would be appropriated to the proper budget line items to meet the boards needs if increases are passed.

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	100,000.00	0	273,000.00	273,000.00	373,000.00
PERSONAL SERVICES	30,450.00	0	129,550.00	129,420.00	160,000.00
CURRENT EXPENSE	52,850.00	0	90,150.00	88,980.00	143,000.00
REPAIRS & ALTERATIONS	2,000.00	0	1,000.00	500.00	3,000.00
EQUIPMENT	4,500.00	0	7,500.00	6,500.00	12,000.00
OTHER Emp. Benefits	10,200.00	0	44,800.00	47,600.00	55,000.00

2. Explanation of Above Estimates:

Estimates are based on projections of increase in application, renewal and permit fees only, misc. fees not included due to lack of supportive data.

3. Objectives of These Rules:

To increase the Annual Budget of the Board as set forth in the Statement of Circumstances.

Rule Title: Fees Established by The Board

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

To allow the Board of Dental Examiners to effectively discharge their responsibilities as set forth in the Statement of Circumstances.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:

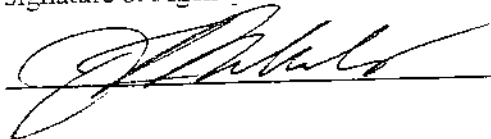
Nominal increase in application, renewal and permit fees associated with the practice of dentistry in the State of West Virginia.

C. Economic Impact on Citizens/Public at Large.

Possible nominal increase in costs of Dental Services in the State of West Virginia.

Date: June 10, 2004

Signature of Agency Head or Authorized Representative:



TITLE 5
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF DENTAL EXAMINERS

SERIES 3
FEES ESTABLISHED BY THE BOARD

§5-3-1. General.

- 1.1. Scope. -- This legislative rule establishes fees for the Board of Dental Examiners.
- 1.2. Authority. -- W. Va. Code §§30-1-6 and 30-4-4A.
- 1.3. Filing Date. --
- 1.4. Effective Date. --

§5-3-2. Schedule of Fees for Dentists.

2.1. Dental Licensure Application	\$50.00	<u>\$150.00</u>
2.2. <u>Re-examination fee for Dentists (Law Exam)</u>	<u>\$20.00</u>	
2.2: <u>2.3.</u> Out of State Dentist - Dental Licensure Application	\$100.00	<u>\$250.00</u>
2.3: <u>2.4.</u> Temporary Permit	\$100.00	<u>\$150.00</u>
2.4: <u>2.5.</u> Dental Intern/Dental Residency Permit	\$50.00	<u>\$100.00</u>
2.5: <u>2.6.</u> Teaching Permit	\$100.00	<u>\$150.00</u>
2.6: <u>2.7.</u> Investigation of Qualification for Temporary, Dental Intern/Dental Residency or Teaching Permits	\$50.00	<u>\$50.00</u>
—2.7: <u>2.8.</u> Annual Information & Renewal fee for a <u>General</u> Dentist Practicing In State	\$125.00	<u>\$150.00</u>
<u>2.9.</u> <u>Annual Information & Renewal fee for an Out of State General Dentist</u>		<u>\$200.00</u>

§5-3-53. Schedule of fees for Specialty Licensure for Dentists.

53.1. Dental Specialty Licensure Application	\$300.00	<u>\$450.00</u>
<u>3.2.</u> <u>Annual Information & Renewal fee for Dental Specialty</u>	\$200.00	<u>\$200.00</u>

§5-3-34 Schedule of Fees for Hygienists.

34.1. Dental Hygiene Licensure Application	\$25.00	<u>\$60.00</u>
34.2. Re-examination fee for Dental Hygienists (<u>Law Exam</u>)	\$10.00	<u>\$20.00</u>
34.3. Out of State Dental Hygienist - Dental Hygienist Licensure Application	\$50.00	<u>\$100.00</u>
34.4. Temporary Permit	\$100.00	
34.5. Teaching Permit		\$100.00
34.6. Investigation of Qualification for Temporary, Dental Intern Dental -Residency or Teaching Permits	\$50.00	
34.7. Annual Information & Renewal fee for a Dental Hygienist Practicing In State	\$50.00	<u>\$65.00</u>
34.8. <u>Annual Information & Renewal fee for Out of State Dental Hygienist</u>		<u>\$85.00</u>

§5-3-45. Schedule of Fees for Dental Corporations.

