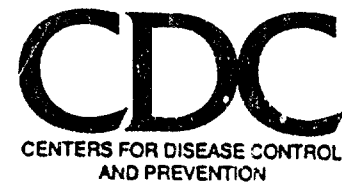


Environmental Compliance
Assessment Protocol
Centers for Disease Control
and Prevention
Environmental Engineering
and Laboratory

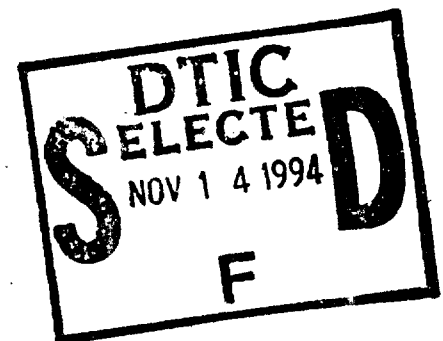


Environmental Compliance Assessment Protocol - Centers for Disease Control and Prevention (ECAP-CDC) *West Virginia CDC Supplement*

In response to the growing number of environmental laws and regulations worldwide, the Centers for Disease Control and Prevention (CDC) has adopted an environmental compliance program that identifies compliance problems before they are cited as violations by the U.S. Environmental Protection Agency (USEPA).

In 1992, the CDC developed a program to maintain compliance with all Federal, state, and local environmental regulations. The goal is to protect human health/safety and the environment. The CDC, headquarters in Atlanta, Georgia, with facilities in several other states, developed and implemented a specific environmental assessment and management program tailored to the type and size of their facilities and operations. The resulting system combines Federal environmental regulations, along with good management practices and risk management information, into a series of checklists that show legal requirements and which specific items or operations to review. The Environmental Compliance Assessment Protocol Centers for Disease Control and Prevention (ECAP-CDC) incorporates existing checklists from USEPA and private industry.

The West Virginia Supplement was developed to be used in conjunction with the ECAP-CDC manual, using existing West Virginia environmental legislation and regulations as well as suggested management practices.



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FOREWORD

The research was performed for the Centers for Disease Control and Prevention (CDC) under CDC Appropriation number 7540943, dated July 1994. The CDC technical monitor was Rebecca L. West.

The research was performed by the Environmental Compliance Modeling and Systems Division (EC) of the U.S. Army Construction Engineering Research Laboratories (USACERL). The Principal Investigator was Donald H. Wiggins, Environmental Protocol Team, CECER-ECP. Dr. Diane K. Mann, CECER-ECP is Team Leader. Dr. John T. Bandy is Acting Chief, CECER-EC, and William D. Goran is Chief, CECER-EL.

LTC David J. Rehbein is Commander and Acting Director, USACERL. Dr. Michael J. O'Conner is Technical Director.

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NOTICE

This guide is intended as general guidance for personnel at CDC facilities. It is not, nor is it intended to be, a complete treatise on environmental laws and regulations. Neither the U.S. Government nor any agency thereof, nor any of their employees, makes any warranty, expressed or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information contained herein. For any specific questions about, or interpretations of, the legal references herein, consult appropriate legal counsel.

WEST VIRGINIA SUPPLEMENT

Centers for Disease Control and Prevention (CDC)

MANUAL INTRODUCTION

The West Virginia CDC supplement contains the protocols necessary for determining compliance with West Virginia environmental rules and regulations. This manual is a supplement to the U.S. CDC Environmental Compliance Manual; it does not replace it.

The following West Virginia agencies have responsibility in the indicated areas:

- Air Pollution Control Commission - has responsibility for all air pollution control programs, including all solid and hazardous waste incinerators.
- Department of Agriculture - has responsibility for the use of pesticides.
- Department of Commerce, Labor, and Environmental Resources, Division of Environmental Protection - has the responsibility over underground storage tank regulations.
- Department of Natural Resources - has the responsibility of managing many of the principle environmental programs and includes the Water Resources Division and the Waste Management Division.
- Department of Natural Resources, Division of Culture and History - has responsibility for regulations concerning archaeological remains and historic properties.
- Department of Natural Resources, Division of Waste Management - has responsibility for hazardous waste and solid waste regulation.
- Department of Natural resources, Division of Water Resources - has responsibility over all surface water discharges, pretreatment programs, and groundwater protection.
- Department of Public Safety - develops regulations concerning motor vehicle noise.
- Emergency Response Commission - housed in the office of the director of the Department of Natural Resources, this agency must be contacted immediately upon release of a reportable quantity of any chemical covered by Title III of the Superfund law.
- West Virginia Natural Heritage Program - identifies and evaluates species for consideration as threatened or endangered status species.



Acronym List
West Virginia Supplement

Acronyms	Definitions
AST	aboveground storage tank
ASTM	American Society for Testing and Materials
CDC	Centers for Disease Control and Prevention
CFR	Code of Federal Regulations
CWA	<i>Clean Water Act</i>
NPDES	National Pollutant Discharge Elimination System
PCB	polychlorinated biphenyls
PM	particulate matter
USEPA	U.S. Environmental Protection Agency
UST	underground storage tank
VOC	volatile organic compound
WVAR	West Virginia Air Pollution Control Regulations
WVC	West Virginia Code
WVPCA	<i>West Virginia Pesticide Control Act</i>

Abbreviations

C	Celsius	mgd	million gallons per day
cm	centimeter	μg	microgram
cm ²	square centimeter	μm	micrometer
F	Fahrenheit	min	minute
ft	feet	mo	month
ft ²	square feet	mm	millimeter
ft ³	cubic feet	mm Hg	millimeters of Mercury
g	gram	mrem	millirem
gal	gallons	MW	MegaWatt
gpd	gallons per day	NTU	nephelometric turbidity unit
gpm	gallons per minute	pCi	picoCurie
gr	grain	ppm	parts per million
gr/dscf	grain/dry standard cubic foot	ppmv	parts per million by volume
h	hour	psi	pounds per square inch
in.	inch	psia	pounds per square inch absolute
J	Joule	psig	pounds per square inch gauge
kg	kilogram	qt	quart
kPa	kiloPascal	s	second
kW	kiloWatt	V	volt
L	liter		
lb	pound		
m	meter		
m ²	square meter		
m ³	cubic meter		
mi	mile		
mg	milligram		

METRIC CONVERSION TABLE

The following conversion table may be used throughout this manual to convert the measures stated in U.S. units to their approximate metric equivalents.

1 in.	=	25.4 mm
1 ft	=	0.3048 m
1 kip	=	4448 N
1 psi	=	6.89 kPa
1 psi	=	89.300 g/cm ²
1 lb	=	0.453 kg
1 lb/h	=	0.126 g/s
1 cu ft	=	0.028 m ³
1 mi	=	1.61 km
1 sq ft	=	0.093 m ²
1 gal	=	3.78 L
°F	=	(°C + 17.78) x 1.8
°C	=	0.55 (°F - 32)
1 yd	=	0.9144 m
1 Btu/lb	=	0.556 cal/g



SECTION 1

AIR EMISSIONS MANAGEMENT

West Virginia CDC Supplement

SECTION 1

AIR EMISSIONS MANAGEMENT

West Virginia Centers for Disease Control and Prevention (CDC) Supplement

Definitions

These definitions were obtained from the West Virginia Air Pollution Control Regulations (WVAR), Chapter 16, Regulation II, Section 1.