45.1. Application to Form a Dental Corporation	\$200.00
45.2. Annual Registration <u>renewal</u> fee for a Dental Corporation	\$150.00

§5-3-5. Schedule of fees for Professional Limited Liability Companies.

5.1. <u>Application to Form a Dental Professional Limited Liability Company</u>	<u>\$200.00</u>
5.2. <u>Annual Renewal fee for a Professional Limited Liability Company</u>	<u>\$150.00</u>

§5-3-6. Schedule of fees for Anesthesia.

6.1. <u>Class Two Certification Application Fee</u>	<u>\$50.00</u>
6.2. <u>Class Two Certification Renewal Fee</u>	<u>\$25.00</u>
8.3. <u>Class Three or Four Permit Application Fee</u>	<u>\$600.00</u>
8.4. <u>Class Three or Four Permit Renewal Fee</u>	<u>\$200.00</u>

§5-3-67. Schedule for Miscellaneous Fees.

67.1. <u>Verification of Licensure to another State (Charge for licensee)</u>	\$10.00 <u>\$25.00</u>
7.2. <u>Verification of Licensure (other entities)</u>	<u>\$25.00 per name</u>
7.3. <u>Course approval application fee</u>	<u>\$100.00</u>
7.4. <u>Duplicate renewal license</u>	<u>\$5.00</u>
7.5. <u>Duplicate wall certificate</u>	<u>\$10.00</u>
7.6. <u>Roster of Active Dental/Hygiene Licensees (paper, email or cd)</u>	<u>\$50.00 per list</u>
7.7. <u>Roster of Active Dental/Hygiene Licensees (labels)</u>	<u>\$100.00 per list</u>
7.8. <u>Roster of Active Dental/Hygiene Licensees (one county) (paper, email or labels)</u>	<u>\$10.00 per list</u>
7.9. <u>Miscellaneous Copies (first page)</u>	<u>\$3.00</u>
<u>additional pages</u>	<u>\$0.25</u>
7.10. <u>Retrieval Fee</u>	<u>\$25.00</u>

§5-3-8. Late Renewal and Late Continuing Education Fees

8.1. Any Dental, Dental Specialty, Hygiene, Anesthesia, Corporation, PLLC, etc. that fail to renew by the specified renewal date, either by statute or rule, shall be assessed a penalty fee equal to the renewal fee as required by statute or rule, in addition to other conditions of renewal as set forth by statute or rule.

8.2. Any Licensee that fails to report their continuing education requirements as set forth by statute or rule by the required reporting date shall be assessed a penalty fee equal the annual renewal fee of said licensee.

§5-3-9. Returned Checks.

9.1. Returned Check Charge \$25.00

9.2. Failure to replace renewal or application fees due to a returned check and pay the returned check charge shall constitute grounds for denial, revocation or suspension of a license.

§5-3-10. Non Refundable.

10.1. All fees are non-refundable.

**WEST VIRGINIA BOARD OF DENTAL EXAMINERS PROPOSED LINE ITEM
EXPENDITURES FOR ESTIMATED ADDITIONAL MONIES
TO BE GENERATED BY PROPOSED FEES**

1.	Rent	7,200
2.	PEIA/Retirement	10,000
3.	Insurance	2,000
4.	Phone	2,000
5.	Computer/Office Equipment	5,000
6.	2 additional members	20,000
7.	2 additional meetings	14,000
8.	Legal/Professional	2,000
9.	Hearing Examiner	25,000
	Total Lines 1- 9	87,200

10. Remainder to replenish reserve account to 1/5 budget at end of September.
11. Any savings or excess to be used for consideration of larger office accommodations and/or employee salary increases.

**ESTIMATED ADDITIONAL MONIES TO BE GENERATED BY PROPOSED FEES
WITH SOME SUPPORTING DATA**

Line Item	Additional Monies Estimated	Estimated Fees Lost - Non Renewals
2.8	17,525	
2.9	26,175	43 * \$200 = \$8,600 (note loss calculated at current fee plus proposed increase.)
3.2	14,700	
Subtotal	58,400	

Line Item	Additional Monies Estimated	
4.7	10,530	
4.8	14,840	137 * \$85 = \$11,645 (note loss calculated at current fee plus proposed increase.)
Subtotal	25,370	
Total of Renewal Fees	83,770	

Line Item	Additional Monies Estimated
2.1	2,500.00
2.3	3,750.00
3.1	1,500.00
4.1	1,125.00
4.3	500.00
Total of Application Fees	9,375.00