- *Fuel Burning Equipment* - any furnace, boiler apparatus, device, mechanism, stack, or structure used in the process of burning fuel or other combustible material for the primary purpose of producing heat or power by indirect heat transfer, including Type "b" units such as industrial pulverized fuel-fired furnaces, gas-fired, or liquid-fired units.
- *Fugitive Particulate Matter* - that particulate matter which becomes airborne from activities associated with the transporting of materials, disposal areas, haul roads, plant grounds, public, private, and industrial parking areas or lots, public and private streets and highways, mobile drills, construction and demolition, and similar activities.
- *Particulate Matter* - any material except uncombined water that exists in a finely divided form as a liquid or solid.

AIR EMISSIONS MANAGEMENT
GUIDANCE FOR WEST VIRGINIA CDC CHECKLIST USERS

APPLICABILITY:	REFER TO CHECKLIST ITEMS:
Permits	1-1
Fugitive and Particulate Emissions	1-2 and 1-3
Open Burning	1-4
Malodorous Emissions	1-5

COMPLIANCE CATEGORY: AIR EMISSIONS MANAGEMENT West Virginia CDC Supplement	
REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
PERMITS 1-1. Facilities must have a permit to construct or modify any fuel burning unit (WVAR Chapter 16, Regulation 2, Section 6).	Determine if the facility has constructed or modified any fuel burning unit. Verify that all construction or modification of a fuel burning unit is done in accordance with a valid permit from the Air Pollution Control Commission. (NOTE: The following fuel burning sources are exempt from regulation: - fuel burning equipment with less than 10 MBtu/h heat input capacity - internal combustion engines - agricultural operations.)
FUGITIVE AND PARTICULATE EMISSIONS 1-2. Facilities must prevent the emission of excessive particulate matter (WVAR Chapter 16, Regulation 2, Section 4).	Verify that any source of fugitive particulate matter is equipped with a fugitive particulate matter control system.
1-3. Facilities must prevent excessive fugitive particulate matter emissions from vehicles (WV Title 45, Series 17, Section 45-17-7).	Verify that all vehicles are constructed or their cargo treated in such a manner that the contents do not leak, drip, shift, spill, or otherwise escape to create conditions that result in particulate matter becoming airborne.
OPEN BURNING 1-4. Facilities must restrict open burning (WV Title 45, Series 6, Section 45-6-3).	Verify that open burning does not take place on facility property.

**COMPLIANCE CATEGORY:
AIR EMISSIONS MANAGEMENT
West Virginia CDC Supplement**

REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
MALODOROUS EMISSIONS 1-5. Activities that emit pollutants that cause or contribute to an objectionable odor at any location occupied by the public are prohibited (WV Title 45, Series 4, Section 45-4-3).	Verify that the facility does not emit pollutants that result in objectionable odors in public areas. (NOTE: Internal combustion engines are exempt from this requirement.)

INSTALLATION: 	COMPLIANCE CATEGORY: AIR EMISSIONS MANAGEMENT West Virginia CDC Supplement	DATE: 	REVIEWER(S):
STATUS NA C RMA	REVIEWER COMMENTS:		

SECTION 2

ABOVEGROUND / UNDERGROUND STORAGE TANK (AST/UST) MANAGEMENT

West Virginia CDC Supplement

SECTION 2

ABOVEGROUND/UNDERGROUND STORAGE TANK (AST/UST) MANAGEMENT

West Virginia Centers for Disease Control and Prevention (CDC) Supplement

There are no statewide regulations concerning aboveground storage tanks in West Virginia. See the U.S. CDC Manual for applicable Federal requirements.

Definitions

These definitions were obtained from the West Virginia Department of Commerce, Labor, and Environmental Resources, Division of Environmental Protection, Title 47, Series 37, Section 47-37-2.

- *Regulated Substance* - any substance defined in Section 101(14) of the *Comprehensive Environmental Response, Compensation, and Liability Act* of 1980, but not including any substance regulated as a hazardous waste under Subtitle C of the *Federal Resource Conservation and Recovery Act* of 1976; or petroleum, including crude oil.
- *Underground Storage Tank (UST)* - any one or a combination of tanks, and the underground pipes connected thereto, that is used to contain an accumulation of regulated substances and the volume of which, including the volume of underground pipes connected thereto, is 10 percent or more beneath the surface of the ground. The term does not include the following:
 1. farm or residential tanks with a capacity of 1100 gal [4163.95 L] or less and used for storing motor fuel for noncommercial purposes
 2. tanks used for storing heating oil for consumptive use on premises where stored
 3. septic tanks
 4. pipeline facilities, including gathering lines, regulated under the *Natural Gas Pipeline Safety Act* of 1968 or the *Hazardous Liquid Pipeline Safety Act* of 1979, or an intrastate pipeline facility regulated under state laws comparable to the provisions in either of those acts
 5. surface impoundments, pits, ponds, or lagoons
 6. stormwater or wastewater collection systems
 7. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations
 8. storage tanks situated in an underground area such as a basement, cellar, mine, drift, shaft, or tunnel if such storage tank is situated upon or above the surface of the floor.

**ABOVEGROUND/UNDERGROUND STORAGE TANK (AST/UST)
MANAGEMENT**

GUIDANCE FOR WEST VIRGINIA CDC CHECKLIST USERS

APPLICABILITY:

Notification

**REFER TO
CHECKLIST ITEMS:**

2-1

COMPLIANCE CATEGORY:
ABOVEGROUND/UNDERGROUND STORAGE TANK (AST/UST) MANAGEMENT
West Virginia CDC Supplement

REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
NOTIFICATION 2-1. Facilities that have USTs must meet specific notification requirements (WV Title 47, Series 36, Section 47-36-4).	Determine if the facility has installed or has commenced installation of a UST system prior to 1 May 1990. (NOTE: Facilities that have UST systems that were in the ground prior to 1 May 1990 are exempt from notification requirements if notice was previously given in accordance with the Federal Hazardous and Solid Waste Amendments of 1984.) Verify that the facility has submitted notice of the existence of any UST systems to the Director of the Division of Environmental Protection within 30 days of the installation of the system. Verify that for all UST systems installed after 22 December 1988, the facility provides notification of compliance with the following requirements: - cathodic protection of steel tanks and piping in accordance with 40 Code of Federal Regulations (CFR) 280.20(a) and (b) - spill and overfill prevention equipment in accordance with the provisions of 40 CFR 280.20(c) - release detection in accordance with 40 CFR 280.41 and 280.42.

INSTALLATION:	COMPLIANCE CATEGORY: ABOVEGROUND / UNDERGROUND STORAGE TANK (AST/UST) MANAGEMENT West Virginia CDC Supplement	DATE:	REVIEWER(S):
STATUS NA C RMA	REVIEWER COMMENTS:		

SECTION 3

HAZARDOUS MATERIALS MANAGEMENT

West Virginia CDC Supplement

SECTION 3

HAZARDOUS MATERIALS MANAGEMENT

West Virginia Centers for Disease Control and Prevention (CDC) Supplement

There are no specific statewide regulations concerning hazardous materials management. West Virginia has adopted the Federal regulations concerning the transportation of hazardous materials in 49 Code of Federal Regulations (CFR) Subchapter C, 100 to 177. See the U.S. CDC Manual for applicable Federal requirements.



INSTALLATION:	COMPLIANCE CATEGORY: HAZARDOUS MATERIALS MANAGEMENT West Virginia CDC Supplement	DATE:	REVIEWER(S):
STATUS NA C RMA	REVIEWER COMMENTS:		

SECTION 4

HAZARDOUS WASTE MANAGEMENT

West Virginia CDC Supplement

SECTION 4

HAZARDOUS WASTE MANAGEMENT

West Virginia Centers for Disease Control and Prevention (CDC) Supplement

Definitions

The State of West Virginia has adopted the definitions of terms as ascribed to them in 40 Code of Federal Regulations (CFR) 260, 261, 262, 263, 265, 266, 267, 268, 270, and 279, with the following exception listed in West Virginia Department of Commerce, Labor, and Environmental Resources, Division of Environmental Protection, Title 47, Series 35, Section 47-35-2.