Line Item	Additional Monies Estimated
7.1	1,200.00
7.2	2,500.00 - 5,000.00
Total of Verification fees	3,700.00 - 6,200.00
GRAND TOTAL	96,845.00 - 99,345.00

Dr. Abou-Rizk	would renew at \$200	NC	
Dr. Sam D'Arco	would renew at \$200	GA	
Dr. Sanford Fenton	would renew at \$200	TN	
Dr. David Funderburk	would renew at \$200	CO	
Dr. Gregory Hill	would renew at \$200	FL	
Dr. Randall Patterson	left a message	PA	
Dr. Mark Mitchell	he may be willing to let it go after a few years		FL
Dr. George Shepley	less likely to renew	MD	
Dr. William H. Mason	would renew at \$200	VA	
Dr. Judith Porter	would renew at \$200	MD	
Dr. Robert Hamilton	would renew at \$200	NV	
Dr. John Ambrose	would renew at \$200	GA	
Dr. Teresa Conley	would renew at \$200	NC	
Dr. Suzanne McCormick	would renew at \$200	CA	
Dr. Catherine Tebay	would renew at \$200	WY	wouldn't like it, but would keep it
Dr. John Canter	would renew at \$200	VA	
Dr. Jean Carlson	would renew at \$200	MD	would like to see inactive fee
Dr. Michael Hedmond	left a message	OH	
Dr. Michele Jasper	left a message	SC	
Dr. Steve Kirk	less likely to renew	TX	
Dr. Harry Legan	would renew at \$200	TN	
Dr. Ricky Massullo	left a message	FL	

Based on the data collected 1 out of every 9 out of state licensed dentists are less likely to renew, resulting in a potential net loss of 43 licensees under line item 2.9.

**STATEMENT OF MONIES RECEIVED FOR THE
FISCAL YEARS 2003 & 2004**

	<u>2003</u>	<u>2004</u>
Renewals -Dentists	149,875.00	148,100.00
Renewals-Hygienist	51,435.00	52,975.00
Renewals-Dental Corporations	24,250.00	20,400.00
Renewal-Gen. Anesthesia	5,700.00	5,200.00
Renewal-PLLC's	6,000.00	6,600.00
Application fees-Specialists	2,100.00	2,700.00
Application fees-Dentists	3,050.00	3,550.00
Intern Permits	50.00	0.00
Application fees-Hygienists	2,510.00	1,990.00
Application fees-Gen. Anesthesia	1,500.00	600.00
Application fees-Corporation	2,000.00	2,400.00
Application fees-P. L. L. C's	2,800.00	3,600.00
Reinstatement fees	2,050.00	100.00
License Verifications	730.00	770.00
Anderson & Associates	1,650.00	300.00
Costs & Fines	1,500.00	3,500.00
TOTAL MONIES RECEIVED:	\$257,200.00	\$252,785.00

STATEMENT OF MONIES RECEIVED FOR THE
FISCAL YEARS 2001 & 2002

	<u>2001</u>	<u>2002</u>
Renewals -Dentists	92,325.00	149,375.00
Renewals-Hygienist	49,875.00	50,400.00
Renewals-Dental Corporations	20,850.00	20,850.00
Renewal--Gen. Anesthesia	4,800.00	4,900.00
Renewal--PLLC's	3,450.00	2,700.00
Application fees-Specialists	2,700.00	2,100.00
Application fees-Dentists	2,050.00	3,150.00
Intern Permits	50.00	50.00
Application fees-Hygienists	1,975.00	2,550.00
Application fees-Gen. Anesthesia	1,800.00	1,200.00
Application fees-Corporation	1,200.00	2,400.00
Application fees-P. L. L. C's	600.00	2,200.00
Certificate fees-Dentists	135.00	0.00
Certificate fees-Hygienists	150.00	0.00
Reinstatement fees	300.00	100.00
License Verifications	830.00	780.00
Copies	204.45	0.00
Anderson & Associates	1,200.00	2,550.00
Costs & Fines	7,500.00	14,002.00
TOTAL MONIES RECEIVED:	\$191,994.45	\$259,307.00

STATEMENT OF MONIES RECEIVED FOR THE
FISCAL YEARS 1999 & 2000

	<u>1999</u>	<u>2000</u>
Renewals -Dentists	95,025.00	93,750.00
Renewals-Hygienist	49,400.00	49,200.00
Renewals-Dental Corporations	19,350.00	22,200.00
Renewal--Gen. Anesthesia	4,800.00	5,300.00
Renewal--PLLC's	1,350.00	2,250.00
Application fees-Specialists	4,200.00	2,100.00
Application fees-Dentists	1,950.00	1,650.00
Application fees-Hygienists	2,748.00	2,255.00
Application fees-Gen. Anesthesia	600.00	300.00
Application fees-Corporation	2,400.00	2,200.00
Application fees-P. L. L. C's	600.00	1,800.00
Certificate fees-Dentists	130.00	190.00
Certificate fees-Hygienists	260.00	190.00
Reinstatement fees	1,660.00	575.00
License Verifications	950.00	850.00
Copies	209.95	338.19
Anderson & Associates	1,984.48	1,950.00
Costs & Fines	9,389.00	2,881.45
 TOTAL MONIES RECEIVED:	 \$197,006.43	 \$189,979.64

Statement of Disbursements
For the Fiscal Years 2003 & 2004

	<u>2003</u>	<u>2004</u>
001 Personal Services	127,200.24	122,486.14
004 Annual Increment	2,250.00	2,700.00
010 Dept. of Administration	656.24	962.51
011 Social Security	9,507.65	9,000.06
012 Public Employees Insurance Agency	20,569.84	28,806.68
014 Worker's Compensation	652.98	698.83
016 Consolidated Public Retirement Board	9,319.83	10,191.67
020 Office Expenses	700.11	1,868.29
021 Printing & Binding	679.92	1,583.90
022 Rentals	7,787.75	7,650.00
024 Telephone	4,101.50	6,387.18
025 Professional	6,488.54	1,908.25
026 Travel	37,256.55	28,850.59
027 IS&C WVNet	697.78	1,014.27
030 Rentals (machine & misc.)	10,026.96	7,844.82
031 Association Dues	3,685.00	4,230.00
032 Fire, Auto, Bond & other insurance	2,189.00	3,116.00
035 Advertising	0.00	70.54
037 Medical/Research	63.00	0.00
038 Maintenance Contracts	515.70	1,031.50
042 Hospitality	930.27	572.19
052 Training & Development	340.00	595.00
053 Postal & Freight	3,971.01	5,768.23
054 Computer Expenses	82.29	729.04
058 Miscellaneous Equipment	0.00	1,028.71
061 Communication Equipment Repairs	0.00	30.00
070 Communication Equipment	0.00	1,240.00
110 PEIA Reserve	959.00	947.00
170 Computer Equipment	0.00	1,185.00
171 Computer Software	0.00	19.95
 Total Expenditures	 \$250,631.16	 \$252,516.35

Statement of Disbursements
For the Fiscal Years 2001 & 2002

	<u>2001</u>	<u>2002</u>
001 Personal Services	102,793.41	123,626.40
002 Personal Services without deductions	1,150.00	450.00
004 Annual Increment	3,900.00	1,650.00
010 Dept. of Administration	755.00	656.24
011 Social Security	7,770.51	9,271.30
012 Public Employees Insurance Agency	17,988.00	18,510.88
014 Worker's Compensation	423.13	588.58
016 Consolidated Public Retirement Board	8,140.58	36,996.29
020 Office Expenses	895.72	615.75
021 Printing & Binding	506.16	470.16
022 Rentals	7,789.14	8,497.35
024 Telephone	4,540.47	3,792.13
025 Professional	2,022.05	4,495.40
026 Travel	21,554.64	29,240.92
027 IS&C WVNet	546.58	572.45
030 Rentals (machine & misc.)	9,165.06	9,187.68
031 Association Dues	3,265.00	3,265.00
032 Fire, Auto, Bond & other insurance	1,262.00	1,820.00
035 Advertising	33.47	95.41
037 Medical/Research	0.00	252.00
038 Maintenance Contracts	464.99	1,254.20
042 Hospitality	922.67	542.51
052 Training & Development	170.00	0.00
053 Postal & Freight	4,695.68	2,751.50
054 Computer Expenses	0.00	1,398.10
058 Miscellaneous Equipment	0.00	1,542.39
079 Miscellaneous Equipment	90.58	0.00
110 PEIA Reserve	858.00	928.00
171 Computer Equipment	0.00	3,249.88
 Total Expenditures	 \$199,898.65	 \$265,720.52