- *Full Regulation* - those regulations applicable to generators of greater than 1000 kg [2204.6 lb] of non-acutely hazardous waste in a calendar month.

**HAZARDOUS WASTE MANAGEMENT
GUIDANCE FOR WEST VIRGINIA CDC CHECKLIST USERS**

APPLICABILITY:	REFER TO CHECKLIST ITEMS:
All Facilities	4-1 and 4-2
Conditionally Exempt Small Quantity Generators	4-3
Small Quantity Generators	4-4 and 4-5
Small Quantity Generators - Preparedness and Prevention	4-6

**COMPLIANCE CATEGORY:
HAZARDOUS WASTE MANAGEMENT
West Virginia CDC Supplement**

REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
ALL FACILITIES 4-1. Facilities that generate waste must determine if the waste is hazardous (WV Title 47, Series 35, Section 47-35-3.2.1a). 4-2. Facilities that generate or otherwise engage in activities with hazardous waste must meet specific notification requirements (WV Title 47, Series 35, Section 47-35-4). CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS 4-3. Facilities that generate no more than 100 kg [220.46 lb] of hazardous waste per month are exempt from further regulations if they meet specific requirements (WV Title 47, Series 35, Section 47-35-3.2.1.b).	Verify that any wastes generated are tested to determine if they are hazardous wastes by the following methods: - applying knowledge of the waste in light of the materials or processes used and knowledge of the characteristics of hazardous waste listed in 40 CFR 261 - testing the waste according to methods listed in 40 CFR 261 - voluntarily declaring the waste as hazardous and subject to the requirements of this protocol. Verify that notification has been sent of all hazardous waste activities to the U.S. Environmental Protection Agency (USEPA) and the Chief of the Office of Waste Management, West Virginia Division of Environmental Protection. Verify that the Chief is notified of any hazardous waste generated by the facility. Verify that the following quantity and storage limitations are met: - no more than 100 kg [220.46 lb] of hazardous waste is generated in a calendar month - no more than 1 kg [2.20 lb] of acutely hazardous waste is generated in a calendar month - no more than 1000 kg [2204.6 lb] of hazardous waste is stored onsite at any time - no more than a total of 100 kg [220.46 lb] of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill of acutely hazardous waste is accumulated. Verify that hazardous waste generated at the facility is handled in one of the following ways: - it is treated or disposed of at an approved onsite facility - delivery is ensured to a permitted treatment, storage, or disposal facility - it is beneficially used, reused, reclaimed, or recycled.

COMPLIANCE CATEGORY: HAZARDOUS WASTE MANAGEMENT West Virginia CDC Supplement	
REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
4-3. (continued)	Verify that a written record is maintained onsite specifying the quantity and type of hazardous waste disposed of, the date of transport to an offsite facility, and the final disposition of the waste. (NOTE: Hazardous waste may be mixed with nonhazardous waste even though the resultant mixture exceeds the quantity limitations specified as long as the hazardous portion of the mixture does not exceed those limitations.) (NOTE: If any of the these limitations are exceeded or requirements are not met, the facility is subject to full regulation.)
SMALL QUANTITY GENERATORS	
4-4. Facilities that generate more than 100 kg [220.46 lb] but less than 1000 kg [2204.6 lb] of hazardous waste in a calendar month are small quantity generators and may accumulate waste onsite for 180 days without a permit or interim status provided specific requirements are met (WV Title 47, Series 35, Section 47-35-3.2.1.a.D).	(NOTE: Small quantity generators may accumulate hazardous waste for 270 days if the distance to the waste treatment, storage, or disposal facility is more than 200 mi [321.86 km] away provided the quantity of waste accumulated onsite does not exceed 6000 kg [13,227.8 lb].) Verify that hazardous waste is stored in containers that meet the following requirements: - containers are in good condition and do not leak - containers are kept closed at all times except when it is necessary to add or remove waste - containers are not handled in such a way that would cause them to rupture or leak. Verify each container has the date upon which each period of accumulation began clearly marked and visible for inspection. Verify that each container is clearly labeled or marked with the words HAZARDOUS WASTE while in use onsite.
4-5. Small quantity generators must meet specific requirements for container storage areas (WV Title 47, Series 35, Section 47-35-3.2.1a.D(d) through 3.2.1a.F).	Verify that container storage areas are inspected weekly for leaks and/or deterioration. Verify that incompatible wastes are not placed into the same container. Verify that storage containers containing wastes that are incompatible with other wastes stored in containers nearby are separated by means of a dike, berm, wall, or other device.

**COMPLIANCE CATEGORY:
HAZARDOUS WASTE MANAGEMENT
West Virginia CDC Supplement**

REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
SMALL QUANTITY GENERATORS Preparedness and Prevention 4-6. Small quantity generators must meet specific requirements for preparedness and prevention (WV Title 47, Series 35, Section 47-35-3.2.1.a.K).	Verify that small quantity generator facilities are maintained and operated to minimize the possibility of a fire, explosion, or any unplanned release of hazardous waste or hazardous waste constituents to the air, soil, or surface waters that could harm human health or the environment. Verify that the facility is equipped with the following unless none of the hazards posed by the wastes could require such equipment: - an internal communications or alarm system capable of providing immediate emergency instruction to facility personnel - a device, such as a telephone, capable of summoning emergency assistance from local police, fire departments, or state or local emergency response teams - portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment - water at adequate volume and pressure to supply water hose streams, foam producing equipment, or sprinkler systems - adequate aisle space to allow the unobstructed movement of personnel, fire protection equipment, and spill control and decontamination equipment to any area in an emergency. Verify that all facility communications or alarm systems, fire protection equipment, and spill control equipment are tested and maintained as necessary to assure its proper operation in time of emergency. Verify that whenever hazardous waste is being handled, all personnel have immediate access to an internal alarm or emergency communication device unless none of the hazards posed by the waste could require such a device. Verify that at all times there is at least one person on the premises or on call with the responsibility of coordinating all emergency response measures. Verify that the following information is posted next to the telephone: - the name and telephone number of the emergency coordinator - the location of fire extinguishers, spill control equipment, and, if present, the fire alarm - the telephone number of the fire department, unless there is a direct alarm. Verify that arrangements are made to familiarize local police, fire departments, and emergency response teams with the layout of the facility.

INSTALLATION:	COMPLIANCE CATEGORY: HAZARDOUS WASTE MANAGEMENT West Virginia CDC Supplement	DATE:	REVIEWER(S):
STATUS NA C RMA	REVIEWER COMMENTS:		

SECTION 5

NATURAL AND CULTURAL RESOURCES MANAGEMENT

West Virginia CDC Supplement

SECTION 5

NATURAL AND CULTURAL RESOURCES MANAGEMENT

West Virginia Centers for Disease Control and Prevention (CDC) Supplement

West Virginia has no specific statewide endangered or threatened species regulations. Appendix 5-1 includes a list of Federally threatened and endangered animal species that are found in West Virginia. The West Virginia Natural Heritage Program informally publishes a special plant concern list on which site specific records are maintained. Any known occurrences of these species should be reported to the Natural Heritage Program and special care should be taken to preserve these species.

Definitions

These definitions were obtained from the West Virginia Natural Heritage Program.

- *Endangered Species* - species whose prospects for survival in West Virginia are in immediate danger because of a loss or change in habitat, over-exploitation, predation, competition, disease, disturbance, or contamination. Assistance is needed to prevent future extinction in West Virginia.
- *Threatened Species* - species that may become endangered if conditions surrounding them begin to or continue to deteriorate.

**NATURAL AND CULTURAL RESOURCES MANAGEMENT
GUIDANCE FOR WEST VIRGINIA CDC CHECKLIST USERS**

APPLICABILITY:

Cultural Resources

**REFER TO
CHECKLIST ITEMS:**

5-1

COMPLIANCE CATEGORY:
NATURAL AND CULTURAL RESOURCES MANAGEMENT
West Virginia CDC Supplement

REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
CULTURAL RESOURCES 5-1. Any person discovering human skeletal remains, grave artifacts, or grave markers in an unmarked grave on any public or privately owned lands must notify the county sheriff within 48 h of the discovery (West Virginia Code (WVC) 29-1).	Determine if there is any survey or excavation, or construction activities on facility property. Verify that, if any unmarked grave items are discovered, the county sheriff's office is notified within 48 h.

Appendix 5 - 1

Endangered and Threatened Animal and Plant Species (Source: West Virginia Natural Heritage Program)

Table 1

Federally Endangered Species

Common Name	Scientific Name
Peregrine falcon	<i>Falco peregrinus</i>
Virginia big-eared bat	<i>Plecotus townsendii virginianus</i>
Indiana bat	<i>Myotis sodalis</i>
Gray bat	<i>Myotis grisescens</i>
Northern flying squirrel	<i>Glaucomys sabrinus fuscus</i>
Eastern cougar	<i>Felis concolor couguar</i>
Pink mucket pearly mussel	<i>Lampsilis abrupta</i>
Tuberculed-blossom pearly mussel	<i>Epioblasma torulosa torulosa</i>
Ringpink	<i>Obovaria retusa</i>
James spinymussel	<i>Canthyria collina</i>
Fanshell	<i>Cyprogenia stegaria</i>
Northern riffleshell	<i>Epioblasma torulosa torulosa</i>
Clubshell	<i>Pleurobema clava</i>
Shale barren rockcress	<i>Arabis serotina</i>
Running buffalo clover	<i>Trifolium stoloniferum</i>
Harperella	<i>Ptilimnium nodosum</i>
Northeastern bulrush	<i>Scirpus ancistrochaetus</i>

Federally Threatened Species

Common Name	Scientific Name
Bald eagle	<i>Haliaeetus leucocephalus</i>
Flat-spined three-toothed land snail	<i>Triodopsis platysayoides</i>
Cheat Mountain salamander	<i>Plethodon nettingi</i>
Virginia spiraea	<i>Spiraea virginiana</i>

(continued)

Appendix 5-1 (continued)

Table 2

Rare Plants

Scientific Name	Common Name
<i>Abies balsamea</i>	Balsam fir
<i>Aconitum reclinatum</i>	White monkshood
<i>Agave virginica</i>	False aloe
<i>Agrimonia microcarpa</i>	Small-fruited agrimony
<i>Agropyron trachycaulum</i>	Slender wheatgrass
<i>Agrostis borealis</i>	A bentgrass
<i>Alisma trivale</i>	Northern water plantain
<i>Allium oxyphilum</i>	Nodding onion
<i>Amelanchier bartramiana</i>	Oblong-fruited serviceberry
<i>Ammannia coccine.</i>	Scarlet ammannia
<i>Amorpha fruticosa</i>	False indigo
<i>Ampelopsis arborea</i>	Peppervine
<i>Ampelopsis cordata</i>	Peppervine
<i>Andromeda glaucophylla</i>	Bog rosemary
<i>Anemone canadensis</i>	Canada anemone
<i>Arabis perstellata</i>	A rockcress
<i>Arabis pycnocarpa</i>	Hairy rockcress
<i>Arabis serotina</i>	Shale barren rockcress
<i>Arabis shortii</i>	
<i>Arenaria groenlandica</i>	Mountain sandwort
<i>Aristida purpurascens</i>	Purple three-awn grass
<i>Asarum memmingeri</i>	Virginia heartleaf
<i>Asarum shuttleworthii</i>	Large-flowered heartleaf
<i>Asclepias viridis</i>	Green milkweed
<i>Asplenium septentrionale</i>	Forked spleenwort
<i>Aster junciformis</i>	Rushlike aster
<i>Aster novi-belgii</i>	Long-leaved aster
<i>Aster solidagineus</i>	Narrowleaf aster
<i>Aster steeleorum</i>	Steeles aster
<i>Aster tardiflorus</i>	Northeastern aster
<i>Astilbe bitermata</i>	False goat's-beard
<i>Astragalus distortus</i>	Bent milk-vetch
<i>Astragalus neglectus</i>	Cooper milkvetch

(continued)

Appendix 5-1 (continued)

Scientific Name	Common Name
<i>Betula cordifolia</i>	Heart-leaved paper birch
<i>Betula papyrifera</i>	Paper birch
<i>Botrychium lanceolatum</i>	Triangle grape fern
<i>Botrychium matericariifolium</i>	Chamomile grape fern
<i>Bouteloua curtipendula</i>	Side-oats grama
<i>Calamagrostis neglecta</i>	A reedgrass
<i>Calamagrostis porteri</i>	A reed grass
<i>Calycanthus floridus</i>	Carolina allspice
<i>Calopogon tuberosus</i>	Grass pink orchid
<i>Campanula rotundifolia</i>	Bluebell
<i>Cardamine flagellifera</i>	Bitter cress
<i>Carex aestivalis</i>	A sedge
<i>Carex aggregata</i>	A sedge
<i>Carex alopecoidea</i>	A sedge
<i>Carex atherodes</i>	A sedge
<i>Carex bromoides</i>	A sedge
<i>Carex buxbaumii</i>	A sedge
<i>Carex canescens</i>	A sedge
<i>Carex careyana</i>	A sedge
<i>Carex comosa</i>	A sedge
<i>Carex conoidea</i>	Field sedge
<i>Carex davisii</i>	A sedge
<i>Carex eburnea</i>	Ebony sedge
<i>Carex emoryi</i>	A sedge
<i>Carex howei</i>	A sedge
<i>Carex lacustris</i>	A sedge
<i>Carex lanuginosa</i>	A sedge
<i>Carex lasiocarpa</i>	A sedge
<i>Carex leptoneuria</i>	A sedge
<i>Carex meadii</i>	A sedge
<i>Carex mesochorea</i>	A sedge
<i>Carex molesta</i>	A sedge
<i>Carex nigromarginata</i>	A sedge
<i>Carex normalis</i>	A sedge
<i>Carex oligosperma</i>	Few-seeded sedge
<i>Carex pauciflora</i>	A sedge
<i>Carex pedunculata</i>	A sedge

(continued)

Appendix 5-1 (continued)