Statement of Disbursements
For the Fiscal Years 2000

	<u>2000</u>
001 Personal Services	82,218.00
002 Personal Services without deductions	1,500.00
010 Dept. of Administration	595.00
011 Social Security	6,100.62
012 Public Employees Insurance Agency	17,498.00
014 Worker's Compensation	522.34
016 Consolidated Public Retirement Board	6,395.27
020 Office Expenses	546.75
021 Printing & Binding	496.59
022 Rentals	7,851.75
024 Telephone	3,853.64
025 Professional	60.00
026 Travel	27,290.15
027 IS&C WVNet	547.04
030 Rentals (machine & misc.)	9,494.16
031 Association Dues	3,015.00
032 Fire, Auto, Bond & other insurance	1,180.00
035 Advertising	30.56
037 Medical/Research	0.00
038 Maintenance Contracts	375.25
042 Hospitality	652.70
052 Training & Development	0.00
053 Postal & Freight	5,513.64
054 Computer Expenses	0.00
055 Supplies (purchasing card)	632.45
061 Equipment Repairs	1,090.20
078 Equipment	2,586.52
079 Equipment (purchasing card)	1,805.55
110 PEIA Reserve	0.00
171 Computer Software	<u>0.00</u>
Total Expenditures	\$176,030.14

ESTIMATED LEASE INFORMATION

BECKLEY

Current

\$600 per month hardship exemption

1639 sq ft

4.39 per sq ft

\$7 - \$9 per sq ft expected this July

\$11,473 - \$14,751

increase of \$4,273 - \$7,551

CHARLESTON

1639 sq ft

\$13 - \$15 per sq ft

\$21,307 - \$24,585

increase of \$14,107 - \$17,385

\$5,000 relocation monies

JANUARY - DECEMBER 2004

	<u>Expenses Per 1099</u>	<u>Per Diem Per W2</u>
George D. Conard, Jr.	7270.24	3150.00
Debra D. Dent	2494.37	1950.00
John C. Dixon	2783.45	1650.00
David G. Edwards		600.00
Dolores L. Gribble	2007.03	1350.00
Bernard J. Grubler	3799.43	2250.00
H. Richard Marshall, Jr.	1944.68	1500.00
Richard D. Smith	4739.68	2850.00
James W. Vargo	1291.23	1350.00
Dina A. Vaughan	<u>2365.03</u>	<u>1650.00</u>
Totals	28695.14	18300.00

EMPLOYEE SALARIES

	<u>Gross Per W2</u>
Susan M. Combs	21,260.00
John F. Parkulo	50,350.16
April D. Stone	13,416.82
Bradford A. Vaughan	12,060.00
Total	97,086.98

OTHER PERSONS PAID A PER DIEM JAN - DEC 2004

Gross Per W2

Tilden D. Bobbitt	150.00	Oral Surgery Examiner
Robert W. Graves	600.00	Oral Surgery Examiner & Anes. Committee
Nathan E. Kirk	150.00	Pediatric Examiner
Hubert E. Kiser	150.00	Orthodontic Examiner
William R. Marshall	900.00	Anesthesia Committee
Craig L. Meadows	150.00	Periodontic Examiner
Gerald E. Nieuwsma	150.00	Oral Surgery Examiner
Babak D. Noorbakhsh	150.00	Oral Surgery Examiner
Ashley J. Patnoe	150.00	Pediatric Examiner
Harold H. Reed	150.00	Periodontic Examiner
Paul T. Rose	150.00	Pediatric Examiner
Charles L. Seita	150.00	Orthodontic Examiner
Michael H. Shahan	150.00	Periodontic Examiner
Nicolas Shalhoup	375.00	Peer Review Committee
Don E. Skaff	600.00	Pediatric Examiner & Anes. Committee
James F. Szarko	300.00	Peer Review Committee
Kimberly S. Thompson	150.00	Pediatric Examiner
Bryan D. Weaver	600.00	Anesthesia Committee
Joel R. Whitaker	300.00	Peer Review Committee
David E. Yates	450.00	Anesthesia Committee
Total	5925.00	

Meeting Costs - divided by number traveled

$$5716.14 / 9 = 635.13$$

$$6431.76 / 8 = 803.97$$

$$4440.84 / 9 = 493.43$$

$$3280.17 / 5 = 656.03$$

$$3932.37 / 5 = 786.45$$

estimated meeting costs per year with 4 meetings 17,763 - 28,942