Scientific Name	Common Name
<i>Carex polymorpha</i>	Variable sedge
<i>Carex prairea</i>	A sedge
<i>Carex projecta</i>	A sedge
<i>Carex sterilis</i>	Dioecious sedge
<i>Carex styloflexa</i>	A sedge
<i>Carex suberecta</i>	A sedge
<i>Carex tetanica</i>	A sedge
<i>Carex trichocarpa</i>	A sedge
<i>Carex typhina</i>	A sedge
<i>Carex umbellata</i>	A sedge
<i>Carex woodii</i>	A sedge
<i>Chaerophyllum tainturieri</i>	Chervil
<i>Cheilanthes castanea</i>	Chestnut lip fern
<i>Cheilanthes tomentosa</i>	A lipfern
<i>Chenopodium standleyanum</i>	Standley goosefoot
<i>Cleistes divaricata</i>	Spreading pogonia
<i>Clematis verticillaris</i>	Purple virgin's bower
<i>Clintonia alleghaniensis</i>	Harned's clintonia
<i>Commelina diffusa</i>	A dayflower
<i>Commelina erecta</i>	Slender dayflower
<i>Coptis groenlandica</i>	Goldthread
<i>Corallorhiza trifida</i>	Early coralroot
<i>Corallorhiza wisteriana</i>	Spring coralroot
<i>Coreopsis pubescens</i>	Star tickseed
<i>Coreopsis verticillata</i>	Whorled tickseed
<i>Cornus rugosa</i>	Roundleaf dogwood
<i>Cryptogramma stelleri</i>	Fragile rockbrake
<i>Cuscuta indecora</i>	A dodder
<i>Cuscuta rostrata</i>	Beaked dodder
<i>Cyperus inflexus</i>	A sedge
<i>Cyperus refractus</i>	A sedge
<i>Cypripedium reginae</i>	Showy lady's-slipper
<i>Dalibarda repens</i>	Star violet
<i>Decodon verticillatus</i>	Water loosestrife
<i>Delphinium exaltatum</i>	Tall larkspur
<i>Descurainia pinnata</i>	Tansy-mustard
<i>Desmodium lineatum</i>	A tick-trefoil

(continued)

Appendix 5-1 (continued)

Scientific Name	Common Name
<i>Desmodium pauciflorum</i>	A tick-trefoil
<i>Digitaria filiformis</i>	Slender crabgrass
<i>Disporum maculatum</i>	Mandarin
<i>Dryopteris celsa</i>	Log fern
<i>Eleocharis compressa</i>	A spikerush
<i>Eleocharis engelmannii</i>	A spikerush
<i>Eleocharis intermedia</i>	A spikerush
<i>Eleocharis palustris</i>	A spikerush
<i>Elodea nuttallii</i>	Nuttall waterweed
<i>Equisetum fluviatile</i>	Water horsetail
<i>Equisetum sylvaticum</i>	Woodland horsetail
<i>Eriogonum allenii</i>	Yellow buckwheat
<i>Erysimum asperum</i>	Prairie rocket
<i>Eupatorium aromaticum</i>	Lesser snakeroot
<i>Eupatorium hyssopifolium</i>	Hyssopleaf thoroughwort
<i>Eupatorium pilosum</i>	Vervain thoroughwort
<i>Euphorbia purpurea</i>	Glade spurge
<i>Euphorbia vermiculata</i>	A spurge
<i>Euphorbia zinniiflora</i>	A spurge
<i>Fimbristylis annua</i>	A sedge
<i>Fraxinus quadrangulata</i>	Blue ash
<i>Galactia volubilis</i>	Milk pea
<i>Gaylussacia brachycera</i>	Box huckleberry
<i>Gaylussacia dumosa</i>	Dwarf huckleberry
<i>Gentiana alba</i>	Yellow gentian
<i>Gentiana austromontana</i>	Appalachian gentian
<i>Gentiana crinita</i>	Fringed gentian
<i>Gerardia auriculata</i>	Gerardia
<i>Geum rivale</i>	Purple avens
<i>Geum strictum</i>	Yellow avens
<i>Glyceria acutiflora</i>	A manna-grass
<i>Glyceria canadensis var laxa</i>	A manna-grass
<i>Glyceria fernaldii</i>	A manna-grass
<i>Glyceria grandis</i>	A manna-grass
<i>Glyceria pallida</i>	A manna-grass
<i>Gymnopogon ambiguus</i>	Beargrass
<i>Habenaria psycodes</i>	Small purple-fringed orchid

(continued)

Appendix 5-1 (continued)

Scientific Name	Common Name
<i>Habenaria viridis</i> var <i>bracteata</i>	Long-bracted green orchid
<i>Helianthemum canadense</i>	Canada frostweed
<i>Helianthus dowellianus</i>	McDowell sunflower
<i>Helianthus laevigatus</i>	Smooth sunflower
<i>Helianthus mollis</i>	Ashy sunflower
<i>Heteranthera reniformis</i>	Kidneyleaf mud-plantain
<i>Heuchera alba</i>	White-flowered heuchera
<i>Heuchera hispida</i>	An alumroot
<i>Heuchera longiflora</i>	An alumroot
<i>Hexalectris spicata</i>	Crested coralroot
<i>Hibiscus militaris</i>	Halberd-leaved mallow
<i>Hierochloa odorata</i>	Holy grass
<i>Hudsonia tomentosa</i>	False heather
<i>Hydrocotyle ranunculoides</i>	Floating pennywort
<i>Hypericum denticulatum</i>	Coppery St. John's-wort
<i>Hypericum drummondii</i>	Drummond St. John's-wort
<i>Hypericum mitchellianum</i>	Blue ridge St. John's-wort
<i>Hypericum pyramidatum</i>	Great St. John's-wort
<i>Hypericum tubulosum</i>	Large marsh St. John's-wort
<i>Ilex collina</i>	Long-stalked holly
<i>Iris versicolor</i>	Blueflag
<i>Isopyrum biternatum</i>	False rue-anemone
<i>Juncus articulatus</i>	A rush
<i>Juncus balticus</i>	A rush
<i>Juncus biflorus</i>	Grass-leaved rush
<i>Juncus brachycarpus</i>	A rush
<i>Juncus dichotomus</i>	A rush
<i>Juncus filiformis</i>	A rush
<i>Juncus platyphyllus</i>	A rush
<i>Juncus scirpoides</i>	A rush
<i>Juncus torreyi</i>	Torrey's rush
<i>Juncus trifidus</i>	Highland rush
<i>Juncus trifidus</i> ssp <i>carolinianus</i>	One-flowered rush
<i>Juniperus communis</i>	Ground cedar
<i>Larix laricina</i>	American larch
<i>Lechea leggettii</i>	A pinweed
<i>Lechea tenuifolia</i>	Narrow-leaf

(continued)

Appendix 5-1 (continued)

Scientific Name	Common Name
<i>Lemna valdiviana</i>	Pale duckweed
<i>Lespedeza x nuttallii</i>	A lespedeza
<i>Leucothoe recurva</i>	Recurved fetterbush
<i>Liatris novae-angliae</i>	New England blazing star
<i>Lilium michauxii</i>	Carolina lily
<i>Linaria canadensis</i>	Old-field toadflax
<i>Lindernia anagallidea</i>	False pimpernel
<i>Linnaea americana</i>	Twinflower
<i>Linum lewisii</i>	Prairie flax
<i>Linum sulcatum</i>	Grooved yellow flax
<i>Liparis loeselii</i>	Loesel's twayblade
<i>Listera cordata</i>	Heartleaf twayblade
<i>Listera smallii</i>	Kidney-leaf twayblade
<i>Lobelia kalmii</i>	Kalm's lobelia
<i>Lonicera canadensis</i>	Fly honeysuckle
<i>Lophotocarpus calycinus</i>	Long-lobe arrowhead
<i>Lorinseria areolata</i>	Netted chainfern
<i>Lupinus perinnis</i>	Sundial lupine
<i>Luzula bulbosa</i>	Southern woodrush
<i>Lycopodium porophyllum</i>	Rock clubmoss
<i>Lysimachia hybrida</i>	Lowland loosestrife
<i>Lysimachia quadriflora</i>	Four-flowered loosestrife
<i>Lysimachia thyrsiflora</i>	Water loosestrife
<i>Lysimachia tonsa</i>	Southern loosestrife
<i>Lythrum alatum</i>	Winged-loosestrife
<i>Marshallia grandiflora</i>	Barbara's-buttons
<i>Matteuccia pensylvanica</i>	Ostrich fern
<i>Melica mutica</i>	Two-flower melic grass
<i>Melica nitens</i>	Three-flowered melic grass
<i>Menyanthes trifoliata</i>	Buckbean
<i>Monarda fistulosa var brevis</i>	
<i>Monotropsis odorata</i>	Sweet pinesap
<i>Muhlenbergia capillaris</i>	Long-awn hairgrass
<i>Myosotis macrosperma</i>	Scorpion-grass
<i>Myriophyllum exalbescens</i>	American water-milfoil
<i>Myriophyllum pinnatum</i>	Cutleaf water-milfoil
<i>Ophioglossum engelmannii</i>	Limestone adder's-tongue

(continued)

Appendix 5-1 (continued)

Scientific Name	Common Name
<i>Oryzopsis asperifolia</i>	A mountain ricegrass
<i>Oryzopsis canadensis</i>	A mountain ricegrass
<i>Oryzopsis racemosa</i>	A mountain ricegrass
<i>Pachistima canbyi</i>	Canby's mountain-lover
<i>Panicum albemarlense</i>	A panic grass
<i>Panicum auburne</i>	A panic grass
<i>Panicum bicknellii</i>	A panic grass
<i>Panicum flexile</i>	Wiry witch grass
<i>Panicum verrucosum</i>	A panic grass
<i>Panicum xanthophysum</i>	A panic grass
<i>Panicum yadkinense</i>	A panic grass
<i>Parnassia asarifolia</i>	Kidneyleaf grass-or-parnassus
<i>Parnassia grandifolia</i>	Large-flowered grass-of-parnassus
<i>Paronychia argyrocoma</i>	Silver nail-wort
<i>Paronychia virginica</i> var <i>virginica</i>	Virginia nail-wort
<i>Paspalum pubiflorum</i>	A paspalum
<i>Paspalum setaceum</i>	A paspalum
<i>Pedicularis lanceolata</i>	Swamp lousewort
<i>Pellaea glabella</i>	Smooth cliffbrake
<i>Peltandra virginica</i>	Arrow-arum
<i>Petalostemon multiflorum</i>	Prairie-clover
<i>Phlox buckleyi</i>	Swordleaf phlox
<i>Pieris floribunda</i>	Mountain fetter-bush
<i>Pinus resinosa</i>	Red pine
<i>Pluchea camphorata</i>	Camphorweed
<i>Pogonia ophioglossoides</i>	Rose pogonia
<i>Polemonium van-bruntiae</i>	A jacob's ladder
<i>Polygala cruciata</i>	Crossleaf milkwort
<i>Polygala curtissii</i>	Curtiss milkwort
<i>Pontederia cordata</i>	Pickereelweed
<i>Populus balsamifera</i>	Balsam poplar
<i>Potamogeton berchtoldii</i>	Slender pondweed
<i>Potamogeton illinoensis</i>	Illinois pondweed
<i>Potamogeton pulcher</i>	Spotted pondweed
<i>Potamogeton spirillus</i>	Spiral pondweed

(continued)

Appendix 5-1 (continued)

Scientific Name	Common Name
<i>Potamogeton zosteriformis</i>	Flatstem pondweed
<i>Potentilla arguta</i>	Tall cinquefoil
<i>Potentilla tridentata</i>	Three-toothed cinquefoil
<i>Prenanthes crepidinea</i>	Nodding rattlesnake-root
<i>Prunus alleghaniensis</i>	Alleghany plum
<i>Prunus angustifolia</i>	Chickasaw plum
<i>Prunus pumila</i>	Sand cherry
<i>Ptilimnium nodosum</i>	Harperella
<i>Pycnanthemum clinopodioides</i>	Basil mountain-mint
<i>Pycnanthemum loomisii</i>	Loomis's mountain-mint
<i>Pycnanthemum montanum</i>	Single-haired mountain-mint
<i>Pycnanthemum muticum</i>	Blunt mountain-mint
<i>Pycnanthemum pilosum</i>	Hairy mountain-mint
<i>Pycnanthemum puberulum</i>	Hoary mountain-mint
<i>Pycnanthemum torrei</i>	Torrey mountain-mint
<i>Pyrola virens</i>	Greenish-flowered wintergreen
<i>Quercus shumardii</i>	Shumard oak
<i>Ranunculus carolinianus</i>	Carolina buttercup
<i>Ranunculus macounii</i>	Macoun buttercup
<i>Ranunculus pensylvanicus</i>	Bristly crowfoot
<i>Ranunculus pusillus</i>	Low spearwort
<i>Ranunculus reptans</i>	Creeping spearwort
<i>Ranunculus trichophyllus</i>	White water crowfoot
<i>Rhamnus alnifolia</i>	Alder-leaved buckthorn
<i>Rhamnus lanceolata</i>	Lance-leaved buckthorn
<i>Rhexia mariana</i>	Maryland meadow beauty
<i>Rhododendron viscosum</i>	Swamp azalea
<i>Rhus vernix</i>	Poison sumac
<i>Rhynchospora globularis</i>	A beaked-rush
<i>Ribes hirtellum</i>	Smooth gooseberry
<i>Ribes lacustre</i>	Bristly black currant
<i>Ribes missouriense</i>	Missouri gooseberry
<i>Ribes triste</i>	Swamp red currant
<i>Rosa acicularis</i>	Prickly rose
<i>Rosa blanda</i>	Smooth rose
<i>Sagittaria rigida</i>	Sessile-fruited arrowhead
<i>Salix discolor</i>	Glaucous willow

(continued)

Appendix 5-1 (continued)

Scientific Name	Common Name
<i>Salix lucida</i>	Shining willow
<i>Saxifraga caroliniana</i>	Carolina saxifrage
<i>Saxifraga michauxii</i>	Michaux saxifrage
<i>Saxifraga pennsylvanica</i>	Swamp saxifrage
<i>Scheuchzeria palustris</i> ssp <i>american</i>	Pod grass
<i>Schizachne purpurascens</i>	False melic
<i>Scirpus acutus</i>	A bullrush
<i>Scirpus atrocinctus</i>	A bullrush
<i>Scirpus purshianus</i>	A bullrush
<i>Scirpus rubrotinctus</i>	A woolgrass
<i>Scirpus torreyi</i>	Torrey's bulrush
<i>Scirpus verecundus</i>	A bullrush
<i>Scleria triglomerata</i>	Nutrush
<i>Scutellaria epilobiifolia</i>	Hooded skullcap
<i>Scutellaria ovata</i>	Heart-leaved skullcap
<i>Scutellaria saxatilis</i>	Rock skullcap
<i>Senecio antennariifolius</i>	Pussytoes ragwort
<i>Senecio pauperculus</i>	Balsam squaw-weed
<i>Senecio macrophylla</i>	Mullein foxglove
<i>Silene nivea</i>	Snowy campion
<i>Silene rotundifolia</i>	Roundleaf catchfly
<i>Silphium compositum</i>	Rosinweed
<i>Smilacina stellata</i>	Starflower false solomon's-seal
<i>Solidago patula</i>	Roundleaf goldenrod
<i>Solidago randii</i>	Rand's goldenrod
<i>Sparganium androcladum</i>	Staminate burreed
<i>Spiraea virginiana</i>	Virginia spiraea
<i>Spiranthes ovalis</i>	Lesser ladies'-tresses
<i>Sporobolus clandestinus</i>	A dropseed
<i>Stachys aspera</i>	Rough hedge-nettle
<i>Stachys hispida</i>	A hedge-nettle
<i>Stachys nuttallii</i>	A hedge-nettle
<i>Stellaria calycantha</i>	Northern stitchwort
<i>Stipa avenacea</i>	Blackseed needlegrass
<i>Symphoricarpos albus</i>	Snowberry
<i>Synandra hispidula</i>	Gyandotte beauty

(continued)

Appendix 5-1 (continued)

Scientific Name	Common Name
<i>Talinum teretifolium</i>	Roundleaf fameflower
<i>Thalictrum clavatum</i>	Mountain meadow-rue
<i>Thalictrum steeleanum</i>	Steele's meadow-rue
<i>Thelypteris simulata</i>	Bog fern
<i>Thuja occidentalis</i>	
<i>Tofieldia glutinosa</i>	Sticky false-asphodel
<i>Trichomanes boschianum</i>	Filmy fern
<i>Trichostema setaceum</i>	Narrow-leaved blue curls
<i>Trifolium stoloniferum</i>	Running buffalo clover
<i>Trifolium virsinicum</i>	Kates mountain clover
<i>Trillium cernuum</i>	Nodding trillium
<i>Trillium flexipes</i>	Drooping trillium
<i>Trillium nivale</i>	Snow trillium
<i>Trillium pusillum</i> var <i>monticulum</i>	Dwarf trillium
<i>Utricularia cornuta</i>	Horned bladderwort
<i>Utricularia geminiscapa</i>	Hiddenfruit bladderwort
<i>Utricularia gibba</i>	Humped bladderwort
<i>Utricularia vulgaris</i>	Greater bladderwort
<i>Vaccinium caesium</i>	Squaw huckleberry
<i>Valerianella radiata</i>	Beaked corn-salad
<i>Veronia glauca</i>	Broad-leaved ironweed
<i>Veronica scutellata</i>	Marsh speedwell
<i>Viburnum rafinesquianum</i>	Downy arrow-wood
<i>Viburnum trilobum</i>	Highbush cranberry
<i>Viola appalachensis</i>	Appalachian blue violet
<i>Viola incognita</i>	Large-leaf white violet
<i>Viola nephrophylla</i>	Northern bog violet
<i>Viola septentrionalis</i>	Northern blue violet
<i>Viola tripartita</i>	Three-parted violet
<i>Vitis cinerea</i>	Pigeon grape
<i>Vitis rotundifolia</i>	Muscadine grape
<i>Vittaria appalachiana</i>	Appalachian gametophyte
<i>Wolffia columbiana</i>	Columbia water-meal
<i>Wolffia papulifera</i>	Watermeal
<i>Wolffia punctata</i>	Dotted water-meal
<i>Woodsia ilvensis</i>	Rusty woodsia
<i>Woodsia scopulina</i>	Allegheny cliff fern

(continued)

Appendix 5-1 (continued)

Scientific Name	Common Name
<i>Xerophyllum asphodeloides</i>	Eastern turkeybeard
<i>Xyris torta</i>	Yellow-eyed-grass
<i>Zannichellia palustris</i>	Horned pondweed
<i>Zigadenus elegans</i> ssp. <i>glaucus</i>	White camas
<i>Zigadenus leimanthoides</i>	Oceanorus

INSTALLATION:	COMPLIANCE CATEGORY: NATURAL AND CULTURAL RESOURCES MANAGEMENT West Virginia CDC Supplement	DATE:	REVIEWER(S):
STATUS NA C RMA	REVIEWER COMMENTS:		

SECTION 6

PESTICIDE MANAGEMENT

West Virginia CDC Supplement

SECTION 6

PESTICIDE MANAGEMENT

West Virginia Centers for Disease Control and Prevention (CDC) Supplement

Definitions

These definitions were obtained from the West Virginia *Pesticide Control Act* (WVPCA) of 1990, Article 16A, Section 19-16A-3.

- *Certified Applicator* - any person who is certified to use or supervise the use of any restricted use pesticides or general use pesticides for hire.
- *Certified Public Applicator* - a licensed applicator who applies restricted use pesticides or general use pesticides for hire as an employee of a state agency, municipal corporation, or other governmental agency. This term does not include employees who work under the direct supervision of a certified public applicator.
- *Commissioner* - the commissioner of agriculture of the State of West Virginia and his or her duly authorized representatives.
- *Direct Supervision* - that unless otherwise prescribed by its labeling, a pesticide shall be considered to be applied under the direct supervision of a certified applicator if it is applied by a competent person acting under the verifiable instructions and control of a certified applicator who is available when needed even though such certified applicator is not physically present at the time and place the pesticide is applied.
- *General Use Pesticide* - any pesticide not designated as restricted use by the administrator, U.S. Environmental Protection Agency (USEPA), or a state restricted use pesticide by the commissioner.
- *Pesticide* - any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any undesirable insects, rodents, nematodes, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals or which the commissioner may declare to be a pest and any substance or mixture of substances intended for use as a plant regulator, defoliant, desiccant, or herbicide.
- *Private Applicator* - a certified applicator who uses or supervises the use of any pesticide that is classified for restricted use for purpose of producing any agricultural commodity on property owned or rented by him or her or his or her employer or if applied without compensation other than trading of personal services between producers of agricultural commodities on property of another person.
- *Restricted Use Pesticide* - any pesticide classified for restricted use by the administrator, USEPA, or any pesticide declared to be state restricted by the commissioner.

PESTICIDE MANAGEMENT
GUIDANCE FOR WEST VIRGINIA CDC CHECKLIST USERS

APPLICABILITY:	REFER TO CHECKLIST ITEMS:
Certification	6-1
Equipment	6-2

COMPLIANCE CATEGORY: PESTICIDE MANAGEMENT West Virginia CDC Supplement	
REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
CERTIFICATION 6-1. Application of restricted use pesticides must be conducted by or under the direct supervision of certified applicators (WVPCA, Section 19-16A-10). EQUIPMENT 6-2. Pesticides must be applied with proper equipment (WV Title 61, Series 12A, Section 61-12A-12).	Verify that persons applying restricted use pesticides are certified or are working under the direct supervision of a person certified as a public or private applicator. Verify that no person applies, dispenses, or uses any pesticide in or through any equipment or application apparatus unless the equipment is in sound mechanical condition and capable of proper operation. Verify that the following requirements are met: - all pesticide mixing, storage, and holding tanks, whether on application equipment or not, are leakproof - all spray distribution systems are leakproof - pumps on spray distribution systems are capable of operating at sufficient pressure to assure a uniform and adequate rate of discharge - all application equipment is equipped with cutoff valves as necessary to enable the operator to pass over nontarget areas without contaminating them.

INSTALLATION:	COMPLIANCE CATEGORY: PESTICIDE MANAGEMENT West Virginia CDC Supplement	DATE:	REVIEWER(S):
STATUS NA C RMA	REVIEWER COMMENTS:		

SECTION 7

PETROLEUM, OIL, AND LUBRICANT (POL) MANAGEMENT

West Virginia CDC Supplement

SECTION 7

PETROLEUM, OIL, AND LUBRICANT (POL) MANAGEMENT

West Virginia Centers for Disease Control and Prevention (CDC) Supplement

West Virginia has no specific statewide regulations concerning petroleum, oil, and lubricant management. See the U.S. CDC Manual for applicable Federal requirements.

INSTALLATION:	COMPLIANCE CATEGORY: PETROLEUM, OIL, AND LUBRICANT (POL) MANAGEMENT West Virginia CDC Supplement	DATE:	REVIEWER(S):
STATUS NA C RMA	REVIEWER COMMENTS:		

SECTION 8

SOLID WASTE MANAGEMENT

West Virginia CDC Supplement

SECTION 8

SOLID WASTE MANAGEMENT

West Virginia Centers for Disease Control and Prevention (CDC) Supplement

Definitions

These definitions were obtained from West Virginia Title 47 Legislative Rules, Department of Natural Resources, Series 38, Solid Waste Management Regulations, Section 47-38-2.

- *Infectious Waste* - waste with infectious characteristics including animal waste, bulk human blood and blood products, laboratory waste, pathological waste, and sharps.
- *Laboratory Wastes* - cultures, and stocks of infectious agents and associated biologicals including, but not limited to, cultures from medical and pathological laboratories, cultures and stocks of infectious agents from research and industrial laboratories, wastes from the production of biologicals, and discarded live and attenuated vaccines.
- *Pathological Waste* - human pathological wastes including tissues, organs, and bodyparts and free-flowing or unabsorbed body fluids exclusive of those fixed in formaldehyde or another fixative.
- *Sharps* - discarded articles that may cause punctures or cuts and that have a high probability of having been used in animal or human patient care or treatment or in medical, research, or industrial laboratories and having been exposed to infectious agents. The term includes hypodermic needles, syringes with attached needles, and scalpel blades.
- *Solid Waste* - any garbage, paper, litter, refuse, cans, bottles, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility, other discarded materials including carcasses of dead animals, any other offensive or unsightly matter, solid, liquid, semisolid, contained liquid, or gaseous material resulting from industrial, commercial, mining, or community activities.

SOLID WASTE MANAGEMENT
GUIDANCE FOR WEST VIRGINIA CDC CHECKLIST USERS

APPLICABILITY:

All Facilities

**REFER TO
CHECKLIST ITEMS:**

8-1

**COMPLIANCE CATEGORY:
SOLID WASTE MANAGEMENT
West Virginia CDC Supplement**

REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
ALL FACILITIES 8-1. Facilities must take measures for the protection of the environment and the public from the hazards of open solid waste dumps (WV Title 47, Series 38. Section 47-38-7.2).	Verify that the following requirements are met: - the facility does not create or operate an open dump - the discharge of pollutants from accumulated wastes into the waters of the state is prevented - the access of disease vectors to accumulated waste is impeded - the introduction of hazardous or infectious waste to accumulated waste is prevented - measures are taken to reduce the risk of fire in the accumulated waste - measures are taken to limit public access to the accumulated wastes - measures are taken to prevent adverse impacts to area wildlife, particularly with regard to the destruction or adverse modification of habitat critical to any endangered or threatened species of animal or plant.

INSTALLATION:	COMPLIANCE CATEGORY: SOLID WASTE MANAGEMENT West Virginia CDC Supplement	DATE:	REVIEWER(S):
STATUS NA C RMA	REVIEWER COMMENTS:		

SECTION 9

SPECIAL POLLUTANTS MANAGEMENT

Radon, Asbestos, PCBs, and Noise Abatement

West Virginia CDC Supplement

SECTION 9

SPECIAL POLLUTANTS MANAGEMENT

Radon, Asbestos, Polychlorinated Biphenyls (PCBs), and Noise Abatement

West Virginia Centers for Disease Control and Prevention (CDC) Supplement

West Virginia has no specific statewide regulations concerning radon or polychlorinated biphenyls (PCBs). See the U.S. CDC Manual for applicable Federal requirements.

Definitions

These definitions were obtained from the West Virginia Code (WVC) 64-63.

- *Asbestos* - the asbestiform varieties of serpentinite (chrysolite), riebeckite (crocidolite), anthophyllite, and actinolite-tremolite, and that contain more than 1 percent asbestos by weight.
- *Asbestos Abatement* - procedures to control fiber release from asbestos-containing material. These procedures include removal, encapsulation, enclosure, repair, demolition, renovation, and similar activities.

**SPECIAL POLLUTANTS MANAGEMENT
GUIDANCE FOR WEST VIRGINIA CDC CHECKLIST USERS**

APPLICABILITY:	REFER TO CHECKLIST ITEMS:
Noise Abatement	9-1
Asbestos	9-2

COMPLIANCE CATEGORY: SPECIAL POLLUTANTS MANAGEMENT West Virginia CDC Supplement	
REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
NOISE ABATEMENT 9-1. Facility vehicles must be equipped with noise abatement equipment (WVC, Chapter 17-C-15-34). ASBESTOS 9-2. All personnel involved in asbestos abatement activities must be licensed (WVC, 64-63.4).	Verify that every motor vehicle is at all times equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise. Verify that the engine and power mechanism of every motor vehicle is equipped and adjusted to prevent the escape of excessive fumes or smoke. Verify that no person uses a muffler cutout, bypass, or similar device on a motor vehicle on a highway. Determine if any asbestos abatement projects are being conducted on facility property. Verify that all asbestos abatement activities are performed by properly licensed personnel.

INSTALLATION:	COMPLIANCE CATEGORY: SPECIAL POLLUTANTS MANAGEMENT West Virginia CDC Supplement	DATE:	REVIEWER(S):
STATUS NA C RMA	REVIEWER COMMENTS:		

SECTION 10

WATER QUALITY MANAGEMENT

West Virginia CDC Supplement

SECTION 10

WATER QUALITY MANAGEMENT

West Virginia Centers for Disease Control and Prevention (CDC) Supplement

Definitions

These definitions were obtained from the West Virginia Code (WVC), Title 46, Series 2, Section 2.

- *National Pollutant Discharge Elimination System (NPDES)* - the National program for issuing, denying, modifying, revoking, reissuing, suspending, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 318, 402, and 405 of the *Clean Water Act*, including any approved state program.
- *Point Source* - any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, concentrated animal feeding operations, well, discrete fissure, container, rolling stock, or vessel or other floating craft, from which pollutants are or may be discharged.

WATER QUALITY MANAGEMENT
GUIDANCE FOR WEST VIRGINIA CDC CHECKLIST USERS

APPLICABILITY:

All Facilities

**REFER TO
CHECKLIST ITEMS:**

10-1 and 10-2

**COMPLIANCE CATEGORY:
WATER QUALITY MANAGEMENT
West Virginia CDC Supplement**

REGULATORY REQUIREMENTS:	REVIEWER CHECKS:
ALL FACILITIES 10-1. Facilities that discharge pollutants from a point source into state waters must have a state NPDES permit (WVC, Title 46, Series 2, Section 46-2-3). 10-2. The facility must report any noncompliance with the NPDES permit that may endanger health or the environment (WVC, Title 46, Series 2, Section 46-2-5.12(e)).	Determine if the facility discharges pollutants into the waters of the state. Verify that the facility operates in accordance with a valid NPDES permit. Verify that all reportable instances of noncompliance are reported to the Division of Water Resources immediately after discovery. Verify that the following incidents are reported immediately: - unanticipated bypass that exceeds an effluent limitation in the NPDES permit - any upset that exceeds an effluent limitation - violation of the maximum daily discharge limitation for any other pollutants listed in the NPDES permit for immediate reporting, including any toxic pollutants or hazardous substances.

INSTALLATION:	COMPLIANCE CATEGORY: WATER QUALITY MANAGEMENT West Virginia CDC Supplement	DATE:	REVIEWER(S):
STATUS NA C RMA	REVIEWER COMMENTS:		